

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 19.2-349.1, relating to the*
3 *collection of fines, costs, forfeitures, penalties, or restitution by the Department of Motor Vehicles.*

4 [S 1411]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 19.2-349.1 as follows:**8 ***§ 19.2-349.1. Receipt of unpaid fines, costs, forfeitures, penalties, or restitution by Department of***
9 ***Motor Vehicles.***

10 *At the direction of the Committee on District Courts or at the request of a circuit court clerk, the*
11 *Executive Secretary of the Supreme Court may enter into an agreement with the Commissioner of the*
12 *Department of Motor Vehicles authorizing the Department of Motor Vehicles to receive, on behalf of a*
13 *district or circuit court, payment of any delinquent fines, costs, forfeitures, and penalties, including any*
14 *court-ordered restitution of a sum certain, imposed by a court for the violation of a state law or a local*
15 *ordinance. However, in no case shall the Department of Motor Vehicles be authorized to establish an*
16 *installment plan for any such payments or to receive partial payment of the full amount imposed by the*
17 *court for the violation of a state law or a local ordinance.*

18 *For each such payment it receives, the Department of Motor Vehicles may impose and collect a*
19 *processing fee, to be used to defray the costs of the transaction to the Department. Such transaction fee*
20 *shall be \$2, unless payment is made by credit card or debit card and the merchant's fees and other*
21 *transaction costs imposed by the card issuer are charged to the Department of Motor Vehicles, in which*
22 *case the processing fee shall be the greater of (i) \$2 or (ii) an amount not to exceed four percent of the*
23 *amount of the payment. The Department may also collect any processing fee charged by a private*
24 *vendor operating under contract to distribute to the court payments received by the Department. All*
25 *processing fees imposed and collected by the Department of Motor Vehicles under this section shall be*
26 *in addition to the other fees specified in this chapter. All such processing fees collected by the*
27 *Department of Motor Vehicles shall be paid into the state treasury as provided in § 46.2-206 and used*
28 *to meet the expenses of the Department of Motor Vehicles. The service charge provided under*
29 *§ 46.2-212.1 shall not be added to the processing fee authorized under this section. Other fees specified*
30 *in this chapter, including those payable pursuant to collections contracts made by attorneys for the*
31 *Commonwealth, shall not be diminished or offset due to receipt of payments by the Department of*
32 *Motor Vehicles.*

33 **2. That the Commissioner of the Department of Motor Vehicles and the Executive Secretary of the**
34 **Supreme Court shall submit a report of their progress in implementing the provisions of this act**
35 **by December 1 of each year to the Chairmen of the House and Senate Committees for Courts of**
36 **Justice and the House and Senate Committees on Transportation.**

ENROLLED

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