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HOUSE BILL NO. 1824**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice
on January 28, 2015)

(Patron Prior to Substitute—Delegate Ward)

A BILL to amend and reenact § 46.2-105.1 of the Code of Virginia, relating to unlawful provision of examination answers.

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-105.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-105.1. Unlawful procurement of certificate, license, or permit; unauthorized possession of examination or answers; unlawful distribution of false operator's license; penalty.

A. It shall be unlawful:

1. For any person to procure, or assist another to procure, through theft, fraud, or other illegal means, a certificate, license, or permit, from the Department of Motor Vehicles;

2. For any person, other than an authorized agent of the Department of Motor Vehicles, to procure or have in his possession or furnish to another person, prior to the beginning of an examination, any question intended to be used by the Department of Motor Vehicles in conducting an examination;

3. For any person to receive or furnish to any person taking an examination, prior to or during an examination, any written or printed material purporting to be answers to questions intended to be used by the Department of Motor Vehicles in conducting an examination;

4. *For any person to communicate by any means to any person taking an examination, during an examination, any information purporting to be answers to questions intended to be used by the Department of Motor Vehicles in conducting an examination;*

5. For any person to attempt to procure, through theft, fraud or other illegal means, any questions intended to be used by the Department of Motor Vehicles in conducting an examination, or the answers to the questions; or

6. To promise or offer any valuable or other consideration to a person having access to the questions or answers as an inducement to procure for delivery to the promisor, or any other person, a copy or copies of any questions or answers.

B. If an examination is divided into separate parts, each of the parts shall be deemed an examination for the purposes of this section.

C. Any violation of any provision of subsection A of this section shall be punishable as a Class 2 misdemeanor.

D. Any person or entity other than the Department of Motor Vehicles that sells, gives, or distributes, or attempts to sell, give or distribute any document purporting to be a license to operate a motor vehicle in the Commonwealth is guilty of a Class 1 misdemeanor.