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HOUSE BILL NO. 1092

Offered January 8, 2020

Prefiled January 7, 2020

A BILL to amend and reenact §§ 46.2-203.1, 46.2-208, 46.2-208.1, and 46.2-380 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 46.2-208.3; and to repeal §§ 46.2-208.2 and 46.2-213 of the Code of Virginia relating to Department of Motor Vehicle; release of information.

Patron—Ayala

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-203.1, 46.2-208, 46.2-208.1, and 46.2-380 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-208.3 as follows:

§ 46.2-203.1. Provision of updated addresses by persons completing forms; acknowledgment of future receipt of official notices.

Whenever any person completes a form for an application, certificate of title, registration card, license plate, driver's license, and any other form requisite for the purpose of this title, or whenever any person is issued a summons for a violation of the motor vehicle laws of the Commonwealth, he shall provide his current address on the form or summons. By signing the form or summons, the person acknowledges that (i) the address is correct; (ii) any official notice, including an order of suspension, will be sent by (a) prepaid first class mail to the address on the signed form with the most current date; or (b) by other means of communication, including email or other electronic address, if such electronic address is provided to the Department on the signed form; and (iii) the notice shall be deemed to have been accepted by the person at that if sent to any such address. In addition, upon signing a summons for a violation of the motor vehicle laws, the person shall acknowledge that his failure to appear in court and pay fines and costs could result in suspension of his operator's license.

§ 46.2-208. Records of Department; when open for inspection; release of privileged information.

A. All records in the office of the Department containing the specific classes of The information outlined below shall be considered privileged records and, unless otherwise required by law, shall not be released except as provided in subsection B:

- 1. Personal information, including all data as defined as "personal information" in § 2.2-3801;
- 2. Driver information, including defined as all data that relates to driver's license status and driver activity; and
- 3. Special identification card information, defined as all data that relates to identification card status; and
- 4. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity data, but excluding crash data.

B. The Commissioner shall release such information only under the following conditions:

1. Notwithstanding other provisions of this section, medical data information included in personal data information shall be released only to a physician, physician assistant, or nurse practitioner as provided in § accordance with a proceeding under §§ 46.2-321 and 46.2-322.

2. Insurance data may be released as specified in §§ 46.2-372, 46.2-380, and 46.2-706.

3. Notwithstanding other provisions of this section, information disclosed or furnished shall be assessed a fee as specified in § 46.2-214.

4. When the person requesting the information is Upon the request of (i) the subject of the information, (ii) the parent or guardian of a minor who is the subject of the information, (iii) the guardian of the subject of the information, (iv) the authorized representative of the subject of the information, or (v) the owner of the vehicle that is the subject of the information, the Commissioner shall provide him with the requested information and a complete explanation of it. Requests for such information need not be made in writing or in person and may be made orally or by telephone, provided that the Department is satisfied that there is adequate verification of the requester's identity. When so requested in writing by (a) the subject of the information, (b) the parent or guardian of a minor who is the subject of the information, (c) the guardian of the subject of the information, (d) the authorized representative of the subject of the information, or (e) the owner of the vehicle that is the subject of the information, the Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver and, special identification card, or vehicle information in the form of an

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59 abstract of the record. *If the requester is requesting such information in the scope of his official business*
60 *as counsel from a public defender's office or as counsel appointed by a court, such records shall be*
61 *provided free of charge.*

62 5. ~~On~~ Upon the written request of any insurance carrier, surety, or representative of an insurance
63 carrier or surety either, the Commissioner shall furnish to such insurance carrier, surety, or
64 representative an abstract of requester information in the record of any person subject to the provisions
65 of this title. The abstract transcript shall include any record of any conviction of a violation of any
66 provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any
67 injury or damage in which he was involved and a report of which is required by ~~§ 46.2-372~~ filed
68 pursuant to § 46.2-373. No such report of any conviction or accident crash shall be made after 60
69 months from the date of the conviction or accident crash unless the Commissioner or court used the
70 conviction or accident crash as a reason for the suspension or revocation of a driver's license or driving
71 privilege, in which case the revocation or suspension and any conviction or accident crash pertaining
72 thereto shall not be reported after 60 months from the date that the driver's license or driving privilege
73 has been reinstated. ~~This abstract~~ *The response of the Commissioner under this subdivision* shall not be
74 admissible in evidence in any court proceedings.

75 6. ~~On~~ Upon the written request of any business organization or its authorized agent, in the conduct
76 of its business, the Commissioner shall compare personal information supplied by the business
77 organization or agent requester with that contained in the Department's records and, when the
78 information supplied by the business organization or agent requester is different from that contained in
79 the Department's records, provide the business organization or agent requester with correct information
80 as contained in the Department's records. Personal information provided under this subdivision shall be
81 used solely for the purpose of pursuing remedies that require locating an individual.

82 7. ~~The~~ Upon the written request of any business organization or its authorized agent, the
83 Commissioner shall provide vehicle information to any business organization or agent on such business'
84 or agent's written request the requester. Disclosures made under this subdivision shall not include any
85 personal information and shall not be subject to the limitations contained in subdivision 6.

86 8. ~~On~~ Upon the written request of any motor vehicle rental or leasing company or its designated
87 authorized agent, the Commissioner shall (i) compare personal information supplied by the company or
88 agent requester with that contained in the Department's records and, when the information supplied by
89 the company or agent requester is different from that contained in the Department's records, provide the
90 company or agent requester with correct information as contained in the Department's records and (ii)
91 provide the company or agent requester with driver information in the form of an abstract of any person
92 subject to the provisions of this title. Such abstract information shall include any record of any
93 conviction of a violation of any provision of any statute or ordinance relating to the operation or
94 ownership of a motor vehicle or of any injury or damage in which the subject of the abstract
95 information was involved and a report of which is required by ~~§ 46.2-372~~ was filed pursuant to
96 § 46.2-373. No such abstract information shall include any record of any conviction or accident crash
97 more than 60 months after the date of such conviction or accident crash unless the Commissioner or
98 court used the conviction or accident crash as a reason for the suspension or revocation of a driver's
99 license or driving privilege, in which case the revocation or suspension and any conviction or accident
100 crash pertaining thereto shall cease to be included in such abstract information after 60 months from the
101 date on which the driver's license or driving privilege was reinstated. ~~No abstract released~~ *The response*
102 *of the Commissioner* under this subdivision shall not be admissible in evidence in any court proceedings.

103 9. ~~On~~ Upon the request of any federal, state, or local governmental entity, local government group
104 self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized
105 agent of any of the foregoing, the Commissioner shall (i) compare personal information supplied by the
106 governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for
107 the Commonwealth, court, or the authorized agent of any of the foregoing, requester with that contained
108 in the Department's records and, when the information supplied by the governmental entity, local
109 government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court,
110 or the authorized agent of any of the foregoing, requester is different from that contained in the
111 Department's records, provide the governmental entity, local government group self-insurance pool,
112 law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the
113 foregoing requester with correct information as contained in the Department's records and (ii). *The*
114 *Commissioner shall also provide driver, special identification card, and vehicle information in the form*
115 *of an abstract of the record showing all convictions, accidents, and driver's license suspensions or*
116 *revocations as requested pursuant to this subdivision.* The Commissioner may also release other
117 appropriate information as to the governmental entity, local government group self-insurance pool,
118 law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the
119 foregoing, may require in order to carry out its official functions upon request. *However, the*
120 *Commissioner shall not release any photographs pursuant to this subdivision unless the requester*

121 provides the depicted individual's name and other sufficient identifying information contained on such
 122 individual's record. The abstract information in this subdivision shall be provided free of charge.

123 No information may be released pursuant to this subdivision unless the requester provides evidence,
 124 in a form prescribed by the Department, showing that the information requested is required to carry out
 125 the requester's official function. Such information shall include how the requested information will be
 126 used to carry out such official function and the legal authority that authorizes the requester's activity for
 127 which such information will be used. If the Commissioner determines that sufficient evidence has not
 128 been provided by the requester to show that the purpose for which such information shall be used is one
 129 of the requester's official functions, the Commissioner may deny such request.

130 10. ~~On~~ Upon the request of the driver licensing authority in any other state or foreign country, the
 131 Commissioner shall provide whatever classes of driver and vehicle information the requesting authority
 132 shall require in order to carry out its official functions. The information shall be provided free of charge.

133 11. ~~On~~ a. For the purpose of obtaining information regarding noncommercial driver's license
 134 holders, upon the written request of any employer, prospective employer, or authorized agent of either,
 135 and with the written consent of the individual concerned, the Commissioner shall (i) compare personal
 136 information supplied by the employer, prospective employer, or agent requester with that contained in
 137 the Department's records and, when the information supplied by the employer, prospective employer, or
 138 agent requester is different from that contained in the Department's records, provide the employer,
 139 prospective employer, or agent requester with correct information as contained in the Department's
 140 records and (ii) provide the employer, prospective employer, or agent requester with driver information
 141 in the form of an abstract a transcript of an individual's record showing, including all convictions,
 142 accidents all crashes, driver's license suspensions or revocations, and any type of driver's license that the
 143 individual currently possesses, and all driver's license suspensions, revocations, cancellations, or
 144 forfeiture, provided that the such individual's position or the position that the individual is being
 145 considered for involves the operation of a motor vehicle.

146 b. For the purpose of obtaining information regarding commercial driver's license holders, upon the
 147 written request of any employer, prospective employer, or authorized agent of either, the Commissioner
 148 shall (i) compare personal information supplied by the requester with that contained in the Department's
 149 records and, when the information supplied by the requester is different from that contained in the
 150 Department's records, provide the requester with correct information as contained in the Department's
 151 records and (ii) provide the requester with driver information in the form of a transcript of such
 152 individual's record, including all convictions, all crashes, any type of driver's license that the individual
 153 currently possesses, and all driver's license suspensions, revocations, cancellations, forfeitures, or
 154 disqualifications, provided that such individual's position or the position that the individual is being
 155 considered for involves the operation of a commercial motor vehicle.

156 12. ~~On~~ Upon the written request of any member of a volunteer fire company or volunteer emergency
 157 medical services agency and with written consent of the individual concerned, or upon the request of an
 158 applicant for membership in a volunteer fire company or any volunteer emergency medical services
 159 personnel or applicant to serve as volunteer emergency medical services personnel, the Commissioner
 160 shall (i) compare personal information supplied by the volunteer fire company or volunteer emergency
 161 medical services agency requester with that contained in the Department's records and, when the
 162 information supplied by the volunteer fire company or volunteer emergency medical services agency
 163 requester is different from that contained in the Department's records, provide the volunteer fire
 164 company or volunteer emergency medical services agency requester with correct information as
 165 contained in the Department's records and (ii) provide driver information in the form of an abstract a
 166 transcript of the member's, personnel, or applicant's individual's record showing, including all
 167 convictions, accidents all crashes, license suspensions or revocations, and any type of driver's license
 168 that the individual currently possesses, and all license suspensions, revocations, cancellations, or
 169 forfeitures. Such abstract transcript shall be provided free of charge if the request is accompanied by
 170 appropriate written evidence that the person is a member of or applicant for membership in a volunteer
 171 fire company or a volunteer emergency medical services agency to serve as a member of a volunteer
 172 emergency medical services agency and the abstract transcript is needed by a volunteer fire company or
 173 volunteer emergency medical services agency the requester to establish the qualifications of the member,
 174 volunteer, or applicant to operate equipment owned by the volunteer fire company or volunteer
 175 emergency medical services agency.

176 13. ~~On~~ Upon the written request of any person who has applied to be a volunteer with a Virginia
 177 affiliate of Big Brothers/Big Brothers Big Sisters of America, a Virginia affiliate of Compeer, or the
 178 Virginia Council of the Girl Scouts of the USA, and with the consent of the individual who is the subject
 179 of the information and has applied to be a volunteer with the requester, or on the written request of a
 180 Virginia chapter of the American Red Cross, a Virginia chapter of the Civil Air Patrol, or Faith in
 181 Action, and with the consent of the individual who is the subject of the information and applied to be a

182 *volunteer vehicle operator with the requester*, the Commissioner shall (i) compare personal information
183 supplied by a ~~Virginia affiliate of Big Brothers/Big Sisters of America~~ *the requester* with that contained
184 in the Department's records and, when the information supplied by a ~~Virginia affiliate of Big~~
185 ~~Brothers/Big Sisters of America~~ *the requester* is different from that contained in the Department's
186 records, provide the ~~Virginia affiliate of Big Brothers/Big Sisters of America~~ *requester* with correct
187 information as contained in the Department's records and (ii) provide driver information in the form of
188 ~~an abstract~~ *a transcript* of the applicant's record ~~showing, including~~ all convictions, ~~accidents all~~
189 ~~crashes, license suspensions or revocations,~~ and any type of driver's license that the individual currently
190 possesses, ~~and all license suspensions, revocations, cancellations, or forfeitures.~~ Such ~~abstract transcript~~
191 shall be provided at a fee that is one-half the normal charge if the request is accompanied by
192 appropriate written evidence that the person has applied to be a *volunteer or volunteer vehicle operator*
193 with a ~~Virginia affiliate of Big Brothers/Big Sisters of America~~ *the requester as provided in this*
194 *subdivision.*

195 14. On the written request of any person who has applied to be a volunteer with a court-appointed
196 special advocate program pursuant to § 9.1-153, the Commissioner shall provide ~~an abstract~~ *a transcript*
197 of the applicant's record ~~showing, including~~ all convictions, ~~accidents all~~ *crashes*, license suspensions ~~or~~
198 ~~revocations,~~ and any type of driver's license that the individual currently possesses, ~~and all license~~
199 ~~suspensions, revocations, cancellations, or forfeitures.~~ Such ~~abstract transcript~~ shall be provided free of
200 charge if the request is accompanied by appropriate written evidence that the person has applied to be a
201 volunteer with a court-appointed special advocate program pursuant to § 9.1-153.

202 15. Upon the request of any employer, prospective employer, or authorized representative of either,
203 the Commissioner shall (i) compare personal information supplied by the employer, prospective
204 employer, or agent with that contained in the Department's records and, when the information supplied
205 by the employer, prospective employer, or agent is different from that contained in the Department's
206 records, provide the employer, prospective employer, or agent with correct information as contained in
207 the Department's records and (ii) provide driver information in the form of an abstract of the driving
208 record of any individual who has been issued a commercial driver's license, provided that the
209 individual's position or the position that the individual is being considered for involves the operation of
210 a commercial motor vehicle. Such abstract shall show all convictions, accidents, license suspensions,
211 revocations, or disqualifications, and any type of driver's license that the individual currently possesses.

212 16. Upon the receipt of a completed application and payment of applicable processing fees, the
213 Commissioner may enter into an agreement with any governmental authority or business to exchange
214 information specified in this section by electronic or other means.

215 17. Upon the request of an attorney representing a person *involved* in a motor vehicle accident *crash*,
216 the Commissioner shall provide *the* vehicle information *for any vehicle involved in the crash, including*
217 *and the owner's name and address, to the attorney of the owner of any such vehicle.*

218 18. Upon the request, in the course of business, of any authorized representative of an insurance
219 company or of any not-for-profit entity organized to prevent and detect insurance fraud, or perform
220 rating and underwriting activities, the Commissioner shall provide ~~to such person~~ (i) all vehicle
221 information, ~~including~~ the owner's name and address, descriptive data and title, registration, and vehicle
222 activity data, as requested, or (ii) all driver information, including name, license number and
223 classification, date of birth, and address information for each driver under the age of 22 licensed in the
224 Commonwealth of Virginia ~~meeting the request criteria designated by such person, with provided that~~
225 ~~such request criteria consisting of~~ *includes the driver's license number or address information. No such*
226 *information shall be used for solicitation of sales, marketing, or other commercial purposes of such*
227 *driver. Use of such information shall be limited to use in connection with insurance claims investigation*
228 *activities, antifraud activities, rating, or underwriting.*

229 19. Upon the request of an officer authorized to issue criminal warrants, for the purpose of issuing a
230 warrant for arrest for unlawful disposal of trash or refuse in violation of § ~~33.2-802~~ the Commissioner
231 shall provide vehicle information, including the owner's name and address.

232 20. Upon *the* written request of the compliance agent of a private security services business, as
233 defined in § 9.1-138, which is licensed by the *Virginia* Department of Criminal Justice Services, the
234 Commissioner shall provide the name and address of the owner of the vehicle under procedures
235 determined by the Commissioner.

236 21. Upon the request of the operator of a toll facility ~~or, a~~ traffic light photo-monitoring system
237 acting on behalf of a government entity, or ~~of the Dulles Access Highway, or an authorized agent or~~
238 employee of a toll facility operator or traffic light photo-monitoring system operator acting on behalf of
239 a government entity or the Dulles Access Highway, for the purpose of obtaining vehicle owner data
240 under subsection M of § 46.2-819.1 or subsection H of § 15.2-968.1 or subsection N of § 46.2-819.5.
241 Information released pursuant to this subdivision shall be limited to the name and address of the owner
242 of the vehicle having failed to pay a toll or having failed to comply with a traffic light signal or having
243 improperly used the Dulles Access Highway and the vehicle information, including all descriptive

244 vehicle data and title and registration data of the same vehicle.

245 22. On the written request of any person who has applied to be a volunteer with a Virginia affiliate
 246 of Compeer, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of
 247 Compeer with that contained in the Department's records and, when the information supplied by a
 248 Virginia affiliate of Compeer is different from that contained in the Department's records, provide the
 249 Virginia affiliate of Compeer with correct information as contained in the Department's records and (ii)
 250 provide driver information in the form of an abstract of the applicant's record showing all convictions,
 251 accidents, license suspensions or revocations, and any type of driver's license that the individual
 252 currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the
 253 request is accompanied by appropriate written evidence that the person has applied to be a volunteer
 254 with a Virginia affiliate of Compeer.

255 23. Upon the request of the Department of Environmental Quality for the purpose of obtaining
 256 vehicle owner data in connection with enforcement actions involving on-road testing of motor vehicles,
 257 pursuant to § 46.2-1178.1.

258 24. On the written request of any person who has applied to be a volunteer vehicle operator with a
 259 Virginia chapter of the American Red Cross, the Commissioner shall (i) compare personal information
 260 supplied by a Virginia chapter of the American Red Cross with that contained in the Department's
 261 records and, when the information supplied by a Virginia chapter of the American Red Cross is different
 262 from that contained in the Department's records, provide the Virginia chapter of the American Red Cross
 263 with correct information as contained in the Department's records and (ii) provide driver information in
 264 the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions
 265 or revocations, and any type of driver's license that the individual currently possesses. Such abstract
 266 shall be provided at a fee that is one-half the normal charge if the request is accompanied by
 267 appropriate written evidence that the person has applied to be a volunteer vehicle operator with a
 268 Virginia chapter of the American Red Cross.

269 25. On the written request of any person who has applied to be a volunteer vehicle operator with a
 270 Virginia chapter of the Civil Air Patrol, the Commissioner shall (i) compare personal information
 271 supplied by a Virginia chapter of the Civil Air Patrol with that contained in the Department's records
 272 and, when the information supplied by a Virginia chapter of the Civil Air Patrol is different from that
 273 contained in the Department's records, provide the Virginia chapter of the Civil Air Patrol with correct
 274 information as contained in the Department's records and (ii) provide driver information in the form of
 275 an abstract of the applicant's record showing all convictions, accidents, license suspensions or
 276 revocations, and any type of driver's license that the individual currently possesses. Such abstract shall
 277 be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate
 278 written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of
 279 the Civil Air Patrol.

280 26. On the written request of any person who has applied to be a volunteer vehicle operator with
 281 Faith in Action, the Commissioner shall (i) compare personal information supplied by Faith in Action
 282 with that contained in the Department's records and, when the information supplied by Faith in Action is
 283 different from that contained in the Department's records, provide Faith in Action with correct
 284 information as contained in the Department's records and (ii) provide driver information in the form of
 285 an abstract of the applicant's record showing all convictions, accidents, license suspensions or
 286 revocations, and any type of driver's license that the individual currently possesses. Such abstract shall
 287 be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate
 288 written evidence that the person has applied to be a volunteer vehicle operator with Faith in Action.

289 27. On *Upon* the written request of the surviving spouse or child of a deceased person or the
 290 executor or administrator of a deceased person's estate, the Department shall, if the deceased person had
 291 been issued a driver's license or special identification card by the Department, supply the requester
 292 requester with a hard copy image of any photograph of the deceased person kept in the Department's
 293 records.

294 28. On the written request of any person who has applied to be a volunteer with a Virginia Council
 295 of the Girl Scouts of the USA, the Commissioner shall (i) compare personal information supplied by a
 296 Virginia Council of the Girl Scouts of the USA with that contained in the Department's records and,
 297 when the information supplied by a Virginia Council of the Girl Scouts of the USA is different from
 298 that contained in the Department's records, provide a Virginia Council of the Girl Scouts of the USA
 299 with correct information as contained in the Department's records and (ii) provide driver information in
 300 the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions
 301 or revocations, and any type of driver's license that the individual currently possesses. Such abstract
 302 shall be provided at a fee that is one-half the normal charge if the request is accompanied by
 303 appropriate written evidence that the person has applied to be a volunteer with the Virginia Council of
 304 the Girl Scouts of the USA.

305 29. a. Upon written agreement, the Commissioner may digitally verify the authenticity and validity of
 306 a driver's license, learner's permit, or special identification card to the American Association of Motor
 307 Vehicle Administrators, a motor vehicle dealer as defined in § 46.2-1500, or ~~other~~ *another* organization
 308 approved by the Commissioner.

309 *b. The Commissioner may release information in the Department's record through any American*
 310 *Association of Motor Vehicle Administrators service program created for the purpose of the exchange of*
 311 *information to any business, government agency, or authorized agent who would otherwise be*
 312 *authorized to receive the information requested pursuant to this section.*

313 30. Upon the request of the operator of a video-monitoring system as defined in § 46.2-844 acting on
 314 behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection
 315 B of § 46.2-844. Information released pursuant to this subdivision shall be limited to the name and
 316 address of the owner of the vehicle having passed a stopped school bus and the vehicle information,
 317 including all descriptive vehicle data and title and registration data for such vehicle.

318 31. *Notwithstanding the provisions of this section, the Department shall not release excepts upon*
 319 *request by the subject of the information, the guardian of the subject of the information, the parent of a*
 320 *minor who is the subject of the information, or the authorized representative of the subject of the*
 321 *information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a*
 322 *driving credential or a special identification card, (ii) the information in the Department's records*
 323 *indicating the type of proof documentation that was provided, or (iii) applications relating to the*
 324 *issuance of a driving credential or a special identification card.*

325 32. *Notwithstanding the provisions of this section, including subdivision 31, the Department may*
 326 *release information in its records for the purpose of federal compliance audits.*

327 C. Whenever the Commissioner issues an order to suspend or revoke the driver's license or driving
 328 privilege of any individual, he may notify the National Driver Register Service operated by the United
 329 States Department of Transportation and any similar national driver information system and provide
 330 whatever classes of information the authority may require *Information disclosed or furnished shall be*
 331 *assessed a fee as specified in § 46.2-214, unless as otherwise provided in this section.*

332 D. Accident reports may be inspected under the provisions of §§ 46.2-379 and 46.2-380.

333 E. Whenever the Commissioner takes any licensing action pursuant to the provisions of the Virginia
 334 Commercial Driver's License Act (§ 46.2-341.1 et seq.), he may provide information to the Commercial
 335 Driver License Information System, or any similar national commercial driver information system,
 336 regarding such action.

337 F. In addition to the foregoing provisions of this section, vehicle information may also be inspected
 338 under the provisions of §§ 46.2-633, 46.2-644.02, 46.2-644.03, and §§ 46.2-1200.1 through 46.2-1237.

339 G. The Department may promulgate regulations to govern the means by which personal, vehicle, and
 340 driver information is requested and disseminated.

341 H. Driving records of any person accused of an offense involving the operation of a motor vehicle
 342 shall be provided by the Commissioner upon request to any person acting as counsel for the accused. If
 343 such counsel is from the public defender's office or has been appointed by the court, such records shall
 344 be provided free of charge.

345 I. The Department shall maintain the records of persons convicted of violations of § 18.2-36.2,
 346 subsection B of § 29.1-738, and §§ 29.1-738.02, 29.1-738.2, and 29.1-738.4 which shall be forwarded by
 347 every general district court or circuit court or the clerk thereof, pursuant to § 46.2-383. Such records
 348 shall be electronically available to any law-enforcement officer as provided for under clause (ii) of
 349 subdivision B 9.

350 J. Whenever the Commissioner issues a certificate of title for a motor vehicle, he may notify the
 351 National Motor Vehicle Title Information System, or any other nationally recognized system providing
 352 similar information, or any entity contracted to collect information for such system, and may provide
 353 whatever classes of information are required by such system.

354 *D. Upon the receipt of a completed application and payment of applicable processing fees, the*
 355 *Commissioner may enter into an agreement with any governmental authority or business to exchange*
 356 *information specified in this section by electronic or other means.*

357 **§ 46.2-208.1. Electronic transfer of information in Department records for voter registration**
 358 **purposes.**

359 Notwithstanding the provisions of § 46.2-208, the Commissioner shall provide for the electronic
 360 transfer of information from the Department's records to the ~~State Board~~ *Department* of Elections and
 361 the general registrars for the purpose of voter registration as required by Chapter 4 (§ 24.2-400 et seq.)
 362 of Title 24.2, including but not limited to the purposes of § 24.2-410.1. Except as provided in
 363 §§ 24.2-404 and 24.2-444, the ~~State Board~~ *Department* of Elections and the general registrars shall not
 364 make information provided by the Department available to the public and shall not provide such
 365 information to any third party.

366 **§ 46.2-208.3. Notice by Department.**

367 *The Department may send notice of a driver's license renewal pursuant to § 46.2-330, a vehicle*
 368 *registration renewal, or other notice in the form of a postcard to a customer at the address shown on*
 369 *the records of the Department. For the purposes of this section, the information provided as part of*
 370 *such notice sent to a customer shall not be considered privileged information as described in*
 371 *§ 46.2-208. Such information shall only be disclosed as permitted in this section.*

372 **§ 46.2-380. Reports made under certain sections open to inspection by certain persons; copies;**
 373 **maintenance of reports and photographs for three-year period.**

374 A. Any report of ~~an accident~~ *a crash* made pursuant to § 46.2-372, 46.2-373, 46.2-375, or 46.2-377
 375 shall be maintained by the Department in either hard copy or electronic form for a period of at least 36
 376 months from the date of the ~~accident and~~ *crash*. *The report shall be open to the inspection of (i) any*
 377 *person involved or injured in the ~~accident~~ crash or as a result thereof, or his attorney, or any person*
 378 *owning a vehicle or property involved in the crash, or his attorney, (ii) any authorized representative of*
 379 *any insurance carrier reasonably anticipating exposure to civil liability as a consequence of the ~~accident~~*
 380 *crash or to which the person has applied for issuance or renewal of a policy of automobile insurance, or*
 381 *(iii) the FMCSA or any authorized agent thereof. The Commissioner shall, ~~on~~ upon written request of*
 382 *the person authorized to inspect the report, furnish a copy of the report, in either hard copy or*
 383 *electronic form, at the expense of the requester. Any such report shall also be open to inspection by the*
 384 *personal representative of any person injured or killed in the ~~accident~~ crash, including his guardian,*
 385 *conservator, executor, committee, next of kin as defined in § 54.1-2800, or administrator, or, if the*
 386 *person injured or killed is under 18 years of age, his parent or guardian. The Commissioner shall only*
 387 *be required to furnish under this section copies of reports required by the provisions of this article to be*
 388 *made directly to the Commissioner. The Commissioner may set a reasonable fee for furnishing a copy*
 389 *of any report, provide to whom payment shall be made, and establish a procedure for payment.*

390 B. The Commissioner or Superintendent of State Police having a copy of any photograph taken by a
 391 law-enforcement officer relating to a nonfatal ~~accident~~ *crash* shall maintain the negatives for or an
 392 electronic record of such photographs in their records for at least 36 months from the date of the
 393 ~~accident~~ *crash*.

394 **2. That §§ 46.2-208.2 and 46.2-213 of the Code of Virginia are repealed.**

395 **3. That an emergency exists and this act is in force from its passage.**