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HOUSE BILL NO. 2315

Offered January 22, 2015

A BILL to amend and reenact §§ 46.2-613 and 46.2-1158.02 of the Code of Virginia, relating to failure to renew vehicle registration; failure to inspect vehicle; dismissal.

Patron—Wilt

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-613 and 46.2-1158.02 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-613. Offenses relating to registration, licensing, and certificates of title; penalty.

No person shall:

1. Operate or permit the operation of a motor vehicle, trailer, or semitrailer owned, leased, or otherwise controlled by him to be operated on a highway unless (i) it is registered, (ii) a certificate of title therefor has been issued, and (iii) it has displayed on it the license plate or plates and decal or decals, if any, assigned to it by the Department for the current registration period, subject to the exemptions mentioned in Article 5 (§ 46.2-655 et seq.) and Article 6 (§ 46.2-662 et seq.) of this chapter. The provisions of this subdivision shall apply to the registration, licensing, and titling of mopeds on or after July 1, 2014. *Notwithstanding the penalty provisions of § 46.2-113, the court may dismiss a summons issued under this subdivision for failure to renew vehicle registration where proof of reregistration is provided to the court no later than one business day prior to the return date of the summons and, if required by the court, upon payment of applicable court costs.*

2. Display, cause or permit to be displayed, any registration card, certificate of title, or license plate or decal which he knows is fictitious or which he knows has been cancelled, revoked, suspended, or altered; or display or cause or permit to be displayed on any motor vehicle, trailer, or semitrailer any license plate or decal that he knows is currently issued for another vehicle. Violation of this subdivision shall constitute a Class 2 misdemeanor.

3. Possess or lend or knowingly permit the use of any registration card, license plate, or decal by anyone not entitled to it.

4. Fail or refuse to surrender to the Department or the Department of State Police, on demand, any certificate of title, registration card, or license plate or decal which has been suspended, cancelled, or revoked. Violation of this subdivision shall constitute a Class 2 misdemeanor.

5. Use a false name or address in any application for the registration of any motor vehicle, trailer, or semitrailer or for a certificate of title or for any renewal or duplicate certificate, or knowingly to make a false statement of a material fact or to conceal a material fact or otherwise commit a fraud in any registration application. Violation of this subdivision shall constitute a Class 1 misdemeanor.

§ 46.2-1158.02. Penalty for failure to have motor vehicle inspection.

Notwithstanding the penalty provisions of § 46.2-1171, a violation of § 46.2-1158 constitutes a traffic infraction. The court may, in its discretion, dismiss a summons issued under § 46.2-1158 where correction of vehicle or safety equipment defects or proof of compliance with § 46.2-1158 is provided to the court subsequent to the issuance no later than one business day prior to the return date of the summons and, if required by the court, upon payment of applicable court costs.

2. That all law-enforcement officers issuing a summons commanding appearance at a court where the court allows dismissal for payment of court costs under § 46.2-613 or 46.2-1158.02 of the Code of Virginia shall advise each person to whom a summons is issued of the person's option to pay and dismiss.

INTRODUCED

HB2315