

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 533

An Act to amend the Code of Virginia by adding in Chapter 6 of Title 33.2 a section numbered 33.2-616, relating to the DRIVE SMART Virginia Education Fund.

[H 2015]

Approved March 16, 2017

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 6 of Title 33.2 a section numbered 33.2-616 as follows:

§ 33.2-616. *Electronic toll collection device; DRIVE SMART Virginia Education Fund contribution.*

A. The Department shall establish a method by which holders of an account for an electronic toll collection device that is the property of the Commonwealth may opt to make a voluntary contribution to the DRIVE SMART Virginia Education Fund through electronic means.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the DRIVE SMART Virginia Education Fund, referred to in this section as "the Fund." DRIVE SMART Virginia is a nonprofit organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code. The Fund shall be established on the books of the Comptroller. All funds collected pursuant to subsection A shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund, less costs of administration incurred and withheld by the Department, shall be used solely for the purposes of supporting educational projects in the Commonwealth through DRIVE SMART Virginia's existing network of education, corporate, and community partners in an effort to improve behavior, raise awareness, and educate members of the general public in workplaces, schools, municipalities, and other locations on issues related to safe driving. Such issues shall include work zone safety, sharing the road with bicyclists and pedestrians, teen driver safety, occupant protection, designated driving, distracted road users, and other issues as needed. DRIVE SMART Virginia shall submit an annual report to the Secretary regarding its use of disbursements from the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.