

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 593

*An Act to amend and reenact §§ 46.2-332, 46.2-343, 46.2-345, and 46.2-712 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-216.3 and 46.2-648.1, relating to learner's permits, driver's licenses, commercial driver's licenses, special identification cards, vehicle registrations, and conduct of business by the Department of Motor Vehicles, generally.*

[H 1623]

Approved March 27, 1999

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-332, 46.2-343, 46.2-345, and 46.2-712 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-216.3 and 46.2-648.1 as follows:**

*§ 46.2-216.3. Discounts and other incentives.*

*In addition to those authorized in § 46.2-697.1, the Commissioner may authorize discounts and other incentives to encourage customers to conduct transactions with the Department through the mail or by means of electronic technologies.*

*§ 46.2-332. Fees.*

On and after January 1, 1990, the fee for each driver's license other than a commercial driver's license shall be two dollars and forty cents per year. If the license is a commercial driver's license or seasonal restricted commercial driver's license, the fee shall be six dollars per year. *Persons twenty-one years old or older may be issued a scenic driver's license, learner's permit, or commercial driver's license for an additional fee of five dollars.* For any one or more driver's license endorsements, except a motorcycle endorsement, there shall be an additional fee of one dollar per year; for a motorcycle endorsement, there shall be an additional fee of two dollars per year. For any and all driver's license classifications, there shall be an additional fee of one dollar per year. For any revalidation of a seasonal restricted commercial driver's license, the fee shall be five dollars.

A reexamination fee of two dollars shall be charged for each administration of the knowledge portion of the driver's license examination taken by an applicant who is eighteen years of age or older if taken more than once within a fifteen-day period. The reexamination fee shall be charged each time the examination is administered until the applicant successfully completes the examination, if taken prior to the fifteenth day.

An applicant who is less than eighteen years of age who does not successfully complete the knowledge portion of the driver's license examination shall not be permitted to take the knowledge portion more than once in fifteen days.

If the applicant for a driver's license is an employee of the Commonwealth, or of any county, city, or town who drives a motorcycle or a commercial motor vehicle solely in the line of his duty, he shall be exempt from the additional fee otherwise assessable for a motorcycle classification or a commercial motor vehicle endorsement. The Commissioner may prescribe the forms as may be requisite for completion by persons claiming exemption from additional fees imposed by this section.

No additional fee above two dollars and forty cents per year shall be assessed for the driver's license or commercial driver's license required for the operation of a school bus.

Excluding the two-dollar reexamination fee, one dollar and fifty cents of all fees collected for each original or renewal driver's license shall be paid into the driver education fund of the state treasury and expended as provided by law. Unexpended funds from the driver education fund shall be retained in the fund and be available for expenditure in ensuing years as provided therein.

All fees for motorcycle endorsements shall be distributed as provided in § 46.2-1191.

This section shall supersede conflicting provisions of this chapter.

*§ 46.2-343. Duplicate driver's license, reissued driver's licenses, learner's permit; fees.*

If a driver's license or learner's permit issued under the provisions of this chapter is lost, stolen, or destroyed, the person to whom it was issued may obtain a duplicate or substitute thereof on furnishing proof satisfactory to the Department that his license or permit has been lost, stolen, or destroyed, or that there are good reasons why a duplicate should be issued.

There shall be a fee of five dollars for each duplicate license and two dollars for each duplicate learner's permit. *An additional fee of five dollars shall be charged to add or change the scene on a duplicate license or duplicate learner's permit.*

There shall be a fee of five dollars for reissuance of any driver's license upon the termination of driving restrictions imposed upon the licensee by the Department or a court. *An additional fee of five dollars shall be charged to add or change the scene on a license upon reissuance.*

*§ 46.2-345. Issuance of special identification cards; fee; confidentiality; penalties.*

A. On the application of any person who is a resident of the Commonwealth or the parent or legal guardian of any such person who is under the age of fifteen, the Department shall issue a special identification card to the person provided:

1. Application is made on a form prescribed by the Department;
2. The applicant presents a birth certificate or other evidence acceptable to the Department of his name and date of birth; and
3. The Department is satisfied that the applicant needs an identification card or the applicant shows he has a bona fide need for such a card.

B. The fee for the issuance of a special identification card is five dollars. *Persons twenty-one years old or older may be issued a scenic special identification card for an additional fee of five dollars.*

C. A special identification card shall expire five years from its date of issuance except that those cards issued to children under the age of fifteen shall expire on the child's fifteenth birthday or five years from the date of issuance, whichever occurs first.

D. A special identification card issued under this section may be similar in size, shape, and design to a driver's license, and include a color photograph of its holder, but the card shall be readily distinguishable from a driver's license and shall clearly state that it does not authorize the person to whom it is issued to drive a motor vehicle.

E. Special identification cards, for persons at least fifteen years old but less than twenty-one years old, shall be immediately and readily distinguishable from those issued to persons twenty-one years old or older. Distinguishing characteristics shall include unique design elements of the document and descriptors within the photograph area to identify persons who are at least fifteen years old but less than twenty-one years old. These descriptors shall include the month, day, and year when the person will become twenty-one years old.

F. Special identification cards for persons under age fifteen shall bear a full face photograph. The special identification card issued to persons under age fifteen shall be readily distinguishable from a driver's license and from other special identification cards issued by the Department. Such cards shall clearly indicate that it does not authorize the person to whom it is issued to drive a motor vehicle.

G. Any personal information, as identified in § 2.1-379, which is retained by the Department from an application for the issuance of a special identification card is confidential and shall not be divulged to any person, association, corporation, or organization, public or private, except to the legal guardian or the attorney of the applicant or to a person, association, corporation, or organization nominated in writing by the applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department from furnishing the application or any information thereon to any law-enforcement agency.

H. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for an identification card or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application shall be guilty of a Class 2 misdemeanor. However, where the name or address is given, or false statement is made, or fact is concealed, or fraud committed, with the intent to purchase a firearm or where the identification card is obtained for the purpose of committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

I. The Department may promulgate regulations necessary for the effective implementation of the provisions of this section.

J. The Department shall utilize the various communications media throughout the Commonwealth to inform Virginia residents of the provisions of this section and to promote and encourage the public to take advantage of its provisions.

*§ 46.2-648.1. Optional registration of tow dolly and converter gear.*

*The Department may, upon request, register any tow dolly or converter gear as defined in § 46.2-1119. For the purpose of determining the applicable fee for any such registration, the tow dolly or converter gear shall be considered a trailer and the registration fee determined in accordance with § 46.2-694.1. The fee for reserved numbers or letters on license plates for any tow dolly or converter gear shall be determined in accordance with § 46.2-726.*

*§ 46.2-712. Requirements of license plates and decals.*

A. Every license plate shall display the registration number assigned to the motor vehicle, trailer, or semitrailer and to the owner thereof, the name of the Commonwealth, which may be abbreviated, and the year or the month and year, which may be abbreviated and in the form of decals, for which it is issued. Subject to the need for legibility, the size of the plate, the letters, numerals, and decals thereon, and the color of the plate, letters, numerals, and decals shall be in the discretion of the Commissioner. Decals shall be placed on the license plates in the manner prescribed by the Commissioner, and shall indicate the month and year of expiration. On the issuance of the decals, a new registration card shall be issued with the same date of expiration as the decals.

B. Notwithstanding any other provision of this title, the Department may issue permanent license plates without decals and without a month and year of expiration for all trailers and semitrailers, regardless of weight, as well as trucks and tractor trucks with a gross vehicle weight rating or gross combination weight rating of more than 26,000 pounds. *In addition, the Department may issue*

*permanent license plates without decals and without a month and year of expiration for trucks and tractor trucks with gross vehicle weight ratings or gross combination weight ratings of at least 7,501 pounds but not more than 26,000 pounds, provided that such vehicles are for business use only, and for farm vehicles registered with the Department pursuant to § 46.2-698.*

C. Notwithstanding any contrary provision of this section, any person who, pursuant to former § 56-304.3, repealed by Chapters 744 and 803 of the Acts of Assembly of 1995, obtained from the State Corporation Commission an exemption from the marker or decal requirements of former §§ 56-304, 56-304.1 or § 56-304.2, and who has painted or, in the case of newly acquired vehicles, who paints an identifying number on the sides of any vehicle with respect to which such exemption applies and, in all other respects, continues to comply with the requirements of former § 56-304.3, shall be deemed to be in compliance with subsections C and D of § 46.2-761.