

2007 SESSION

INTRODUCED

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HOUSE BILL NO. 3126

Offered January 18, 2007

A BILL to amend and reenact § 8.01-308 of the Code of Virginia, relating to service on Commissioner of the Department of Motor Vehicles as agent for nonresident motor vehicle operator.

Patron—Kilgore

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-308 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-308. Service on Commissioner of the Department of Motor Vehicles as agent for nonresident motor vehicle operator.

Any operation in the Commonwealth of a motor vehicle by a nonresident, including those nonresidents defined in subdivision 2 of § 8.01-307, either in person or by an agent or employee, shall be deemed equivalent to an appointment by such nonresident of the Commissioner of the Department of Motor Vehicles, and his successors in office, to be the attorney or statutory agent of such nonresident for the purpose of service of process in any action against him growing out of (i) any accident or collision in which such nonresident, his agent, or his employee may be involved while operating motor vehicles in this Commonwealth or (ii) any violation of the provisions of Title 46.2 within the Commonwealth, any local ordinance that constitutes a substantially similar law as defined in § 46.2-341.23, or any other local ordinance relating to the operation or parking of motor vehicles. Acceptance by a nonresident of the rights and privileges conferred by Article 5 (§ 46.2-655 et seq.) of Chapter 6 of Title 46.2 shall have the same effect under this section as the operation of such motor vehicle, by such nonresident, his agent, or his employee.

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