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HOUSE BILL NO. 541

Offered January 11, 2012

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A *BILL to amend and reenact §§ 46.2-324.1, 46.2-325, 46.2-330, 46.2-335, 46.2-345, 46.2-692, 46.2-741, 46.2-743, 46.2-746, 46.2-1550.2, 46.2-1558, 46.2-1954, 46.2-1964, 46.2-1992.46, 46.2-1992.56, 46.2-1993.46, and 46.2-1993.55 of the Code of Virginia and § 1 of the first enactment of Chapter 669 of the Acts of Assembly of 2007 and to amend the Code of Virginia by adding sections numbered 46.2-205.2 and 46.2-752.1, relating to military discharge; DMV service and safety.*

Patrons—Poindexter, Cosgrove and May

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-324.1, 46.2-325, 46.2-330, 46.2-335, 46.2-345, 46.2-692, 46.2-741, 46.2-743, 46.2-746, 46.2-1550.2, 46.2-1558, 46.2-1954, 46.2-1964, 46.2-1992.46, 46.2-1992.56, 46.2-1993.46, and 46.2-1993.55 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-205.2 and 46.2-752.1 as follows:

§ 46.2-205.2. Agreements with other agencies; collection of fees.

The Commissioner may enter into an agreement with an agency of the Commonwealth, any other state, or the federal government to conduct customer service transactions on behalf of that agency for the benefit of Virginia residents. For each such transaction conducted, the Department shall collect from the customer any transaction fee required by the responsible agency and remit the same to that agency in accordance with the terms of the agreement. The Department may also impose and collect a processing fee to be used to defray the costs of the transaction to the Department. The amount of the processing fee, if imposed, shall be \$2, unless otherwise specified by law. Any processing fees imposed and collected by the Department under this section shall be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

For purposes of this section, "state," when applied to a part of the United States, means any of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, and the United States Virgin Islands.

§ 46.2-324.1. Requirements for initial licensure of certain applicants.

No driver's license shall be issued to any applicant unless he either (i) provides written evidence of having satisfactorily completed a course of driver instruction at a driver training school licensed under Chapter 17 (§ 46.2-1700 et seq.) of this title or a comparable course approved by the Department or Department of Education or, (ii) has held a an instructional permit issued by the Department for at least 30 days prior to his first behind-the-wheel examination by the Department when applying for a commercial driver's license, or (iii) has held a learner's permit issued by the Department for at least 30 60 days prior to his first behind-the-wheel examination by the Department when applying for a noncommercial driver's license.

The provisions of this section shall only apply to persons who are at least 19 years old and who either (i) (a) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country or (ii) (b) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate, except that the provisions of this section shall apply to applicants for commercial driver's licenses who are 18 years old or older and have never before held a commercial driver's license or have never held the license endorsement or classification required to operate the type of commercial motor vehicle that they now propose to operate. Nothing in this section shall be construed to prohibit the Department from requiring any person to complete the skills examination as prescribed in § 46.2-325 and the written or automated examinations as prescribed in § 46.2-335.

§ 46.2-325. Examination of applicants; waiver of Department's examination under certain circumstances; behind-the-wheel and knowledge examinations.

A. The Department shall examine every applicant for a driver's license before issuing any license to determine (i) his physical and mental qualifications and his ability to drive a motor vehicle without jeopardizing the safety of persons or property and (ii) if any facts exist which would bar the issuance of a license under §§ 46.2-311 through 46.2-316, 46.2-334 or § 46.2-335. The examination, however, shall not include investigation of any facts other than those directly pertaining to the ability of the applicant to drive a motor vehicle with safety, or other than those facts declared to be prerequisite to the issuance

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59 of a license under this chapter. No applicant otherwise competent shall be required to demonstrate
60 ability to park any motor vehicle except in an adequate parking space between horizontal markers, and
61 not between flags or sticks simulating parked vehicles. Except as provided for in § 46.2-337, applicants
62 for licensure to drive motor vehicles of the classifications referred to in § 46.2-328 shall submit to
63 examinations which relate to the operation of those vehicles. *The motor vehicle to be used by the*
64 *applicant for the behind-the-wheel examination shall meet the safety and equipment requirements*
65 *specified in Chapter 10 (§ 46.2-1000 et seq.) and possess a valid inspection sticker as required pursuant*
66 *to § 46.2-1157.*

67 *No applicant for a behind-the-wheel examination for a driver's license administered by the*
68 *Department shall be permitted to take the examination unless accompanied to the examination location*
69 *by a driver holding an unexpired driver's license issued by Virginia or another jurisdiction of the United*
70 *States, who must show the license to the person administering the examination. Prior to taking the*
71 *examination, the applicant shall also either (a) present evidence that the applicant has completed a*
72 *state-approved driver education class pursuant to the provisions of § 46.2-324.1 or 46.2-334, or (b)*
73 *submit to the examiner a behind-the-wheel maneuvers checklist, on a form provided by the Department,*
74 *that describes the vehicle maneuvers the applicant may be expected to perform while taking the*
75 *behind-the-wheel examination and that has been signed by a licensed driver, certifying that the*
76 *applicant has practiced the driving maneuvers contained and described therein.*

77 Except for applicants subject to § 46.2-312, if the Commissioner is satisfied that an applicant has
78 demonstrated the same proficiency as required by the Department's examination through successful
79 completion of either (i) the driver education course approved by the Department of Education or (ii)
80 (2) a driver training course offered by a driver training school licensed under Chapter 17 (§ 46.2-1700 et
81 seq.) of this title, he may waive those parts of the Department's examination provided for in this section
82 that require the applicant to drive and park a motor vehicle.

83 B. *Any person who fails the behind-the-wheel examination for a driver's license administered by the*
84 *Department shall wait two days before being permitted to take another such examination.* No person
85 who fails the behind-the-wheel examination for a driver's license administered by the Department three
86 times shall be permitted to take such examination a fourth time until he successfully completes,
87 subsequent to the third examination failure, the in-vehicle component of driver instruction at a driver
88 training school licensed under Chapter 17 (§ 46.2-1700 et seq.) or a comparable course approved by the
89 Department or the Department of Education. In addition, no person who fails the driver knowledge
90 examination for a driver's license administered by the Department three times shall be permitted to take
91 such examination a fourth time until he successfully completes, subsequent to the third examination
92 failure, the classroom component of driver instruction at a driver training school licensed under Chapter
93 17 (§ 46.2-1700 et seq.) or a comparable course approved by the Department or the Department of
94 Education.

95 The provisions of this subsection shall not apply to persons placed under medical control by the
96 Department pursuant to § 46.2-322.

97 § 46.2-330. Expiration and renewal of licenses; examinations required.

98 A. Every driver's license shall expire on the applicant's birthday at the end of the period of years for
99 which a driver's license has been issued. At no time shall any driver's license be issued for more than
100 eight years. Thereafter the driver's license shall be renewed on or before the birthday of the licensee and
101 shall be valid for a period not to exceed eight years except as otherwise provided by law.
102 *Notwithstanding these limitations, the Commissioner may extend the validity period of an expiring*
103 *license if (i) the Department is unable to process an application for renewal due to circumstances*
104 *beyond its control, (ii) the extension has been authorized under a directive from the Governor, and (iii)*
105 *the license was not issued as a temporary driver's license under the provisions of subsection B of*
106 *§ 46.2-328.1. However, in no event shall the validity period be extended more than 90 days per*
107 *occurrence of such conditions.* In determining the number of years for which a driver's license shall be
108 renewed, the Commissioner shall take into consideration the examinations, conditions, requirements, and
109 other criteria provided under this title that relate to the issuance of a license to operate a vehicle. Any
110 driver's license issued to a person required to register pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title
111 9.1 shall expire on the applicant's birthday in years which the applicant attains an age equally divisible
112 by five.

113 B. Within one year prior to the date shown on the driver's license as the date of expiration, the
114 Department shall send notice, to the holder thereof, at the address shown on the records of the
115 Department in its driver's license file, that his license will expire on a date specified therein, whether he
116 must be reexamined, and when he may be reexamined. Nonreceipt of the notice shall not extend the
117 period of validity of the driver's license beyond its expiration date. The license holder may request the
118 Department to send such renewal notice to an email or other electronic address, upon provision of such
119 address to the Department.

120 Any driver's license may be renewed by application after the applicant has taken and successfully

completed those parts of the examination provided for in §§ 46.2-311, 46.2-325, and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), including vision and written tests, other than the parts of the examination requiring the applicant to drive a motor vehicle. All drivers applying in person for renewal of a license shall take and successfully complete the examination each renewal year. Every applicant for a renewal shall appear in person before the Department, unless specifically notified by the Department that renewal may be accomplished in another manner as provided in the notice. Applicants who are required to appear in person before the Department to apply for a renewal may also be required to present proof of identity, legal presence, residency, and social security number or non-work authorized status.

C. Notwithstanding any other provision of this section, the Commissioner, in his discretion, may require any applicant for renewal to be fully examined as provided in §§ 46.2-311, 46.2-325, and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). Furthermore, if the applicant is less than 80 years old, the Commissioner may waive the vision examination for any applicant for renewal of a driver's license which is not a commercial driver's license, and the requirement or the taking of the written test as provided in subsection B of this section, § 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), for any applicant for renewal who is at least 21 years old. Such written test shall not be waived for an applicant less than 21 years old if such applicant's driver's license record on file with the Department contains a record of one or more convictions for any offense reportable under §§ 46.2-382, 46.2-382.1, and 46.2-383. However, in no case shall there be any waiver of the vision examination for applicants for renewal of a commercial driver's license or of the knowledge test required by the Virginia Commercial Driver's License Act for the hazardous materials endorsement on a commercial driver's license. No driver's license or learner's permit issued to any person who is 80 years old or older shall be renewed unless the applicant for renewal appears in person and either (i) passes a vision examination or (ii) presents a report of a vision examination, made within 90 days prior thereto by an ophthalmologist or optometrist, indicating that the applicant's vision meets or exceeds the standards contained in § 46.2-311.

D. Every applicant for renewal of a driver's license, whether renewal shall or shall not be dependent on any examination of the applicant, shall appear in person before the Department to apply for renewal, unless specifically notified by the Department that renewal may be accomplished in another manner as provided in the notice.

E. This section shall not modify the provisions of § 46.2-221.2.

F. 1. The Department shall electronically transmit application information, including a photograph, 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 the renewal of a driver's license. 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 last registered or reregistered or in the jurisdiction where the person made application for licensure. The Department of State Police shall electronically transmit to the Department, in a format approved by the Department, for each person required to register pursuant to Chapter 9 of Title 9.1, registry information consisting of the person's name, all aliases that he has used or under which he may have been known, his date of birth and social security number as set out in § 9.1-903.

2. For each person required to register pursuant to Chapter 9 of Title 9.1, the Department may not waive the requirement that each such person shall appear for each renewal or the requirement to obtain a photograph in accordance with subsection C of § 46.2-323.

§ 46.2-335. Learner's permits; fees; certification required.

A. The Department, on receiving from any Virginia resident over the age of 15 years and six months an application for a learner's permit or motorcycle learner's permit, may, subject to the applicant's satisfactory documentation of meeting the requirements of this chapter and successful completion of the written or automated knowledge and vision examinations and, in the case of a motorcycle learner's permit applicant, the automated motorcycle test, issue a permit entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle or, if the application is made for a motorcycle learner's permit, a motorcycle, on the highways, when accompanied by any licensed driver 21 years of age or older or by his parent or legal guardian, or by a brother, sister, half-brother, half-sister, step-brother, or step-sister 18 years of age or older. The accompanying person shall be (i) alert, able to assist the driver, and actually occupying a seat beside the driver or, for motorcycle instruction, providing immediate supervision from a separate accompanying motor vehicle and (ii) lawfully permitted to operate the motor vehicle or accompanying motorcycle at that time.

The Department shall not, however, issue a learner's permit or motorcycle learner's permit to any

182 minor applicant required to provide evidence of compliance with the compulsory school attendance law
183 set forth in Article 1 (§ 22.1-254 et seq.) of Chapter 14 of Title 22.1, unless such applicant is in good
184 academic standing or, if not in such standing or submitting evidence thereof, whose parent or guardian,
185 having custody of such minor, provides written authorization for the minor to obtain a learner's permit
186 or motorcycle learner's permit, which written authorization shall be obtained on forms provided by the
187 Department and indicating the Commonwealth's interest in the good academic standing and regular
188 school attendance of such minors. Any minor providing proper evidence of the solemnization of his
189 marriage or a certified copy of a court order of emancipation shall not be required to provide the
190 certification of good academic standing or any written authorization from his parent or guardian to
191 obtain a learner's permit or motorcycle learner's permit.

192 Such permit, except a motorcycle learner's permit, shall be valid until the holder thereof either is
193 issued a driver's license as provided for in this chapter or no longer meets the qualifications for issuance
194 of a learner's permit as provided in this section. Motorcycle learner's permits shall be valid for 12
195 months. When a motorcycle learner's permit expires, the permittee may, upon submission of an
196 application, payment of the application fee, and successful completion of the examinations, be issued
197 another motorcycle learner's permit valid for 12 months.

198 Any person 25 years of age or older who is eligible to receive an operator's license in Virginia, but
199 who is required, pursuant to § 46.2-324.1, to be issued a learner's permit for ~~30~~ 60 days prior to his first
200 behind-the-wheel exam, may be issued such learner's permit even though restrictions on his driving
201 privilege have been ordered by a court. Any such learner's permit shall be subject to the restrictions
202 ordered by the court.

203 B. No driver's license shall be issued to any such person who is less than 18 years old unless, while
204 holding a learner's permit, he has driven a motor vehicle for at least 45 hours, at least 15 of which were
205 after sunset, as certified by his parent, foster parent, or legal guardian unless the person is married or
206 otherwise emancipated. Such certification shall be on a form provided by the Commissioner and shall
207 contain the following statement:

208 "It is illegal for anyone to give false information in connection with obtaining a driver's license. This
209 certification is considered part of the driver's license application, and anyone who certifies to a false
210 statement may be prosecuted. I certify that the statements made and the information submitted by me
211 regarding this certification are true and correct."

212 Such form shall also include the driver's license or Department of Motor Vehicles-issued
213 identification card number of the person making the certification.

214 C. No learner's permit shall authorize its holder to operate a motor vehicle with more than one
215 passenger who is less than 18 years old, except when participating in a driver education program
216 approved by the Department of Education or a course offered by a driver training school licensed by the
217 Department. This passenger limitation, however, shall not apply to the driver's family or household as
218 defined in subsection B of § 46.2-334.01.

219 D. No learner's permit shall authorize its holder to operate a motor vehicle between midnight and
220 four o'clock a.m.

221 E. A violation of subsection C or D of ~~this section~~ shall not constitute negligence, be considered in
222 mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by
223 counsel in any action for the recovery of damages arising out of the operation, ownership, or
224 maintenance of a motor vehicle, nor shall anything in this subsection change any existing law, rule, or
225 procedure pertaining to any such civil action.

226 F. The provisions of §§ 46.2-323 and 46.2-334 relating to evidence and certification of Virginia
227 residence and, in the case of persons of school age, compliance with the compulsory school attendance
228 law shall apply, mutatis mutandis, to applications for learner's permits and motorcycle learner's permits
229 issued under this section.

230 G. For persons qualifying for a driver's license through driver education courses approved by the
231 Department of Education or courses offered by driver training schools licensed by the Department, the
232 application for the learner's permit shall be used as the application for the driver's license.

233 H. The Department shall charge a fee of \$3 for each learner's permit and motorcycle learner's permit
234 issued under this section. Fees for issuance of learner's permits shall be paid into the driver education
235 fund of the state treasury; fees for issuance of motorcycle learner's permits shall be paid into the state
236 treasury and credited to the Motorcycle Rider Safety Training Program Fund created pursuant to
237 § 46.2-1191. It shall be unlawful for any person, after having received a learner's permit, to drive a
238 motor vehicle without being accompanied by a licensed driver as provided in the foregoing provisions of
239 this section; however, a learner's permit other than a motorcycle learner's permit, accompanied by
240 documentation verifying that the driver is at least 16 years and three months old and has successfully
241 completed an approved driver's education course, signed by the minor's parent, guardian, legal custodian
242 or other person standing in loco parentis, shall constitute a temporary driver's license for the purpose of
243 driving unaccompanied by a licensed driver 18 years of age or older, if all other requirements of this

chapter have been met. Such temporary driver's license shall only be valid until the driver has received his permanent license pursuant to § 46.2-336.

I. Nothing in this section shall be construed to permit the issuance of a learner's permit entitling a person to drive a commercial motor vehicle, except as provided by the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

J. The following limitations shall apply to operation of motorcycles by all persons holding motorcycle learner's permits:

1. The operator shall wear an approved safety helmet as provided in § 46.2-910.

2. Operation shall be under the immediate supervision of a person licensed to operate a motorcycle who is 21 years of age or older.

3. No person other than the operator shall occupy the motorcycle.

K. Any violation of this section shall be punishable as a Class 2 misdemeanor.

§ 46.2-345. Issuance of special identification cards; fee; confidentiality; penalties.

A. On the application of any person who is a resident of the Commonwealth or the parent or legal guardian of any such person who is under the age of 15, the Department shall issue a special identification card to the person provided:

1. Application is made on a form prescribed by the Department and includes the applicant's full legal name; year, month, and date of birth; social security number; sex; and residence address;

2. The applicant presents, when required by the Department, proof of identity, legal presence, residency, and social security number or non-work authorized status;

3. The Department is satisfied that the applicant needs an identification card or the applicant shows he has a bona fide need for such a card; and

4. The applicant does not hold a driver's license, commercial driver's license, temporary driver's permit, learner's permit, or motorcycle learner's permit.

Persons 70 years of age or older may exchange a valid Virginia driver's license for a special identification card at no fee. Special identification cards subsequently issued to such persons shall be subject to the regular fees for special identification cards.

B. The fee for the issuance of an original or renewal special identification card is \$5. The fee for the issuance of a duplicate or reissue of a special identification card is \$5. Persons 21 years old or older may be issued a scenic special identification card for an additional fee of \$5.

C. Every special identification card shall expire on the last day of the month of birth of the applicant in years in which the applicant attains an age exactly divisible by five. At no time shall any special identification card be issued for less than three nor more than seven years, except under the provisions of subsection B of § 46.2-328.1 and except that those cards issued to children under the age of 15 shall expire on the child's sixteenth birthday, thereafter the special identification card may be renewed on or before the last day of the month of birth of the applicant and shall be valid for five years, expiring in the next year in which the applicant's age is exactly divisible by five, except under the provisions of subsection B of § 46.2-328.1. *Notwithstanding these limitations, the Commissioner may extend the validity period of an expiring card if (i) the Department is unable to process an application for renewal due to circumstances beyond its control, (ii) the extension has been authorized under a directive from the Governor, and (iii) the card was not issued as a temporary special identification card under the provisions of subsection B of § 46.2-328.1. However, in no event shall the validity period be extended more than 90 days per occurrence of such conditions.*

D. A special identification card issued under this section may be similar in size, shape, and design to a driver's license, and include a photograph of its holder, but the card shall be readily distinguishable from a driver's license and shall clearly state that it does not authorize the person to whom it is issued to drive a motor vehicle. Every applicant for a special identification card shall appear in person before the Department to apply for a renewal, duplicate or reissue unless specifically permitted by the Department to apply in another manner.

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

F. Special identification cards for persons under age 15 shall bear a full face photograph. The special identification card issued to persons under age 15 shall be readily distinguishable from a driver's license and from other special identification cards issued by the Department. Such cards shall clearly indicate that it does not authorize the person to whom it is issued to drive a motor vehicle.

G. Unless otherwise prohibited by law, a valid Virginia driver's license may be surrendered for a special identification card without the applicant's having to present proof of legal presence as required by § 46.2-328.1 if the Virginia driver's license is unexpired and it has not been revoked, suspended, or

305 cancelled. The special identification card shall be considered a reissue and the expiration date shall be
306 the last day of the month of the surrendered driver's license's month of expiration.

307 H. Any personal information, as identified in § 2.2-3801, which is retained by the Department from
308 an application for the issuance of a special identification card is confidential and shall not be divulged to
309 any person, association, corporation, or organization, public or private, except to the legal guardian or
310 the attorney of the applicant or to a person, association, corporation, or organization nominated in
311 writing by the applicant, his legal guardian, or his attorney. This subsection shall not prevent the
312 Department from furnishing the application or any information thereon to any law-enforcement agency.

313 I. Any person who uses a false or fictitious name or gives a false or fictitious address in any
314 application for an identification card or knowingly makes a false statement or conceals a material fact or
315 otherwise commits a fraud in any such application shall be guilty of a Class 2 misdemeanor. However,
316 where the name or address is given, or false statement is made, or fact is concealed, or fraud committed,
317 with the intent to purchase a firearm or where the identification card is obtained for the purpose of
318 committing any offense punishable as a felony, a violation of this section shall constitute a Class 4
319 felony.

320 J. The Department may promulgate regulations necessary for the effective implementation of the
321 provisions of this section.

322 K. The Department shall utilize the various communications media throughout the Commonwealth to
323 inform Virginia residents of the provisions of this section and to promote and encourage the public to
324 take advantage of its provisions.

325 L. The Department shall electronically transmit application information to the Department of State
326 Police, in a format approved by the State Police, for comparison with information contained in the
327 Virginia Criminal Information Network and National Crime Information Center Convicted Sexual
328 Offender Registry Files, at the time of issuance of a special identification card. Whenever it appears
329 from the records of the State Police that a person has failed to comply with the duty to register or
330 reregister pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the State Police shall promptly
331 investigate and, if there is probable cause to believe a violation has occurred, obtain a warrant or assist
332 in obtaining an indictment charging a violation of § 18.2-472.1 in the jurisdiction in which the person
333 made application for the special identification card.

334 § 46.2-692. Fee for replacement of lost, mutilated, or illegible indicia of titling and registration.

335 The fee for the replacement of license plates, decals, registration cards, or certificates of title which
336 are lost, mutilated or illegible shall be as follows:

337 1. For any type of replacement or duplication of vehicle registration cards, International Registration
338 Plan cab cards, registration cards for overload permits, or dealer registration cards, ~~two dollars~~ \$2,
339 *except that no fee shall be charged for the replacement or duplication of a vehicle registration card or*
340 *registration card for overload permit that is conducted using the Internet;*

341 2. For a certificate of title, ~~five dollars~~ \$5;

342 3. For license plates or license plates with decals, ~~ten dollars~~ \$10;

343 4. For a license plate with decals issued for trailers, ~~five dollars~~ \$5; and

344 5. For one or two decals, ~~one dollar~~ \$1.

345 § 46.2-741. Special license plates for survivors of attack on Pearl Harbor; fees.

346 On receipt of an application and written evidence that the applicant is ~~an honorably discharged a~~
347 *former member of one of the armed forces of the United States, who was discharged or released*
348 *therefrom under conditions other than dishonorable*, and, while serving in the armed forces of the
349 United States, was present during the attack on the island of Oahu, Territory of Hawaii, on December 7,
350 1941, between the hours of 7:55 a.m. and 9:45 a.m., Hawaii time, the Commissioner shall issue to the
351 applicant special license plates identifying the vehicle as registered to a Pearl Harbor survivor.

352 For each set of license plates issued under this section, the Commissioner shall charge, in addition to
353 the prescribed cost of state license plates, a one-time fee of ten dollars at the time the plates are issued.

354 The provisions of subdivisions B 1 and B 2 of ~~subsection B~~ of § 46.2-725 shall not apply to license
355 plates issued under this section.

356 § 46.2-743. Special license plates for members of the Virginia Defense Force and certain veterans;
357 fees.

358 A. On receipt of an application and written evidence that the applicant is ~~an honorably discharged a~~
359 *former member of one of the armed forces of the United States, who was discharged or released*
360 *therefrom under conditions other than dishonorable*, the Commissioner shall issue to the applicant
361 special license plates.

362 B. On receipt of an application and written evidence that the applicant is on active duty with, has
363 been ~~honorably discharged or released under conditions other than dishonorable~~ after at least six
364 months of active duty service in, or has retired from the United States Marine Corps, the Commissioner
365 shall issue to the applicant special license plates whose design incorporates an emblem of the United
366 States Marine Corps. Unmarried surviving spouses of persons eligible to receive special license plates

under this subsection may also be issued special license plates under this subsection.

C. On receipt of an application and written evidence that the applicant is on active duty with, has been ~~honorably~~ discharged *or released under conditions other than dishonorable* after at least six months of active duty service in, or has retired from the United States Army, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the United States Army.

D. On receipt of an application and written evidence that the applicant is a veteran of World War II, the Commissioner shall issue special license plates to veterans of World War II. For each set of license plates issued under this subsection, the Commissioner shall charge, in addition to the prescribed cost of state license plates, a one-time fee of \$10 at the time the plates are issued.

E. On receipt of an application and written evidence that the applicant is a veteran of the Korean War, the Commissioner shall issue special license plates to veterans of the Korean War.

F. On receipt of an application and written evidence that the applicant is a veteran of the Vietnam War, the Commissioner shall issue special license plates to veterans of the Vietnam War.

G. On receipt of an application and written evidence that the applicant is a veteran of the Asiatic-Pacific Campaign, the Commissioner shall issue special license plates to veterans of that campaign. For each set of license plates issued under this subsection, the Commissioner shall charge, in addition to the prescribed cost of state license plates, a one-time fee of \$10 at the time the plates are issued.

H. On receipt of an application and written evidence that the applicant is a veteran of Operation Iraqi Freedom, the Commissioner shall issue special license plates to veterans of Operation Iraqi Freedom.

I. On receipt of an application and written evidence that the applicant is a veteran of Operation Enduring Freedom, the Commissioner shall issue special license plates to veterans of Operation Enduring Freedom.

J. On receipt of an application and written evidence that the applicant is a member of the Virginia Defense Force, the Commissioner shall issue special license plates to members of the Virginia Defense Force.

K. The provisions of subdivisions B 1 and B 2 of § 46.2-725 shall not apply to license plates issued under subsection A, D, E, F, H, I, or J of this section.

§ 46.2-746. Special license plates for former prisoners of war; fees.

On receipt of an application and written evidence from one of the armed forces that the applicant was a prisoner of war and was ~~honorably~~ discharged *or released under conditions other than dishonorable*, if not currently a member of the armed forces, the Commissioner shall issue special license plates to persons who have been prisoners of the enemy in any war. No fee shall be charged for license plates issued under the provisions of this section.

It shall be unlawful for any person to willfully and falsely represent himself as having the qualifications to obtain the special plates provided for in this section.

No individual shall be issued special license plates under this section for more than one vehicle.

On presentation of appropriate written evidence from the Foreign Claims Settlement Commission of the United States, special license plates provided for in this section shall also be issued by the Commissioner to persons who were not members of the armed forces.

Unremarried surviving spouses of persons eligible to receive special license plates under this section may also be issued special license plates under this section.

The provisions of subdivisions B 1 and B 2 of ~~subsection B~~ of § 46.2-725 shall not apply to license plates issued under this section.

§ 46.2-752.1. *One-time, one-month registration extension to allow for satisfaction of requirements of counties, cities, and towns.*

A. On request of an applicant, the Commissioner may grant a one-month extension of the registration period of a vehicle if the vehicle registration has been withheld pursuant to § 46.2-752 and the current registration period will expire within the calendar month. No extension may be granted for an expired vehicle registration and only one extension may be granted for any one vehicle registration period.

For each extension granted, the Commissioner shall collect (i) a \$10 administrative fee, and (ii) a fee sufficient for a one-month registration period for the vehicle, as calculated under subsection B of § 46.2-694.

On receipt of such fees, the Commissioner shall issue a registration card and, if applicable, decals indicating the month of expiration of the vehicle registration. Upon satisfaction of the requirements of § 46.2-752, the applicant may elect to renew the vehicle registration. For such renewal, the Commissioner shall collect the appropriate registration renewal fee and issue a registration card and, if applicable, decals. The renewal shall take effect the first day succeeding the month in which the registration extension expires. When offered by the Commissioner, the applicant may elect to renew the

428 *vehicle registration for multiple years, pursuant to § 46.2-646.*

429 *B. All administrative fees imposed and collected by the Commissioner under this section shall be*
430 *paid into the state treasury and set aside as a special fund to be used to meet the expenses of the*
431 *Department.*

432 § 46.2-1550.2. Issuance and use of temporary transport plates, generally.

433 The Department, subject to the limitations and conditions set forth in this section and the insurance
434 requirements contained in § 46.2-1547, may provide for the issuance of temporary transport plates
435 designed by the Department to any dealer licensed under this chapter who applies for at least ~~ten~~ 10
436 plates and who encloses with his application a fee of ~~one dollar~~ \$1.50 for each plate. The application
437 shall be made on a form prescribed and furnished by the Department. Temporary transport plates may
438 be used for those purposes outlined in § 46.2-1550.1. Every dealer who has applied for temporary
439 transport plates shall maintain a ~~permanent~~ record of (i) all temporary transport plates delivered to him,
440 (ii) all temporary transport plates issued by him, and (iii) any other information pertaining to the receipt
441 or the issuance of temporary transport plates which may be required by the Department.

442 Every dealer who issues temporary transport plates shall insert clearly and indelibly on the face of
443 the temporary transport plates the name of the issuing dealer, the date of issuance and expiration, and
444 the make and identification number of the vehicle for which issued.

445 The dealer shall issue to the operator of the specified vehicle a certificate on forms provided by the
446 Department, a copy of which shall be retained by the dealer and open at all times to the inspection of
447 the Commissioner or any of the officers or agents of the Department. The certificate shall be in the
448 immediate possession of the person operating or authorized to operate the vehicle. The certificate shall
449 entitle the person to operate with the dealer's temporary transport plate for a period of no more than five
450 days. Temporary transport plates may also be used by the dealer to demonstrate types of vehicles taken
451 in trade but for which he has not been issued dealer's license plates.

452 § 46.2-1558. Issuance of temporary license plates to dealers and vehicle owners.

453 The Department may, subject to the limitations and conditions set forth in this article, deliver
454 temporary license plates designed by the Department to any dealer licensed under this chapter who
455 applies for at least ~~ten~~ 10 sets of plates and who encloses with his application a fee of ~~two dollars~~ \$3
456 for each set applied for. The application shall be made on a form prescribed and furnished by the
457 Department. Dealers, subject to the limitations and conditions set forth in this article, may issue
458 temporary license plates to owners of vehicles. The owners shall comply with the provisions of this
459 article and §§ 46.2-705, 46.2-706 and 46.2-707. Dealers issuing temporary license plates may do so free
460 of charge, but if they charge a fee for issuing temporary plates, the fee shall be no more than the fee
461 charged the dealer by the Department under this section.

462 Display of a temporary license plate or plates on a motor vehicle, trailer, or semitrailer shall subject
463 the vehicle to the requirements of §§ 46.2-1038 and 46.2-1056.

464 § 46.2-1954. Issuance and use of temporary transport plates, generally.

465 The Department, subject to the limitations and conditions set forth in this section and the insurance
466 requirements contained in § 46.2-1948, may provide for the issuance of temporary transport plates
467 designed by the Department to any dealer licensed under this chapter who applies for at least ~~ten~~ 10
468 plates and who encloses with his application a fee of ~~one dollar~~ \$1.50 for each plate. The application
469 shall be made on a form prescribed and furnished by the Department. Temporary transport plates may
470 be used for those purposes outlined in § 46.2-1953. Every dealer who has applied for temporary
471 transport plates shall maintain a ~~permanent~~ record of (i) all temporary transport plates delivered to him,
472 (ii) all temporary transport plates issued by him, and (iii) any other information pertaining to the receipt
473 or the issuance of temporary transport plates which may be required by the Department.

474 Every dealer who issues temporary transport plates shall insert clearly and indelibly on the face of
475 the temporary transport plates the name of the issuing dealer, the date of issuance and expiration, and
476 the make and identification number of the vehicle for which issued.

477 The dealer shall issue to the operator of the specified vehicle a certificate on forms provided by the
478 Department, a copy of which shall be retained by the dealer and open at all times to the inspection of
479 the Commissioner or any of the officers or agents of the Department. The certificate shall be in the
480 immediate possession of the person operating or authorized to operate the vehicle. The certificate shall
481 entitle the person to operate with the dealer's temporary transport plate for a period of no more than five
482 days. Temporary transport plates may also be used by the dealer to demonstrate types of vehicles taken
483 in trade but for which he has not been issued dealer's license plates.

484 § 46.2-1964. Issuance of temporary license plates to dealers and vehicle owners.

485 The Department may, subject to the limitations and conditions set forth in this article, deliver
486 temporary license plates designed by the Department to any dealer licensed under this chapter who
487 applies for at least ~~ten~~ 10 sets of plates and who encloses with his application a fee of ~~two dollars~~ \$3
488 for each set applied for. The application shall be made on a form prescribed and furnished by the
489 Department. Dealers, subject to the limitations and conditions set forth in this article, may issue

temporary license plates to owners of vehicles. The owners shall comply with the provisions of this article and §§ 46.2-705, 46.2-706 and 46.2-707. Dealers issuing temporary license plates may do so free of charge, but if they charge a fee for issuing temporary plates, the fee shall be no more than the fee charged the dealer by the Department under this section.

Display of a temporary license plate or plates on a T&M vehicle shall subject the vehicle to the requirements of §§ 46.2-1038 and 46.2-1056.

§ 46.2-1992.46. Issuance and use of temporary transport plates, generally.

The Department, subject to the limitations and conditions set forth in this section and the insurance requirements contained in § 46.2-1992.40, may provide for the issuance of temporary transport plates designed by the Department to any dealer licensed under this chapter who applies for at least ~~ten~~ 10 plates and who encloses with his application a fee of ~~one dollar~~ \$1.50 for each plate. The application shall be made on a form prescribed and furnished by the Department. Temporary transport plates may be used for those purposes outlined in § 46.2-1992.45. Every dealer who has applied for temporary transport plates shall maintain a ~~permanent~~ record of (i) all temporary transport plates delivered to him, (ii) all temporary transport plates issued by him, and (iii) any other information pertaining to the receipt or the issuance of temporary transport plates which may be required by the Department.

Every dealer who issues temporary transport plates shall insert clearly and indelibly on the face of the temporary transport plates the name of the issuing dealer, the date of issuance and expiration, and the make and identification number of the trailer for which issued.

The dealer shall issue to the operator of the specified trailer a certificate on forms provided by the Department, a copy of which shall be retained by the dealer and open at all times to the inspection of the Commissioner or any of the officers or agents of the Department. The certificate shall be in the immediate possession of the person operating or authorized to operate the trailer. The certificate shall entitle the person to operate with the dealer's temporary transport plate for a period of no more than five days. Temporary transport plates may also be used by the dealer to demonstrate types of vehicles taken in trade but for which he has not been issued dealer's license plates.

§ 46.2-1992.56. Issuance of temporary license plates to dealers and vehicle owners.

The Department may, subject to the limitations and conditions set forth in this article, deliver temporary license plates designed by the Department to any dealer licensed under this chapter who applies for at least ~~ten~~ 10 sets of plates and who encloses with his application a fee of ~~two dollars~~ \$3 for each set applied for. The application shall be made on a form prescribed and furnished by the Department. Dealers, subject to the limitations and conditions set forth in this article, may issue temporary license plates to owners of trailers. The owners shall comply with the provisions of this article and §§ 46.2-705, 46.2-706 and 46.2-707. Dealers issuing temporary license plates may do so free of charge, but if they charge a fee for issuing temporary plates, the fee shall be no more than the fee charged the dealer by the Department under this section.

Display of a temporary license plate or plates on a vehicle shall subject the vehicle to the requirements of §§ 46.2-1038 and 46.2-1056.

§ 46.2-1993.46. Issuance and use of temporary transport plates, generally.

The Department, subject to the limitations and conditions set forth in this section and the insurance requirements contained in § 46.2-1993.40, may provide for the issuance of temporary transport plates designed by the Department to any dealer licensed under this chapter who applies for at least ~~ten~~ 10 plates and who encloses with his application a fee of ~~one dollar~~ \$1.50 for each plate. The application shall be made on a form prescribed and furnished by the Department. Temporary transport plates may be used for those purposes outlined in § 46.2-1993.45. Every dealer who has applied for temporary transport plates shall maintain a ~~permanent~~ record of (i) all temporary transport plates delivered to him, (ii) all temporary transport plates issued by him, and (iii) any other information pertaining to the receipt or the issuance of temporary transport plates which may be required by the Department.

Every dealer who issues temporary transport plates shall insert clearly and indelibly on the face of the temporary transport plates the name of the issuing dealer, the date of issuance and expiration, and the make and identification number of the vehicle for which issued.

The dealer shall issue to the operator of the specified vehicle a certificate on forms provided by the Department, a copy of which shall be retained by the dealer and open at all times to the inspection of the Commissioner or any of the officers or agents of the Department. The certificate shall be in the immediate possession of the person operating or authorized to operate the vehicle. The certificate shall entitle the person to operate with the dealer's temporary transport plate for a period of no more than five days. Temporary transport plates may also be used by the dealer to demonstrate types of vehicles taken in trade but for which he has not been issued dealer's license plates.

§ 46.2-1993.55. Issuance of temporary license plates to dealers and vehicle owners.

The Department may, subject to the limitations and conditions set forth in this article, deliver temporary license plates designed by the Department to any dealer licensed under this chapter who

551 applies for at least ~~ten~~ 10 sets of plates and who encloses with his application a fee of ~~two dollars~~ \$3
552 for each set applied for. The application shall be made on a form prescribed and furnished by the
553 Department. Dealers, subject to the limitations and conditions set forth in this article, may issue
554 temporary license plates to owners of vehicles. The owners shall comply with the provisions of this
555 article and §§ 46.2-705, 46.2-706 and 46.2-707. Dealers issuing temporary license plates may do so free
556 of charge, but if they charge a fee for issuing temporary plates, the fee shall be no more than the fee
557 charged the dealer by the Department under this section.

558 Display of a temporary license plate or plates on a vehicle shall subject the vehicle to the
559 requirements of §§ 46.2-1038 and 46.2-1056.

560 Nothing in this article shall apply to all-terrain vehicles or off-road motorcycles.

561 **2. That § 1 of the first enactment of Chapter 669 of the Acts of Assembly of 2007 is amended and**
562 **reenacted as follows:**

563 § 1. Special license plates for members of the U.S. Coast Guard.

564 On receipt of an application and written evidence that the applicant is on active duty with, has been
565 ~~honorably~~ discharged *or released under conditions other than dishonorable* after at least six months of
566 active duty service in, or has retired from the United States Coast Guard and following the provisions of
567 § 46.2-275 of the Code of Virginia, the Commissioner of the Department of Motor Vehicles shall issue
568 to the applicant special license plates whose design incorporates an emblem of the United States Coast
569 Guard. Unremarried surviving spouses of persons eligible to receive special license plates under this act
570 may also be issued special license plates under this act.