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HOUSE BILL NO. 477

Offered January 11, 2006

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A BILL to amend and reenact §§ 46.2-323 and 46.2-604 of the Code of Virginia, relating to driver's license applications and vehicle registration cards; donations to Prevent Blindness Virginia.

Patron—Ware, R.L.

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That §§ 46.2-323 and 46.2-604 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-323. Application for driver's license; proof of completion of driver education program; penalty.

A. Every application for a driver's license, temporary driver's permit, learner's permit, or motorcycle learner's permit shall be made on a form prescribed by the Department and the applicant shall write his usual signature in ink in the space provided on the form. The form shall include notice to the applicant of the duty to register with the Department of State Police as provided in Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the applicant has been convicted of an offense for which registration with the Sex Offender and Crimes Against Minors Registry is required.

B. Every application shall state the full legal name, year, month, and date of birth, social security number, sex, and residence address of the applicant; whether or not the applicant has previously been licensed as a driver and, if so, when and by what state, and whether or not his license has ever been suspended or revoked and, if so, the date of and reason for such suspension or revocation. The Department, as a condition for the issuance of any driver's license, temporary driver's permit, learner's permit, or motorcycle learner's permit may require the surrender of any driver's license or, in the case of a motorcycle learner's permit, a motorcycle license issued by another state and held by the applicant. The applicant shall also answer any questions on the application form or otherwise propounded by the Department incidental to the examination. The applicant may also be required to present to the person conducting the examination a birth certificate or other evidence, reasonably acceptable to the Department, of his name and date of birth.

The applicant shall also certify that he is a resident of the Commonwealth by signing a certification statement, on a form prescribed by the Commissioner, and by providing satisfactory proof that he is a resident of the Commonwealth. The Commissioner may adopt regulations to determine the process by which applicants prove that they are residents of the Commonwealth.

If the applicant either (i) fails or refuses to sign the certification statement or (ii) fails to follow the process determined by the Commissioner for proving residency, the Department shall not issue the applicant a driver's license, temporary driver's permit, learner's permit or motorcycle learner's permit.

Any applicant who knowingly makes a false certification of Virginia residency or supplies false or fictitious evidence of Virginia residency shall be punished as provided in § 46.2-348.

The Commissioner may, on a case-by-case basis, waive any provision of such regulations for good cause shown.

C. Every application for a driver's license shall include a color photograph of the applicant supplied under arrangements made by the Department. The photograph shall be processed by the Department so that the photograph can be made part of the issued license.

D. Notwithstanding the provisions of § 46.2-334, every applicant for a driver's license who is under 19 years of age shall furnish the Department with satisfactory proof of his successful completion of a driver education program approved by the State Department of Education.

E. Every application for a driver's license shall include language permitting a voluntary contribution of \$1 per applicant for Prevent Blindness Virginia, a nonprofit organization that provides driver education, vision screening, and vision screening training programs. A statement explaining the purpose of the contribution shall be included with the application. Revenues, minus administrative costs incurred by the Department, shall be dispersed quarterly to Prevent Blindness Virginia, which shall provide an annual accounting to the Department detailing how the revenues were used during the preceding year.

§ 46.2-604. Contents of registration card and certificate; vehicle color data; notation of certain disabled owners.

The registration card and the certificate of title shall each contain the date issued, the registration number assigned to the motor vehicle, trailer, or semitrailer, the name and address of the owner, a description of the registered motor vehicle, trailer, or semitrailer, and other statement of facts as may be determined by the Department. Every applicant for registration or renewal of registration shall indicate

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59 on his application the color that best describes the predominant color of the vehicle. In so doing, the
60 applicant shall select a color from a list of standard, primary colors, developed by the Commissioner.
61 Such color information shall be maintained in the Department's records and made available to
62 law-enforcement agencies for their official use and may, in the discretion of the Commissioner, be
63 indicated on the registration card and the certificate of title.

64 Whenever disabled parking license plates are issued under § 46.2-731 to the parent or legal guardian
65 of a person with a disability that limits or impairs his ability to walk or that creates a concern for his
66 safety while walking, the registration card for such vehicle shall so note.

67 Whenever (i) disabled parking license plates are issued under § 46.2-731 or DV disabled parking
68 license plates are issued under subsection B of § 46.2-739 and (ii) the vehicle for which such license
69 plates are issued is registered in the name of more than one owner, the registration card for such vehicle
70 shall include a notation indicating which owner or owners of the vehicle is a "person with a disability
71 that limits or impairs his ability to walk" as defined in § 46.2-1240. However, no vehicle owned and
72 used by an organization for the transportation of disabled persons shall be subject to the notation
73 requirement imposed by this paragraph.

74 The registration card shall contain forms for providing notice to the Department of a transfer of the
75 ownership of the motor vehicle, trailer, or semitrailer. Whenever a Virginia-registered motor vehicle is
76 sold or its ownership otherwise transferred, the seller or transferor shall notify the Department of the
77 sale or transfer by completing the appropriate portion of the registration card. Section 46.2-113 shall not
78 apply to failures to provide such notification.

79 *The registration card shall contain language permitting a voluntary contribution of \$1 per owner for*
80 *Prevent Blindness Virginia, a nonprofit organization that provides driver education, vision screening and*
81 *vision screening training programs. A statement explaining the purpose of the contribution shall be*
82 *included with the registration card. Revenues, minus administrative costs incurred by the Department,*
83 *shall be dispersed quarterly to Prevent Blindness Virginia, which will provide an annual accounting to*
84 *the Department detailing how the revenues were used.*

85 The certificate of title shall contain a statement of the owner's title and of all liens or encumbrances
86 on the motor vehicle, trailer, or semitrailer described in the certificate and whether possession is held by
87 the owner under a lease, contract, or conditional sale or other like agreement. The certificate of title
88 shall also contain forms of assignment of title or interest and warranty of title with space for notation of
89 liens and encumbrances on the motor vehicle, trailer, or semitrailer at the time of a transfer.