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SENATE BILL NO. 1218

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend and reenact §§ 46.2-208, 46.2-328, 46.2-337, 46.2-707, and 46.2-752.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-212.2, 46.2-646.1, and 46.2-1183.1, relating to the Department of Motor Vehicles; comprehensive customer service.

Patron—Newman

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-208, 46.2-328, 46.2-337, 46.2-707, and 46.2-752.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-212.2, 46.2-646.1, and 46.2-1183.1 as follows:

§ 46.2-208. Records of Department; when open for inspection; release of privileged information.

A. All records in the office of the Department containing the specific classes of information outlined below shall be considered privileged records:

- 1. Personal information, including all data defined as "personal information" in § 2.2-3801;
- 2. Driver information, including all data that relates to driver's license status and driver activity; and
- 3. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity data.

B. The Commissioner shall release such information only under the following conditions:

1. Notwithstanding other provisions of this section, medical data included in personal data shall be released only to a physician, physician assistant, or nurse practitioner as provided in § 46.2-322.

2. Insurance data may be released as specified in §§ 46.2-372, 46.2-380, and 46.2-706.

3. Notwithstanding other provisions of this section, information disclosed or furnished shall be assessed a fee as specified in § 46.2-214.

4. When the person requesting the information is (i) the subject of the information, (ii) the parent or guardian of the subject of the information, (iii) the authorized representative of the subject of the information, or (iv) the owner of the vehicle that is the subject of the information, the Commissioner shall provide him with the requested information and a complete explanation of it. Requests for such information need not be made in writing or in person and may be made orally or by telephone, provided that the Department is satisfied that there is adequate verification of the requester's identity. When so requested in writing by (a) the subject of the information, (b) the parent or guardian of the subject of the information, (c) the authorized representative of the subject of the information, or (d) the owner of the vehicle that is the subject of the information, the Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver and vehicle information in the form of an abstract of the record.

5. On the written request of any insurance carrier, surety, or representative of an insurance carrier or surety, the Commissioner shall furnish such insurance carrier, surety, or representative an abstract of the record of any person subject to the provisions of this title. The abstract shall include any record of any conviction of a violation of any provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in which he was involved and a report of which is required by § 46.2-372. No such report of any conviction or accident shall be made after 60 months from the date of the conviction or accident unless the Commissioner or court used the conviction or accident as a reason for the suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension and any conviction or accident pertaining thereto shall not be reported after 60 months from the date that the driver's license or driving privilege has been reinstated. This abstract shall not be admissible in evidence in any court proceedings.

6. On the written request of any business organization or its agent, in the conduct of its business, the Commissioner shall compare personal information supplied by the business organization or agent with that contained in the Department's records and, when the information supplied by the business organization or agent is different from that contained in the Department's records, provide the business organization or agent with correct information as contained in the Department's records. Personal information provided under this subdivision shall be used solely for the purpose of pursuing remedies that require locating an individual.

7. The Commissioner shall provide vehicle information to any business organization or agent on such business' or agent's written request. Disclosures made under this subdivision shall not include any

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59 personal information and shall not be subject to the limitations contained in subdivision 6 of this
60 subsection.

61 8. On the written request of any motor vehicle rental or leasing company or its designated agent, the
62 Commissioner shall (i) compare personal information supplied by the company or agent with that
63 contained in the Department's records and, when the information supplied by the company or agent is
64 different from that contained in the Department's records, provide the company or agent with correct
65 information as contained in the Department's records and (ii) provide the company or agent with driver
66 information in the form of an abstract of any person subject to the provisions of this title. Such abstract
67 shall include any record of any conviction of a violation of any provision of any statute or ordinance
68 relating to the operation or ownership of a motor vehicle or of any injury or damage in which the
69 subject of the abstract was involved and a report of which is required by § 46.2-372. No such abstract
70 shall include any record of any conviction or accident more than 60 months after the date of such
71 conviction or accident unless the Commissioner or court used the conviction or accident as a reason for
72 the suspension or revocation of a driver's license or driving privilege, in which case the revocation or
73 suspension and any conviction or accident pertaining thereto shall cease to be included in such abstract
74 after 60 months from the date on which the driver's license or driving privilege was reinstated. No
75 abstract released under this subdivision shall be admissible in evidence in any court proceedings.

76 9. On the request of any federal, state, or local governmental entity, local government group
77 self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized
78 agent of any of the foregoing, the Commissioner shall (i) compare personal information supplied by the
79 governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for
80 the Commonwealth, court, or the authorized agent of any of the foregoing, with that contained in the
81 Department's records and, when the information supplied by the governmental entity, local government
82 group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the
83 authorized agent of any of the foregoing, is different from that contained in the Department's records,
84 provide the governmental entity, local government group self-insurance pool, law-enforcement officer,
85 attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, with correct
86 information as contained in the Department's records and (ii) provide driver and vehicle information in
87 the form of an abstract of the record showing all convictions, accidents, driver's license suspensions or
88 revocations, and other appropriate information as the governmental entity, local government group
89 self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized
90 agent of any of the foregoing, may require in order to carry out its official functions. The abstract shall
91 be provided free of charge.

92 10. On request of the driver licensing authority in any other state or foreign country, the
93 Commissioner shall provide whatever classes of information the requesting authority shall require in
94 order to carry out its official functions. The information shall be provided free of charge.

95 11. On the written request of any employer, prospective employer, or authorized agent of either, and
96 with the written consent of the individual concerned, the Commissioner shall (i) compare personal
97 information supplied by the employer, prospective employer, or agent with that contained in the
98 Department's records and, when the information supplied by the employer, prospective employer, or
99 agent is different from that contained in the Department's records, provide the employer, prospective
100 employer, or agent with correct information as contained in the Department's records and (ii) provide the
101 employer, prospective employer, or agent with driver information in the form of an abstract of an
102 individual's record showing all convictions, accidents, driver's license suspensions or revocations, and
103 any type of driver's license that the individual currently possesses, provided that the individual's position
104 or the position that the individual is being considered for involves the operation of a motor vehicle.

105 12. On the written request of any member of or applicant for membership in a volunteer fire
106 company or volunteer rescue squad, the Commissioner shall (i) compare personal information supplied
107 by the volunteer fire company or volunteer rescue squad with that contained in the Department's records
108 and, when the information supplied by the volunteer fire company or volunteer rescue squad is different
109 from that contained in the Department's records, provide the volunteer fire company or volunteer rescue
110 squad with correct information as contained in the Department's records and (ii) provide driver
111 information in the form of an abstract of the member's or applicant's record showing all convictions,
112 accidents, license suspensions or revocations, and any type of driver's license that the individual
113 currently possesses. Such abstract shall be provided free of charge if the request is accompanied by
114 appropriate written evidence that the person is a member of or applicant for membership in a volunteer
115 fire company or volunteer rescue squad and the abstract is needed by a volunteer fire company or
116 volunteer rescue squad to establish the qualifications of the member or applicant to operate equipment
117 owned by the volunteer fire company or volunteer rescue squad.

118 13. On the written request of any person who has applied to be a volunteer with a Virginia affiliate
119 of Big Brothers/Big Sisters of America, the Commissioner shall (i) compare personal information
120 supplied by a Virginia affiliate of Big Brothers/Big Sisters of America with that contained in the

121 Department's records and, when the information supplied by a Virginia affiliate of Big Brothers/Big
 122 Sisters of America is different from that contained in the Department's records, provide the Virginia
 123 affiliate of Big Brothers/Big Sisters of America with correct information as contained in the
 124 Department's records and (ii) provide driver information in the form of an abstract of the applicant's
 125 record showing all convictions, accidents, license suspensions or revocations, and any type of driver's
 126 license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half
 127 the normal charge if the request is accompanied by appropriate written evidence that the person has
 128 applied to be a volunteer with a Virginia affiliate of Big Brothers/Big Sisters of America.

129 14. On the written request of any person who has applied to be a volunteer with a court-appointed
 130 special advocate program pursuant to § 9.1-153, the Commissioner shall provide an abstract of the
 131 applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of
 132 driver's license that the individual currently possesses. Such abstract shall be provided free of charge if
 133 the request is accompanied by appropriate written evidence that the person has applied to be a volunteer
 134 with a court-appointed special advocate program pursuant to § 9.1-153.

135 15. Upon the request of any employer, prospective employer, or authorized representative of either,
 136 the Commissioner shall (i) compare personal information supplied by the employer, prospective
 137 employer, or agent with that contained in the Department's records and, when the information supplied
 138 by the employer, prospective employer, or agent is different from that contained in the Department's
 139 records, provide the employer, prospective employer, or agent with correct information as contained in
 140 the Department's records and (ii) provide driver information in the form of an abstract of the driving
 141 record of any individual who has been issued a commercial driver's license, provided that the
 142 individual's position or the position that the individual is being considered for involves the operation of
 143 a commercial motor vehicle. Such abstract shall show all convictions, accidents, license suspensions,
 144 revocations, or disqualifications, and any type of driver's license that the individual currently possesses.

145 16. Upon the receipt of a completed application and payment of applicable processing fees, the
 146 Commissioner may enter into an agreement with any governmental authority or business to exchange
 147 information specified in this section by electronic or other means.

148 17. Upon the request of an attorney representing a person in a motor vehicle accident, the
 149 Commissioner shall provide vehicle information, including the owner's name and address, to the
 150 attorney.

151 18. Upon the request, in the course of business, of any authorized representative of an insurance
 152 company or of any not-for-profit entity organized to prevent and detect insurance fraud, or perform
 153 rating and underwriting activities, the Commissioner shall provide to such person (i) all vehicle
 154 information, including the owner's name and address, descriptive data and title, registration, and vehicle
 155 activity data as requested or (ii) all driver information including name, license number and classification,
 156 date of birth, and address information for each driver under the age of 22 licensed in the
 157 Commonwealth of Virginia meeting the request criteria designated by such person, with such request
 158 criteria consisting of driver's license number or address information. No such information shall be used
 159 for solicitation of sales, marketing, or other commercial purposes.

160 19. Upon the request of an officer authorized to issue criminal warrants, for the purpose of issuing a
 161 warrant for arrest for unlawful disposal of trash or refuse in violation of § 33.1-346, the Commissioner
 162 shall provide vehicle information, including the owner's name and address.

163 20. Upon written request of the compliance agent of a private security services business, as defined
 164 in § 9.1-138, which is licensed by the Department of Criminal Justice Services, the Commissioner shall
 165 provide the name and address of the owner of the vehicle under procedures determined by the
 166 Commissioner.

167 21. Upon the request of the operator of a toll facility or traffic light photo-monitoring system acting
 168 on behalf of a government entity, or of the Dulles Access Highway, or an authorized agent or employee
 169 of a toll facility operator or traffic light photo-monitoring system operator acting on behalf of a
 170 government entity or the Dulles Access Highway, for the purpose of obtaining vehicle owner data under
 171 subsection L of § 46.2-819.1 or subsection H of § 15.2-968.1 or subsection N of § 46.2-819.5.
 172 Information released pursuant to this subdivision shall be limited to the name and address of the
 173 registered owner of the vehicle having failed to pay a toll or having failed to comply with a traffic light
 174 signal or having improperly used the Dulles Access Highway and the vehicle information, including all
 175 descriptive vehicle data and title and registration data of the same vehicle.

176 22. On the written request of any person who has applied to be a volunteer with a Virginia affiliate
 177 of Compeer, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of
 178 Compeer with that contained in the Department's records and, when the information supplied by a
 179 Virginia affiliate of Compeer is different from that contained in the Department's records, provide the
 180 Virginia affiliate of Compeer with correct information as contained in the Department's records and (ii)
 181 provide driver information in the form of an abstract of the applicant's record showing all convictions,

182 accidents, license suspensions or revocations, and any type of driver's license that the individual
183 currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the
184 request is accompanied by appropriate written evidence that the person has applied to be a volunteer
185 with a Virginia affiliate of Compeer.

186 23. Upon the request of the Department of Environmental Quality for the purpose of obtaining
187 vehicle owner data in connection with enforcement actions involving on-road testing of motor vehicles,
188 pursuant to § 46.2-1178.1.

189 24. On the written request of any person who has applied to be a volunteer vehicle operator with a
190 Virginia chapter of the American Red Cross, the Commissioner shall (i) compare personal information
191 supplied by a Virginia chapter of the American Red Cross with that contained in the Department's
192 records and, when the information supplied by a Virginia chapter of the American Red Cross is different
193 from that contained in the Department's records, provide the Virginia chapter of the American Red Cross
194 with correct information as contained in the Department's records and (ii) provide driver information in
195 the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions
196 or revocations, and any type of driver's license that the individual currently possesses. Such abstract
197 shall be provided at a fee that is one-half the normal charge if the request is accompanied by
198 appropriate written evidence that the person has applied to be a volunteer vehicle operator with a
199 Virginia chapter of the American Red Cross.

200 25. On the written request of any person who has applied to be a volunteer vehicle operator with a
201 Virginia chapter of the Civil Air Patrol, the Commissioner shall (i) compare personal information
202 supplied by a Virginia chapter of the Civil Air Patrol with that contained in the Department's records
203 and, when the information supplied by a Virginia chapter of the Civil Air Patrol is different from that
204 contained in the Department's records, provide the Virginia chapter of the Civil Air Patrol with correct
205 information as contained in the Department's records and (ii) provide driver information in the form of
206 an abstract of the applicant's record showing all convictions, accidents, license suspensions or
207 revocations, and any type of driver's license that the individual currently possesses. Such abstract shall
208 be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate
209 written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of
210 the Civil Air Patrol.

211 26. On the written request of any person who has applied to be a volunteer vehicle operator with
212 Faith in Action, the Commissioner shall (i) compare personal information supplied by Faith in Action
213 with that contained in the Department's records and, when the information supplied by Faith in Action is
214 different from that contained in the Department's records, provide Faith in Action with correct
215 information as contained in the Department's records and (ii) provide driver information in the form of
216 an abstract of the applicant's record showing all convictions, accidents, license suspensions or
217 revocations, and any type of driver's license that the individual currently possesses. Such abstract shall
218 be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate
219 written evidence that the person has applied to be a volunteer vehicle operator with Faith in Action.

220 27. On the written request of the surviving spouse or child of a deceased person or the executor or
221 administrator of a deceased person's estate, the Department shall, if the deceased person had been issued
222 a driver's license or special identification card by the Department, supply the requestor with a hard copy
223 image of any photograph of the deceased person kept in the Department's records.

224 28. On the written request of any person who has applied to be a volunteer with a Virginia Council
225 of the Girl Scouts of the USA, the Commissioner shall (i) compare personal information supplied by a
226 Virginia Council of the Girl Scouts of the USA with that contained in the Department's records and,
227 when the information supplied by a Virginia Council of the Girl Scouts of the USA is different from
228 that contained in the Department's records, provide a Virginia Council of the Girl Scouts of the USA
229 with correct information as contained in the Department's records and (ii) provide driver information in
230 the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions
231 or revocations, and any type of driver's license that the individual currently possesses. Such abstract
232 shall be provided at a fee that is one-half the normal charge if the request is accompanied by
233 appropriate written evidence that the person has applied to be a volunteer with the Virginia Council of
234 the Girl Scouts of the USA.

235 C. Whenever the Commissioner issues an order to suspend or revoke the driver's license or driving
236 privilege of any individual, he may notify the National Driver Register Service operated by the United
237 States Department of Transportation and any similar national driver information system and provide
238 whatever classes of information the authority may require.

239 D. Accident reports may be inspected under the provisions of §§ 46.2-379 and 46.2-380.

240 E. Whenever the Commissioner takes any licensing action pursuant to the provisions of the Virginia
241 Commercial Driver's License Act (§ 46.2-341.1 et seq.), he may provide information to the Commercial
242 Driver License Information System, or any similar national commercial driver information system,
243 regarding such action.

244 F. In addition to the foregoing provisions of this section, vehicle information may also be inspected
 245 under the provisions of §§ 46.2-633, 46.2-644.02, 46.2-644.03, and §§ 46.2-1200.1 through 46.2-1237.

246 G. The Department may promulgate regulations to govern the means by which personal, vehicle, and
 247 driver information is requested and disseminated.

248 H. Driving records of any person accused of an offense involving the operation of a motor vehicle
 249 shall be provided by the Commissioner upon request to any person acting as counsel for the accused. If
 250 such counsel is from the public defender's office or has been appointed by the court, such records shall
 251 be provided free of charge.

252 I. The Department shall maintain the records of persons convicted of violations of § 18.2-36.2,
 253 subsection B of § 29.1-738, and §§ 29.1-738.02, 29.1-738.2, and 29.1-738.4 which shall be forwarded
 254 by every general district court or circuit court or the clerk thereof, pursuant to § 46.2-383. Such records
 255 shall be electronically available to any law-enforcement officer as provided for under clause (ii) of
 256 subdivision B 9.

257 *J. Whenever the Commissioner issues a certificate of title for a motor vehicle, he may notify the*
 258 *National Motor Vehicle Title Information System, or any other nationally recognized system providing*
 259 *similar information, or any entity contracted to collect information for such system, and may provide*
 260 *whatever classes of information are required by such system.*

261 **§ 46.2-212.2. Automatic payments.**

262 *Upon application of any person, the Commissioner may (i) include in that person's records with the*
 263 *Department such credit card or automated clearing house transfer information as is necessary to enable*
 264 *automatic payments of fees, fines, penalties, and taxes payable by that person to the Department, and*
 265 *(ii) authorize the automatic payment by credit card or electronic funds transfer of any such fees, fines,*
 266 *penalties, and taxes. The Commissioner may procure the services of a third-party vendor for the secure*
 267 *storage of information collected under this section. Prior to the completion of any automatic payment*
 268 *transaction, the Commissioner shall provide notice to the person who has requested automatic payments,*
 269 *which notice shall state the reason for the charge and the amount to be charged, and shall provide the*
 270 *person an opportunity to cancel the transaction.*

271 **§ 46.2-328. Department to issue licenses; endorsements, classifications, and restrictions**
 272 **authorizing operation of certain vehicles.**

273 A. The Department shall issue to every person licensed as a driver, a driver's license. Every driver's
 274 license shall contain all appropriate endorsements, classifications, and restrictions, where applicable, if
 275 the licensee has been licensed:

276 1. To operate a motorcycle as defined in § 46.2-100, or

277 2. To operate a school bus as defined in § 46.2-100, or

278 3. To operate a commercial motor vehicle pursuant to the provisions of the Virginia Commercial
 279 Driver's License Act (§ 46.2-341.1 et seq.).

280 B. Every applicant intending to operate one or more of the motor vehicles described in subsection A
 281 of this section, when applying for a driver's license, shall state in his application the classification of the
 282 vehicle or vehicles that he intends to operate and for which he seeks to be licensed and submit to and
 283 pass the examination provided for in § 46.2-325 and, if applicable, §§ 46.2-337 and 46.2-341.14, using
 284 the type of vehicle or vehicles for which he seeks to be licensed.

285 C. Every applicant intending to drive a motorcycle, when applying for a classification to authorize
 286 the driving of a motorcycle, shall submit to and pass the examination provided for in § 46.2-337. A
 287 classification on any license to drive a motorcycle shall indicate that the license is classified for the
 288 purpose of authorizing the licensee to drive only motorcycles. However, if the applicant has a valid
 289 license at the time of application for a classification to drive a motorcycle, or if the applicant, at the
 290 time of such application, applies for a regular driver's license and submits to and passes the examination
 291 provided for in § 46.2-325, he shall be granted a classification on his license to drive motorcycles in
 292 addition to any other vehicles his driver's license or commercial driver's license may authorize him to
 293 operate.

294 A valid Virginia driver's license issued to a person 19 years of age or older *shall constitute a driver's*
 295 *license with a temporary motorcycle classification for the purposes of driving a motorcycle if the*
 296 *driver's license is accompanied by either (i) documentation verifying his successful completion of a*
 297 *motorcycle rider safety training course offered by a provider licensed under Article 23 (§ 46.2-1188 et*
 298 *seq.) of Chapter 10 shall constitute a driver's license with a temporary motorcycle classification for the*
 299 *purposes of driving a motorcycle or (ii) documentation that the license holder is a member, the spouse*
 300 *of a member, or a dependent of a member of the United States Armed Services and that the license*
 301 *holder has successfully completed a basic motorcycle rider course approved by the United States Armed*
 302 *Services. The temporary motorcycle classification shall only be valid for 30 days from the date of*
 303 *successful completion of the motorcycle rider safety training course as shown on the documentation*
 304 *evidencing completion of such course.*

305 Any person who holds a valid Virginia driver's license and is a member, the spouse of a member, or
306 a dependent of a member of the United States Armed Services shall be issued a motorcycle
307 classification by mail upon documentation of (i) (a) successful completion of a basic motorcycle rider
308 course approved by the United States Armed Services and (ii) (b) documentation of his assignment
309 outside the Commonwealth.

310 D. The Department may make any changes in the classifications and endorsements during the
311 validity of the license as may be appropriate.

312 E. The provisions of this section shall be applicable to persons applying for learner's permits as
313 otherwise provided for in this title.

314 F. Every person issued a driver's license or commercial driver's license who drives any motor vehicle
315 of the classifications in this section, and whose driver's license does not carry an endorsement or
316 indication that the licensee is licensed as provided in this section shall be guilty of a Class 1
317 misdemeanor.

318 **§ 46.2-337. Examination and road test required for license to operate motorcycle; regulations.**

319 No person shall drive any motorcycle on a highway in the Commonwealth unless he has passed a
320 special examination, including written material and a road test, pertaining to his ability to drive a
321 motorcycle with reasonable competence and with safety to other persons using the highways. The
322 Department shall adopt regulations as may be necessary to provide for the special examination under
323 § 46.2-325 of persons desiring to qualify to drive motorcycles in the Commonwealth and for the
324 granting of licenses or permits suitably endorsed for qualified applicants.

325 No person applying for a classification to authorize the driving of a motorcycle who fails the road
326 test portion of the special examination two times shall be eligible for such classification until he
327 successfully completes a motorcycle rider safety training course offered by a provider licensed under
328 Article 23 (§ 46.2-1188 et seq.) of Chapter 10.

329 If the Commissioner is satisfied that a person intending to operate a motorcycle has demonstrated the
330 same proficiency as required by the special examination through successful completion of a motorcycle
331 rider safety training course offered by a provider licensed under Article 23 (§ 46.2-1188 et seq.) of
332 Chapter 10, he may waive the written material or road test portion or both portions of the special
333 examination. *The Commissioner may also waive the written material or road test portion or both*
334 *portions of the special examination if the person intending to operate a motorcycle holds a valid*
335 *Virginia driver's license and is a member, the spouse of a member, or a dependent of a member of the*
336 *United States Armed Services who has successfully completed a basic motorcycle rider course approved*
337 *by the United States Armed Services.*

338 **§ 46.2-646.1. Deactivation and reactivation of registration; fees.**

339 A. *The owner of a motor vehicle that has been registered in the Commonwealth may apply to the*
340 *Commissioner to deactivate the registration of such vehicle. The owner of a motor vehicle who has*
341 *voluntarily deactivated the vehicle's registration pursuant to this section shall not be required, with*
342 *respect to such vehicle, to carry bodily injury liability insurance or property damage insurance, or to*
343 *pay the uninsured motor vehicle fee as provided under § 46.2-706.*

344 *It shall be unlawful to operate any motor vehicle whose registration has been deactivated on any*
345 *highway in the Commonwealth.*

346 B. *Any person having a motor vehicle for which registration has been deactivated under subsection*
347 *A may apply to the Commissioner to reactivate the registration of such vehicle. Every applicant for*
348 *reactivation of registration shall furnish the Commissioner with such evidence as is required under*
349 *§ 46.2-649 and shall either (i) execute and furnish to the Commissioner his certificate that the motor*
350 *vehicle for which registration is to be reactivated is an insured motor vehicle as defined in § 46.2-705,*
351 *or that the Commissioner has issued to its owner, in accordance with § 46.2-368, a certificate of*
352 *self-insurance applicable to the vehicle or (ii) pay the uninsured motor vehicle fee required by*
353 *§ 46.2-706, which shall be disposed of as provided by § 46.2-710. The fee to be paid to the Department*
354 *for the reactivation of a motor vehicle's registration shall be \$10 unless the vehicle's registration has*
355 *expired or the vehicle is registered under the International Registration Plan.*

356 **§ 46.2-707. Operating uninsured motor vehicle without payment of fee; verification of**
357 **insurance; false evidence of insurance.**

358 Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to
359 registration in the Commonwealth, or (iii) displaying temporary license plates provided for in
360 § 46.2-1558 who operates or permits the operation of that motor vehicle without first having paid to the
361 Commissioner the uninsured motor vehicle fee required by § 46.2-706, to be disposed of as provided by
362 § 46.2-710, shall be guilty of a Class 3 misdemeanor.

363 Any person who is the operator of such an uninsured motor vehicle and not the titled owner, who
364 knows that the required fee has not been paid to the Commissioner, shall be guilty of a Class 3
365 misdemeanor.

366 The Commissioner or his duly authorized agent, having reason to believe that a motor vehicle is

367 being operated or has been operated on any specified date, may require the owner of such motor vehicle
 368 to verify insurance in a method prescribed by the Commissioner as provided for by § 46.2-706. The
 369 refusal or neglect of the owner who has not, prior to the date of operation, paid the uninsured motor
 370 vehicle fee required by § 46.2-706 as to such motor vehicle, to provide such verification shall be prima
 371 facie evidence that the motor vehicle was an uninsured motor vehicle at the time of such operation.

372 Any person who falsely verifies insurance to the Commissioner or gives false evidence that a motor
 373 vehicle sought to be registered is an insured motor vehicle, shall be guilty of a Class 3 misdemeanor.

374 However, the foregoing portions of this section shall not be applicable if it is established that the
 375 owner had good cause to believe and did believe that such motor vehicle was an insured motor vehicle,
 376 in which event the provisions of § 46.2-609 shall be applicable.

377 Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to
 378 registration in the Commonwealth, or (iii) displaying temporary license plates provided for in
 379 § 46.2-1558, and who has not paid the uninsured motor vehicle fee required by § 46.2-706, shall
 380 immediately surrender the vehicle's license plates to the Department, *unless the vehicle's registration has*
 381 *been deactivated as provided by § 46.2-646.1.* Any person who fails to immediately surrender his
 382 vehicle's license plates ~~shall be~~ *as required by this section* is guilty of a Class 3 misdemeanor.

383 Abstracts of records of conviction, as defined in this title, of any violation of any of the provisions
 384 of this section shall be forwarded to the Commissioner as prescribed by § 46.2-383.

385 The Commissioner shall suspend the driver's license and all registration certificates and license plates
 386 of any titled owner of an uninsured motor vehicle upon receiving a record of his conviction of a
 387 violation of any provisions of this section, and he shall not thereafter reissue the driver's license and the
 388 registration certificates and license plates issued in the name of such person until such person pays the
 389 fee applicable to the registration of an uninsured motor vehicle as prescribed in § 46.2-706 and
 390 furnishes proof of future financial responsibility as prescribed by Article 15 (§ 46.2-435 et seq.) of
 391 Chapter 3 of this title. However, when three years have elapsed from the date of the suspension herein
 392 required, the Commissioner may relieve such person of the requirement of furnishing proof of future
 393 financial responsibility. When such suspension results from a conviction for presenting or causing to be
 394 presented to the Commissioner false verification as to whether a motor vehicle is an insured motor
 395 vehicle or false evidence that any motor vehicle sought to be registered is insured, then the
 396 Commissioner shall not thereafter reissue the driver's license and the registration certificates and license
 397 plates issued in the name of such person so convicted for a period of 180 days from the date of such
 398 order of suspension, and only then when all other provisions of law have been complied with by such
 399 person.

400 The Commissioner shall suspend the driver's license of any person who is the operator but not the
 401 titled owner of a motor vehicle upon receiving a record of his conviction of a violation of any
 402 provisions of this section and he shall not thereafter reissue the driver's license until thirty days from the
 403 date of such order of suspension.

404 **§ 46.2-752.1. One-time, one-month registration extension to allow for satisfaction of**
 405 **requirements of counties, cities, and towns.**

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

410 For each extension granted, the Commissioner shall collect (i) a \$10 administrative fee and (ii) a fee
 411 sufficient for a one-month registration period for the vehicle, as calculated under subsection B of
 412 § 46.2-694. *Neither fee shall apply, however, if the applicant has been granted an extension under*
 413 *§ 46.2-1183.1 with respect to the same registration period and has paid the fees pursuant to that*
 414 *section.*

415 On receipt of such fees, the Commissioner shall issue a registration card and, if applicable, decals
 416 indicating the month of expiration of the vehicle registration. Upon satisfaction of the requirements of
 417 § 46.2-752, the applicant may elect to renew the vehicle registration. For such renewal, the
 418 Commissioner shall collect the appropriate registration renewal fee and issue a registration card and, if
 419 applicable, decals. The renewal shall take effect the first day succeeding the month in which the
 420 registration extension expires. When offered by the Commissioner, the applicant may elect to renew the
 421 vehicle registration for multiple years, pursuant to § 46.2-646.

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

425 **§ 46.2-1183.1. Registration extension for satisfaction of emissions inspection requirements.**

426 A. *Upon request by an applicant, the Commissioner may grant a one-month extension of the*
 427 *registration period of a vehicle if the vehicle registration has been withheld pursuant to § 46.2-1183 and*

428 *the current registration period will expire within the calendar month. No extension may be granted for*
429 *an expired vehicle registration and only one extension may be granted for any one vehicle registration*
430 *period.*

431 *If an applicant who is granted an extension under this section also requests and is granted an*
432 *extension under § 46.2-752.1, the extension granted under this section shall run concurrently with the*
433 *extension granted under § 46.2-752.1. No combination of extensions granted under this section and*
434 *under § 46.2-752.1 shall extend a vehicle's registration period for more than one month for any one*
435 *vehicle registration period.*

436 *For each extension granted, the Commissioner shall collect (i) a \$10 administrative fee and (ii) a fee*
437 *sufficient for a one-month registration period for the vehicle, as calculated under subsection B of*
438 *§ 46.2-694. Neither fee shall apply, however, if the applicant has been granted an extension under*
439 *§ 46.2-752.1 with respect to the same registration period and has paid the fees provided under that*
440 *section.*

441 *On receipt of such fees, the Commissioner shall issue a registration card and, if applicable, decals*
442 *indicating the month of expiration of the vehicle registration. Upon passing an emissions inspection or*
443 *being issued an emissions inspection waiver, the applicant may elect to renew the vehicle registration.*
444 *For such renewal, the Commissioner shall collect the appropriate registration renewal fee and issue a*
445 *registration card and, if applicable, decals. The renewal shall take effect the first day succeeding the*
446 *month in which the registration extension expires. When offered by the Commissioner, the applicant may*
447 *elect to renew the vehicle registration for multiple years, pursuant to § 46.2-646.*

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

451 **2. That the provisions of this act shall become effective on July 1, 2013, except that § 46.2-646.1**
452 **created by this act and the provisions of this act in § 46.2-707 of the Code of Virginia shall**
453 **become effective on January 1, 2014.**