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HOUSE BILL NO. 1666

Offered January 17, 2020

A BILL to amend the Code of Virginia by adding sections numbered 19.2-387.3 and 46.2-600.1, relating to Voluntary Registry for People with Special Communication Needs; vehicle registration.

Patrons—Hayes, Ayala, Bell, Carr, Filler-Corn, Murphy and Rasoul

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 19.2-387.3 and 46.2-600.1 as follows:

§ 19.2-387.3. *Voluntary Registry for People with Special Communication Needs; maintenance; access.*

A. The Department of State Police shall keep and maintain a database called the Voluntary Registry for People with Special Communication Needs (the Registry). Any person who has (i) registered a vehicle in the Commonwealth and (ii) voluntarily provided sufficient evidence that he or a member of his immediate family has a disability that can impair communication, as provided in § 46.2-600.1, shall be included in the Registry. The relevant information of the person who has a disability that can impair communication shall be linked to the vehicle registration information in the Registry. The Department of State Police shall make the Registry information available to law-enforcement agencies through the Virginia Criminal Information Network (VCIN) and shall ensure that any search of motor vehicle information includes an indication that the registered owner or a member of his immediate family is included in the Registry. Registry information provided under this section shall be used only for law-enforcement purposes.

B. No liability shall be imposed upon any law-enforcement official who disseminates information or fails to disseminate information in good faith compliance with the requirements of this section, but this provision shall not be construed to grant immunity for gross negligence or willful misconduct.

C. A person who is included in the Registry, or the parent or guardian of a minor child who is included in the Registry, may request removal of such person or minor, as applicable, from the Registry by contacting the Department of State Police.

D. Any information included in the Registry shall not be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

§ 46.2-600.1. *Indication of special communication needs.*

A. As used in this section, "disability that can impair communication" means a condition with symptoms that can impair the ability of a person with such condition to receive, send, process, or comprehend concepts or verbal, nonverbal, or graphic symbol systems, including autism spectrum disorders as defined in § 38.2-3418.17 and hearing impairments.

B. The Department shall include on the application for registration of a motor vehicle an option for the vehicle owner to, if applicable, voluntarily provide that he or a member of his immediate family has a disability that can impair communication and agree to the inclusion of such information in the Voluntary Registry for People with Special Communication Needs pursuant to § 19.2-387.3. Any application on which the applicant indicates that he or a member of his immediate family has such a disability shall be accompanied by a certification signed by a licensed physician, licensed nurse practitioner, licensed physician assistant, or licensed mental health professional, as defined in § 54.1-2400.1, that such individual has a disability that can impair communication. If the person who has a disability that can impair communication is not the owner of the vehicle being registered or is a minor, the application shall also be accompanied by a signed consent form from such individual or his guardian.

C. Notwithstanding the provisions of § 46.2-208, the Department shall furnish monthly to the Department of State Police a complete list of any individual who has provided sufficient evidence that he or a member of his immediate family has a disability that can impair communication to the Department and, if applicable, consent from such person when obtaining a motor vehicle registration and any other available information necessary for the Department of State Police to maintain the Voluntary Registry for People with Special Communication Needs.

INTRODUCED

HB1666