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HOUSE BILL NO. 3092

Offered January 17, 2007

A *BILL to amend and reenact §§ 20-60.3, 32.1-292.2, 46.2-340, 46.2-342, 46.2-894, 46.2-1110, 46.2-1190.4, 63.2-1250, and 63.2-1916 of the Code of Virginia, relating to driver's license numbers; nonissuance to persons with bona fide religious objections.*

Patrons—Johnson and Kilgore

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 20-60.3, 32.1-292.2, 46.2-340, 46.2-342, 46.2-894, 46.2-1110, 46.2-1190.4, 63.2-1250, and 63.2-1916 of the Code of Virginia are amended and reenacted as follows:

§ 20-60.3. Contents of support orders.

All orders directing the payment of spousal support where there are minor children whom the parties have a mutual duty to support and all orders directing the payment of child support, including those orders confirming separation agreements, entered on or after October 1, 1985, whether they are original orders or modifications of existing orders, shall contain the following:

1. Notice that support payments may be withheld as they become due pursuant to § 20-79.1 or § 20-79.2, from income as defined in § 63.2-1900, without further amendments of this order or having to file an application for services with the Department of Social Services; however, absence of such notice in an order entered prior to July 1, 1988, shall not bar withholding of support payments pursuant to § 20-79.1;

2. Notice that support payments may be withheld pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 without further amendments to the order upon application for services with the Department of Social Services; however, absence of such notice in an order entered prior to July 1, 1988, shall not bar withholding of support payments pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2;

3. The names and dates of birth of each child to whom a duty of support is then owed by the person responsible for support;

4. If known, the name, date of birth and social security number of each parent of the child and, if different and if known, the name, date of birth and social security number of the person responsible for support and, unless otherwise ordered, each parent or responsible person's residential and, if different, mailing address, residential and employer telephone number, driver's license number, *if any*, and the name and address of his or her employer; however, when a protective order has been issued or the court otherwise finds reason to believe that a party is at risk of physical or emotional harm from the other party, information other than the name of the party at risk shall not be included in the order;

5. On and after July 1, 1994, notice that a petition may be filed for suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business or occupation issued by the Commonwealth to a person responsible for support as provided in § 63.2-1937 upon a delinquency for a period of 90 days or more or in an amount of \$5,000 or more. The order shall indicate whether either or both parents currently hold such an authorization and, if so, the type of authorization held;

6. The monthly amount of support and the effective date of the order. In proceedings on initial petitions, the effective date shall be the date of filing of the petition; in modification proceedings, the effective date may be the date of notice to the responding party. The first monthly payment shall be due on the first day of the month following the hearing date and on the first day of each month thereafter. In addition, an amount shall be assessed for any full and partial months between the effective date of the order and the date that the first monthly payment is due. The assessment for the initial partial month shall be prorated from the effective date through the end of that month, based on the current monthly obligation;

7. a. An order for health care coverage, including the health insurance policy information, for dependent children pursuant to §§ 20-108.1 and 20-108.2 if available at reasonable cost as defined in § 63.2-1900 and a statement as to whether there is an order for health care coverage for a spouse or former spouse; and

b. A statement as to whether any unreimbursed medical expenses are to be paid by or reimbursed to a party pursuant to subsections D and G of § 20-108.2, and if such expenses are ordered, then the provisions governing how such payment is to be made;

8. If support arrearages exist, (i) to whom an arrearage is owed and the amount of the arrearage, (ii) the period of time for which such arrearage is calculated, and (iii) a direction that all payments are to be

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59 credited to current support obligations first, with any payment in excess of the current obligation applied
60 to arrearages;

61 9. If child support payments are ordered to be paid through the Department of Social Services or
62 directly to the obligee, and unless the court for good cause shown orders otherwise, the parties shall
63 give each other and the court and, when payments are to be made through the Department, the
64 Department of Social Services at least 30 days' written notice, in advance, of any change of address and
65 any change of telephone number within 30 days after the change;

66 10. If child support payments are ordered to be paid through the Department of Social Services, a
67 provision requiring an obligor to keep the Department of Social Services informed of the name, address
68 and telephone number of his current employer, or if payments are ordered to be paid directly to the
69 obligee, a provision requiring an obligor to keep the court informed of the name, address and telephone
70 number of his current employer;

71 11. The separate amounts due to each person under the order, unless the court specifically orders a
72 unitary award of child and spousal support due or the order affirms a separation agreement containing
73 provision for such unitary award;

74 12. Notice that in determination of a support obligation, the support obligation as it becomes due and
75 unpaid creates a judgment by operation of law;

76 13. Notice that on and after July 1, 1994, the Department of Social Services may, pursuant to
77 Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and in accordance with §§ 20-108.2 and 63.2-1921,
78 initiate a review of the amount of support ordered by any court; and

79 14. A statement that if any arrearages for child support, including interest or fees, exist at the time
80 the youngest child included in the order emancipates, payments shall continue in the total amount due
81 (current support plus amount applied toward arrearages) at the time of emancipation until all arrearages
82 are paid.

83 The provisions of this section shall not apply to divorce decrees where there are no minor children
84 whom the parties have a mutual duty to support.

85 § 32.1-292.2. The Virginia Donor Registry.

86 A. In order to save lives by reducing the shortage of organs and tissues for transplantation and to
87 implement cost savings for patients and various state agencies by eliminating needless bureaucracy, there
88 is hereby established the Virginia Donor Registry (hereinafter referred to as the Registry), which shall be
89 created, compiled, maintained, and modified as necessary by the Virginia Transplant Council in
90 accordance with the regulations of the Board of Health and the administration of the Department of
91 Health. Pertinent information on all Virginians who have indicated a willingness to donate organs and
92 tissues in accordance with § 32.1-290 shall be compiled, maintained, and modified as necessary in the
93 Registry by the Virginia Transplant Council.

94 B. The Registry and all information therein shall be confidential and subject to access only by
95 personnel of the Department of Health and designated organ procurement organizations, eye banks, and
96 tissue banks, operating in or serving Virginia that are members of the Virginia Transplant Council, for
97 the purpose of identifying and determining the suitability of a potential donor according to the
98 provisions of subdivision B 4 of § 32.1-127 or subsection F of § 46.2-342.

99 C. The purpose of the Registry shall include, but not be limited to:

100 1. Providing a means of recovering an anatomical gift for transplantation or research as authorized by
101 § 32.1-295 and subsection F of § 46.2-342; and

102 2. Collecting data to develop and evaluate the effectiveness of educational initiatives promoting
103 organ, eye, and tissue donation that are conducted or coordinated by the Virginia Transplant Council or
104 its members.

105 D. The Board, in consultation with the Virginia Transplant Council, shall promulgate regulations
106 necessary to create, compile, maintain, modify as necessary, and administer the Virginia Donor Registry.
107 The regulations shall include, but not be limited to:

108 1. Recording the data subject's full name, address, sex, birth date, age, driver's license number, *if*
109 *any*, or unique identifying number, and other pertinent identifying personal information;

110 2. Authorizing the Virginia Transplant Council to analyze Registry data under research protocols that
111 are designed to identify and assess the effectiveness of mechanisms to promote and increase organ, eye,
112 and tissue donation within the Commonwealth; and

113 3. Providing that any Virginian whose name has been placed in the registry may have his name
114 deleted by filing an appropriate form with the Virginia Transplant Council or in accordance with
115 subsections E and F of § 32.1-290 or subsection G of § 46.2-342.

116 § 46.2-340. Information concerning school bus drivers and driver education instructors.

117 A. At the beginning of each school year, and whenever changes need to be made, each local school
118 division shall furnish to the Department of Motor Vehicles the name, driver's license number, *if any*, and
119 commercial driver's license number of all persons driving school buses for that school division.
120 Whenever any commercial driver's license with a school bus driver's endorsement is suspended or

121 revoked, or the holder of a driver's license with a school bus driver's endorsement or commercial driver's
 122 license with a school bus driver's endorsement is convicted in any court of reckless driving or driving
 123 while intoxicated, the Department shall notify the affected local school division of the name and driver's
 124 license number, *if any*, or commercial driver's license number of the driver involved.

125 B. At the beginning of each school year, and whenever changes need to be made, each local school
 126 division and private school providing a driver education program approved by the Department of
 127 Education shall furnish to the Department of Motor Vehicles the name and driver's license number, *if*
 128 *any*, of all persons providing instruction in driver education for that school division or private school.
 129 Whenever a driver's license of a person providing such instruction is suspended or revoked, or such
 130 person is convicted in any court of reckless driving or driving while intoxicated, the Department shall
 131 notify the affected local school division or private school of the name and driver's license number, *if*
 132 *any*, of the driver involved.

133 If the driving record of such driver education instructor accumulates more than six demerit points
 134 based on convictions occurring in any calendar year, the Department shall notify the relevant local
 135 school division or private school of the name and driver's license number, *if any*, of the driver. Safe
 136 driving points shall not be used to reduce the six demerit points. No driver education program in a
 137 public school division or a private school shall retain its approval by the Department of Education
 138 unless such a person who has accumulated such six demerit points is removed from providing
 139 behind-the-wheel driver education instruction in the private school or public school division for a period
 140 of twenty-four months.

141 C. The provisions of the Government Data Collection and Dissemination Practices Act (Chapter 38
 142 of Title 2.2, § 2.2-3800 et seq.) shall not apply to the exchange of information under this section.

143 § 46.2-342. What license to contain; organ donor information; Uniform Donor Document.

144 A. Every license issued under this chapter shall bear:

145 1. For licenses issued or renewed on or after July 1, 2003, a license number which shall be assigned
 146 by the Department to the licensee and shall not be the same as the licensee's social security number;

147 2. A color photograph of the licensee;

148 3. The licensee's full name, year, month, and date of birth;

149 4. The licensee's address, subject to the provisions of subsection A1 of this section;

150 5. A brief description of the licensee for the purpose of identification;

151 6. A space for the signature of the licensee; and

152 7. Any other information deemed necessary by the Commissioner for the administration of this title.

153 No abbreviated names or nicknames shall be shown on any license.

154 *Notwithstanding the forgoing provisions of this section, no licensee shall be assigned any driver's*
 155 *license number if, in his application for the license, the licensee states in writing that he has a bona*
 156 *fide religious objection to being assigned a driver's license number; however, this provision shall not be*
 157 *construed as prohibiting the display of photographs or other biometric information.*

158 A1. At the option of the licensee, the address shown on the license may be either the post office
 159 box, business, or residence address of the licensee, provided such address is located in Virginia.
 160 However, regardless of which address is shown on the license, the licensee shall supply the Department
 161 with his residence address, which shall be an address in Virginia. This residence address shall be
 162 maintained in the Department's records. Whenever the licensee's address shown either on his license or
 163 in the Department's records changes, he shall notify the Department of such change as required by
 164 § 46.2-324.

165 B. The license shall be made of a material and in a form to be determined by the Commissioner.

166 C. Licenses issued to persons less than 21 years old shall be immediately and readily distinguishable
 167 from those issued to persons 21 years old or older. Distinguishing characteristics shall include unique
 168 design elements of the document and descriptors within the photograph area to identify persons who are
 169 at least 15 years old but less than 21 years old. These descriptors shall include the month, day, and year
 170 when the person will become 21 years old.

171 D. The Department shall establish a method by which an applicant for a driver's license or an
 172 identification card may designate his willingness to be an organ donor as provided in Article 2
 173 (§ 32.1-289 et seq.) of Chapter 8 of Title 32.1 and shall cooperate with the Virginia Transplant Council
 174 to ensure that such method is designed to encourage organ donation with a minimum of effort on the
 175 part of the donor and the Department.

176 E. If an applicant designates his willingness to be a donor pursuant to subsection D, the Department
 177 may make a notation of this designation on his license or card and shall make a notation of this
 178 designation in his driver record.

179 F. The donor designation authorized in subsection E shall be sufficient legal authority for the
 180 removal, following death, of the subject's organs or tissues without additional authority from the donor,
 181 or his family or estate. No family member, guardian, agent named pursuant to an advance directive or

182 person responsible for the decedent's estate shall refuse to honor the donor designation or, in any way,
183 seek to avoid honoring the donor designation.

184 G. The donor designation provided pursuant to subsection D may be rescinded by notifying the
185 Department.

186 H. With the written consent of his parent or legal guardian, a minor may make a donor designation.

187 I. When requested by the applicant, and upon presentation of a signed statement by a licensed
188 physician confirming the applicant's condition, the Department shall indicate on the applicant's driver's
189 license that the applicant is (i) an insulin-dependent diabetic, or (ii) hearing or speech impaired.

190 J. In the absence of gross negligence or willful misconduct, the Department and its employees shall
191 be immune from any civil or criminal liability in connection with the making of or failure to make a
192 notation of donor designation on any license or card or in any person's driver record.

193 K. Notwithstanding the foregoing provisions of this section, the Department shall continue to use the
194 uniform donor document, as formerly set forth in subsection D above, for organ donation designation
195 until such time as a new method is fully implemented, which shall be no later than July 1, 1994. Any
196 such uniform donor document shall, when properly executed, remain valid and shall continue to be
197 subject to all conditions for execution, delivery, amendment, and revocation as set out in Article 2
198 (§ 32.1-289 et seq.) of Chapter 8 of Title 32.1.

199 L. The Department shall, in coordination with the Virginia Transplant Council, prepare an organ
200 donor information brochure describing the organ donor program and providing instructions for
201 completion of the uniform donor document information describing the bone marrow donation program
202 and instructions for registration in the National Bone Marrow Registry. The Department shall include a
203 copy of such brochure with every driver's license renewal notice or application mailed to licensed
204 drivers in Virginia.

205 § 46.2-894. Duty of driver to stop, etc., in event of accident involving injury or death or damage to
206 attended property; penalty.

207 The driver of any vehicle involved in an accident in which a person is killed or injured or in which
208 an attended vehicle or other attended property is damaged shall immediately stop as close to the scene
209 of the accident as possible without obstructing traffic, as provided in § 46.2-888, and report his name,
210 address, driver's license number, *if any*, and vehicle registration number forthwith to the State Police or
211 local law-enforcement agency, to the person struck and injured if such person appears to be capable of
212 understanding and retaining the information, or to the driver or some other occupant of the vehicle
213 collided with or to the custodian of other damaged property. The driver shall also render reasonable
214 assistance to any person injured in such accident, including taking such injured person to a physician,
215 surgeon, or hospital if it is apparent that medical treatment is necessary or is requested by the injured
216 person.

217 Where, because of injuries sustained in the accident, the driver is prevented from complying with the
218 foregoing provisions of this section, the driver shall, as soon as reasonably possible, make the required
219 report to the State Police or local law-enforcement agency and make a reasonable effort to locate the
220 person struck, or the driver or some other occupant of the vehicle collided with, or the custodian of the
221 damaged property, and report to such person or persons his name, address, driver's license number, *if*
222 *any*, and vehicle registration number.

223 Any person convicted of a violation of this section is guilty of (i) a Class 5 felony if the accident
224 results in injury to or the death of any person, or if the accident results in more than \$1000 of damage
225 to property or (ii) a Class 1 misdemeanor if the accident results in damage of \$1000 or less to property.

226 § 46.2-1110. Height of vehicles; damage to overhead obstruction; penalty.

227 No loaded or unloaded vehicle shall exceed a height of 13 feet, six inches.

228 Nothing contained in this section shall require either the public authorities or railroad companies to
229 provide vertical clearances of overhead bridges or structures in excess of 12 feet, six inches, or to make
230 any changes in the vertical clearances of existing overhead bridges or structures crossing highways. The
231 driver or owner of vehicles on highways shall be held financially responsible for any damage to
232 overhead bridges or structures that results from collisions therewith.

233 The driver or owner of any vehicle colliding with an overhead bridge or structure shall immediately
234 notify, either in person or by telephone, a law-enforcement officer or the public authority or railroad
235 company, owning or maintaining such overhead bridge or structure of the fact of such collision, and his
236 name, address, driver's license number, *if any*, and the registration number of his vehicle. Failure to give
237 such notice immediately, either in person or by telephone, shall constitute a Class 1 misdemeanor.

238 On any highway over which there is a bridge or structure having a vertical clearance of less than 14
239 feet, the Commonwealth Transportation Commissioner shall have at least two signs erected setting forth
240 the height of the bridge or structure. Such signs shall be located at least 1,500 feet ahead of the bridge
241 or structure.

242 The Virginia Department of Transportation may install and use overheight vehicle optical detection
243 systems to identify vehicles that exceed the overhead clearance of the westbound tunnel of the Hampton

Roads Bridge Tunnel on Interstate Route 64. When the optical system sensor located closest to the westbound tunnel entrance is used in identifying such vehicles, the system shall be installed at the specified height as determined by measurement standards that have been certified by the Commissioner of the Virginia Department of Agriculture and Consumer Services, and are traceable to national standards of measurement. Such identification by such system shall, for all purposes of law, be equivalent to having measured the height of the vehicle with a tape measure or other measuring device.

Any person who drives or attempts to drive any vehicle or combination of vehicles into or through any tunnel when the height of such vehicle, any vehicle in a combination of vehicles, or any load on any such vehicle exceeds that permitted for such tunnel, shall be guilty of a Class 3 misdemeanor and, in addition, shall be assessed three driver demerit points.

§ 46.2-1190.4. Administrative and reporting requirements.

A. Training centers shall be responsible for verifying that all participants are eligible for enrollment in a course under the program, based on the following:

1. Persons enrolling in a novice rider course shall (i) possess a valid learner's permit or valid driver's license; (ii) have written parental or guardian permission if under the age of 18 years of age; and (iii) be physically able to balance and operate a motorcycle.

2. Persons enrolling in an experienced rider course shall (i) possess a valid driver's license endorsed for motorcycle operation; (ii) have written parental or guardian permission if under the age of 18; (iii) use a motorcycle that may lawfully be operated on the highways of the Commonwealth during course training; and (iv) have valid proof of ownership of such motorcycle, or have its owner's written permission to use it and valid proof of insurance.

3. Persons enrolling in a sidecar and three-wheeled motorcycle course shall (i) possess a valid learner's permit or a valid driver's license; (ii) have written parental or guardian permission if under the age of 18; (iii) use a sidecar rig or three-wheeled motorcycle that may lawfully be operated on the highways of the Commonwealth during course training; and (iv) if providing their own sidecar rig or three-wheeled motorcycle, have valid proof of ownership of such sidecar rig or three-wheeled motorcycle, or have its owner's written permission to use it and valid proof of insurance.

B. Training centers shall provide the following information to the Department on each course within 20 business days of course completion, on forms provided by the Department:

1. The type of course and date of completion;
2. The name, address, social security number, and certification number of each instructor;
3. The name, address, driver's license number, *if any*, and date of birth of all participants enrolled in each course; and

4. The course completion status of each participant.

C. The training center shall issue a Department-approved certificate of completion to each participant who successfully completes a course in the program.

D. Training centers shall (i) retain a copy of each participant's waiver form and original course evaluation form and (ii) establish and maintain records of course administration, including the information outlined in subsection B of this section, for a three-year period following the course completion. The Department may audit course records, and monitor and evaluate any and all aspects of a training center's operation.

§ 63.2-1250. Registration; notice; form.

A. Except as otherwise provided in subsection C, a man who desires to be notified of a proceeding for adoption of, or termination of parental rights regarding, a child that he may have fathered shall register with the Putative Father Registry before the birth of the child or within 10 days after the birth. A registrant shall promptly notify the registry of any change in the information registered including but not limited to change of address. The Department shall incorporate all new information received into its records but is not required to obtain current information for incorporation in the registry.

B. A man will not prejudice any rights by failing to register if:

1. A father-child relationship between the man and the child has been established pursuant to § 20-49.1, 20-49.8, or if the man is a presumed father as defined in § 63.2-1202; or

2. The man commences a proceeding to adjudicate his paternity before a petition to accept consent or waive adoption consent is filed in the juvenile and domestic relations district court, or a petition for adoption or a petition for the termination of his parental rights is filed with the court.

C. Failure to register pursuant to subsection A shall waive all rights of a man who is not an acknowledged, presumed, or adjudicated father to withhold consent to an adoption proceeding unless the man was led to believe through the birth mother's fraud that (i) the pregnancy was terminated or the mother miscarried when in fact the baby was born, or (ii) that the child died when in fact the child is alive. Upon the discovery of the fraud the man shall register with the Putative Father Registry within 10 days.

D. The child-placing agency or adoptive parent(s) shall give notice of a proceeding for the adoption

of, or termination of parental rights regarding, a child to a registrant who has timely registered pursuant to subsection A. Notice shall be given pursuant to the requirements of this chapter or § 16.1-277.01 for the appropriate adoption proceeding.

E. Any man who has engaged in sexual intercourse with a woman is deemed to be on legal notice that a child may be conceived and the man is entitled to all legal rights and obligations resulting therefrom. Lack of knowledge of the pregnancy does not excuse failure to timely register except when the identity of such man is reasonably ascertainable. In such event, written notice of the existence of an adoption plan and the availability of registration with the Putative Father Registry shall be provided to the man's last known address. The man shall have no more than 10 days from the date of such mailing to register. The mailing may be done either prior to or after the birth of the child.

F. The Department shall prepare a form for registering with the agency that shall require (i) the registrant's name, date of birth and social security number; (ii) the registrant's driver's license number, *if any*, and state of issuance; (iii) the registrant's home address, telephone number and employer; (iv) name, date of birth, ethnicity, address and telephone number of the putative mother, if known; (v) state of conception; (vi) place and date of birth of the child, if known; and (vii) name and gender of the child, if known.

G. The form shall also state that (i) timely registration entitles the registrant to notice of a proceeding for adoption of the child or termination of the registrant's parental rights, (ii) registration does not commence a proceeding to establish paternity, (iii) the information disclosed on the form may be used against the registrant to establish paternity, (iv) services to assist in establishing paternity are available to the registrant through the Department, (v) the registrant should also register in another state if conception or birth of the child occurred in another state, (vi) information on registries of other states may be available from the Department, (vii) that the form is signed under penalty of perjury, and (viii) procedures exist to rescind the registration of a claim of paternity.

§ 63.2-1916. Notice of administrative support order; contents; hearing; modification.

The Commissioner may proceed against a noncustodial parent whose support debt has accrued or is accruing based upon subrogation to, assignment of, or authorization to enforce a support obligation. Such obligation may be created by a court order for support of a child or child and spouse or decree of divorce ordering support of a child or child and spouse. In the absence of such a court order or decree of divorce, the Commissioner may, pursuant to this chapter, proceed against a person whose support debt has accrued or is accruing based upon payment of public assistance or who has a responsibility for the support of any dependent child or children and their custodial parent. The administrative support order shall also provide that support shall continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the parent seeking or receiving child support, until such child reaches the age of 19 or graduates from high school, whichever comes first. The Commissioner shall initiate proceedings by issuing notice containing the administrative support order which shall become effective unless timely contested. The notice shall be served upon the debtor (a) in accordance with the provisions of §§ 8.01-296, 8.01-327 or § 8.01-329 or (b) by certified mail, return receipt requested, or the debtor may accept service by signing a formal waiver. A copy of the notice shall be sent to the obligee by first-class mail. The notice shall include the following:

1. A statement of the support debt or obligation accrued or accruing and the basis and authority under which the assessment of the debt or obligation was made. The initial administrative support order shall be effective on the date of service and the first monthly payment shall be due on the first of the month following the date of service and the first of each month thereafter. A modified administrative support order shall be effective the date that notice of the review is served on the nonrequesting party, and the first monthly payment shall be due on the first day of the month following the date of such service and on the first day of each month thereafter. In addition, an amount shall be assessed for the partial month between the effective date of the order and the date that the first monthly payment is due. The assessment for the initial partial month shall be prorated from the effective date through the end of that month, based on the current monthly obligation;

2. A statement of the name of the child or children and custodial parent for whom support is being sought;

3. A statement that support shall continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the parent seeking or receiving child support, until such child reaches the age of 19 or graduates from high school, whichever comes first;

4. A demand for immediate payment of the support debt or obligation or, in the alternative, a demand that the debtor file an answer with the Commissioner within 10 days of the date of service of the notice stating his defenses to liability;

5. A statement of each party's name, residential and, if different, mailing address, telephone number, driver's license number, *if any*, and the name, address and telephone number of his employer; however,

when a protective order has been issued or the Department otherwise finds reason to believe that a party is at risk of physical or emotional harm from the other party, information other than the name of the party at risk shall not be included in the notice;

6. A statement that if no answer is made on or before 10 days from the date of service of the notice, the administrative support order shall be final and enforceable, and the support debt shall be assessed and determined subject to computation, and is subject to collection action;

7. A statement that the property of the debtor will be subject to lien and foreclosure, distraint, seizure and sale or an order to withhold and deliver or withholding of earnings;

8. A statement that the obligor shall keep the Department informed regarding access to health insurance coverage and health insurance policy information and a statement that health care coverage shall be required for the debtor's dependent children if available at reasonable cost as defined in § 63.2-1900, or pursuant to subsection A of § 63.2-1903;

9. A statement of each party's right to appeal and the procedures applicable to appeals from the decision of the Commissioner;

10. A statement that the obligor's income shall be immediately withheld to comply with this order unless the obligee, or the Department, if the obligee is receiving public assistance, and obligor agree to an alternative arrangement;

11. A statement that any determination of a support obligation under this section creates a judgment by operation of law and as such is entitled to full faith and credit in any other state or jurisdiction;

12. A statement that each party shall give the Department written notice of any change in his address or ~~phone~~ telephone number within 30 days;

13. A statement that each party shall keep the Department informed of the name, telephone number and address of his current employer; and

14. A statement that if any arrearages for child support, including interest or fees, exist at the time the youngest child included in the order emancipates, payments shall continue in the total amount due (current support plus amount applied toward arrearages) at the time of emancipation until all arrearages are paid.

If no answer is received by the Commissioner within 10 days of the date of service or acceptance, the administrative support order shall be effective as provided in the notice. The Commissioner may initiate collection procedures pursuant to this chapter, Chapter 11 (§ 16.1-226 et seq.) of Title 16.1 or Title 20. The debtor and the obligee have 10 days from the date of receipt of the notice to file an answer with the Commissioner to exercise the right to an administrative hearing.

Any changes in the amount of the administrative order must be made pursuant to this section. In no event shall an administrative hearing alter or amend the amount or terms of any court order for support or decree of divorce ordering support. No support order may be retroactively modified, but may be modified with respect to any period during which there is a pending petition for modification in any court, but only from the date that notice of the review has been served on the nonrequesting party. Notice of the review shall be served for each review (1) in accordance with the provisions of §§ 8.01-296, 8.01-327 or § 8.01-329, or (2) by certified mail, with proof of actual receipt by the addressee, or (3) by the nonrequesting party executing a waiver. The existence of an administrative order shall not preclude either an obligor or obligee from commencing appropriate proceedings in a juvenile and domestic relations district court or a circuit court.