

18105012D

HOUSE BILL NO. 1513

Offered January 18, 2018

A BILL to amend and reenact §§ 18.2-270.01 and 46.2-411 of the Code of Virginia, relating to the Trauma Center Fund; violent felony offenses.

Patron—Stolle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-270.01 and 46.2-411 of the Code of Virginia are amended and reenacted as follows:
§ 18.2-270.01. Trauma Center Fund.

A. The court shall order any person convicted of a violation of §§ 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, or § 46.2-341.24 ~~who has been convicted previously of one or more violations of any of those sections or of a violent felony offense listed in subsection C of § 17.1-805, or any ordinance, any law of another state, or any law of the United States substantially similar to the provisions of those sections within 10 years of the date of the current offense,~~ to pay \$50 to the Trauma Center Fund for the purpose of defraying the costs of providing emergency medical care to victims of automobile accidents attributable to alcohol or drug use *and to victims of violent felony offenses.*

B. There is hereby established in the state treasury a special nonreverting fund to be known as the Trauma Center Fund. The Fund shall consist of any moneys paid into it by virtue of operation of subsection A hereof and any moneys appropriated thereto by the General Assembly and designated for the Fund. Any moneys deposited to or remaining in the Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund and be available for allocation in ensuing fiscal years. The Department of Health shall award and administer grants from the Trauma Center Fund to appropriate trauma centers based on the cost to provide emergency medical care to victims of automobile accidents *and violent felony offenses.* The Department of Health shall develop, on or before October 1, 2004, written criteria for the awarding of such grants that shall be evaluated and, if necessary, revised on an annual basis.

§ 46.2-411. Reinstatement of suspended or revoked license or other privilege to operate or register a motor vehicle; proof of financial responsibility; reinstatement fee.

A. The Commissioner may refuse, after a hearing if demanded, to issue to any person whose license has been suspended or revoked any new or renewal license, or to register any motor vehicle in the name of the person, whenever he deems or in case of a hearing finds it necessary for the safety of the public on the highways in the Commonwealth.

B. Before granting or restoring a license or registration to any person whose driver's license or other privilege to drive motor vehicles or privilege to register a motor vehicle has been revoked or suspended pursuant to § 46.2-389, 46.2-391, 46.2-391.1, or 46.2-417, the Commissioner shall require proof of financial responsibility in the future as provided in Article 15 (§ 46.2-435 et seq.), but no person shall be licensed who may not be licensed under the provisions of §§ 46.2-389 through 46.2-431.

C. Whenever the driver's license or registration cards, license plates and decals, or other privilege to drive or to register motor vehicles of any resident or nonresident person is suspended or revoked by the Commissioner or by a district court or circuit court pursuant to the provisions of Title 18.2 or this title, or any valid local ordinance, the order of suspension or revocation shall remain in effect and the driver's license, registration cards, license plates and decals, or other privilege to drive or register motor vehicles shall not be reinstated and no new driver's license, registration cards, license plates and decals, or other privilege to drive or register motor vehicles shall be issued or granted unless such person, in addition to complying with all other provisions of law, pays to the Commissioner a reinstatement fee of \$30. The reinstatement fee shall be increased by \$30 whenever such suspension or revocation results from conviction of involuntary manslaughter in violation of § 18.2-36.1; conviction of maiming resulting from driving while intoxicated in violation of § 18.2-51.4; conviction of driving while intoxicated in violation of § 18.2-266 or 46.2-341.24; conviction of driving after illegally consuming alcohol in violation of § 18.2-266.1 or failure to comply with court imposed conditions pursuant to subsection D of § 18.2-271.1; unreasonable refusal to submit to drug or alcohol testing in violation of § 18.2-268.2; conviction of driving while a license, permit or privilege to drive was suspended or revoked in violation of § 46.2-301 or 46.2-341.21; disqualification pursuant to § 46.2-341.20; violation of driver's license probation pursuant to § 46.2-499; failure to attend a driver improvement clinic pursuant to § 46.2-503 or habitual offender interventions pursuant to former § 46.2-351.1; conviction of eluding police in violation of § 46.2-817; conviction of hit and run in violation of § 46.2-894; conviction of reckless driving in

INTRODUCED

HB1513

59 violation of Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 or a conviction, finding or
60 adjudication under any similar local ordinance, federal law or law of any other state. Five dollars of the
61 additional amount shall be retained by the Department as provided in this section and \$25 shall be
62 transferred to the Commonwealth Neurotrauma Initiative Trust Fund established pursuant to Article 12
63 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5. When three years have elapsed from the termination
64 date of the order of suspension or revocation and the person has complied with all other provisions of
65 law, the Commissioner may relieve him of paying the reinstatement fee.

66 D. No reinstatement fee shall be required when the suspension or revocation of license results from
67 the person's suffering from mental or physical infirmities or disabilities from natural causes not related
68 to the use of self-administered intoxicants or drugs. No reinstatement fee shall be collected from any
69 person whose license is suspended by a court of competent jurisdiction for any reason, other than a
70 cause for mandatory suspension as provided in this title, provided the court ordering the suspension is
71 not required by § 46.2-398 to forward the license to the Department during the suspended period.

72 E. Except as otherwise provided in this section and § 18.2-271.1, reinstatement fees collected under
73 the provisions of this section shall be paid by the Commissioner into the state treasury and shall be set
74 aside as a special fund to be used to meet the expenses of the Department.

75 F. Before granting or restoring a license or registration to any person whose driver's license or other
76 privilege to drive motor vehicles or privilege to register a motor vehicle has been revoked or suspended,
77 the Commissioner shall collect from such person, in addition to all other fees provided for in this
78 section, an additional fee of \$40. The Commissioner shall pay all fees collected pursuant to this
79 subsection into the Trauma Center Fund, created pursuant to § 18.2-270.01, for the purpose of defraying
80 the costs of providing emergency medical care to victims of automobile accidents attributable to alcohol
81 or drug use *and to victims of violent felony offenses*.

82 G. Whenever any person is required to pay a reinstatement fee pursuant to subsection C or pursuant
83 to subsection E of § 18.2-271.1 and such person has more than one suspension or revocation on his
84 record for which reinstatement is required, then such person shall be required to pay one reinstatement
85 fee, the amount of which shall equal the full reinstatement fee attributable to the one of his revocations
86 or suspensions that would trigger the highest reinstatement fee, plus an additional \$5 fee for
87 administrative costs associated with compliance for each additional suspension or revocation. Fees
88 collected pursuant to this subsection shall be set aside as a special fund to be used to meet the expenses
89 of the Department.