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HOUSE BILL NO. 1243

Offered January 18, 2010

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 Mid-Atlantic.

Patrons—Stolle and Tata

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 shall 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 proof of identity, residency, and social security number or non-work authorized status, if required to appear in person before the Department to apply.

The Commissioner shall require that each application include a certification statement to be signed by the applicant under penalty of perjury, certifying that the information presented on the application is true and correct.

If the applicant fails or refuses to sign the certification statement, 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 or supplies false or fictitious evidence shall be punished as provided in § 46.2-348.

C. Every application for a driver's license shall include a 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 submitted by a person less than 18 years old and attending a public school in the Commonwealth shall be accompanied by a document, signed by the applicant's parent or legal guardian, authorizing the principal, or his designee, of the school attended by the applicant to notify the juvenile and domestic relations district court within whose jurisdiction the minor resides when the applicant has had 10 or more unexcused absences from school on consecutive school days.

F. The Department shall electronically transmit application information to the Department of State Police, in a format approved by the State Police, for comparison with information contained in the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender Registry Files, at the time of issuance of a driver's license, temporary driver's permit, learner's permit, or motorcycle learner's permit. Whenever it appears from the records of the State Police that a person has failed to comply with the duty to register or reregister pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the State Police shall promptly investigate and, if there is probable cause to believe a violation has occurred, obtain a warrant or assist in obtaining an indictment charging a violation of § 18.2-472.1 in the jurisdiction in which the person made application of licensure.

G. The Department shall provide a method by which an applicant conducting such application using electronic means may make a voluntary contribution to Prevent Blindness Mid-Atlantic, a nonprofit

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HB1243

59 *organization that provides driver education, vision screening, and vision screening training programs.*
60 *Revenues, minus administrative costs incurred by the Department, shall be dispersed quarterly to*
61 *Prevent Blindness Mid-Atlantic, which shall provide an annual accounting to the Department detailing*
62 *how the revenues were used during the preceding year.*

63 § 46.2-604. Contents of registration card and certificate; vehicle color data; notation of certain
64 disabled owners.

65 The registration card and the certificate of title shall each contain the date issued, the registration
66 number assigned to the motor vehicle, trailer, or semitrailer, the name and address of the owner, a
67 description of the registered motor vehicle, trailer, or semitrailer, and other statement of facts as may be
68 determined by the Department. Every applicant for registration or renewal of registration shall indicate
69 on his application the color that best describes the predominant color of the vehicle. In so doing, the
70 applicant shall select a color from a list of standard, primary colors, developed by the Commissioner.
71 Such color information shall be maintained in the Department's records and made available to
72 law-enforcement agencies for their official use and may, in the discretion of the Commissioner, be
73 indicated on the registration card and the certificate of title.

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

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

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

89 *The Department shall provide a method by which an applicant conducting such registration by*
90 *electronic means may make a voluntary contribution to Prevent Blindness Mid-Atlantic, a nonprofit*
91 *organization that provides driver education, vision screening, and vision screening training programs.*
92 *Revenues, minus administrative costs incurred by the Department, shall be dispersed quarterly to*
93 *Prevent Blindness Mid-Atlantic, which shall provide an annual accounting to the Department detailing*
94 *how the revenues were used.*

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