

Department of Motor Vehicles 2007 Fiscal Impact Statement

1. Bill Number HB3126

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Kilgore

3. Committee Courts of Justice

4. Title Civil remedies; service on Commissioner of Department of Motor Vehicles as agent for nonresident.

5. Summary/Purpose:

This bill provides that any operation in the Commonwealth of a motor vehicle by a nonresident, including those nonresidents defined in subdivision 2 of Va. Code 8.01-307, either in person or by an agent or employee, shall be deemed equivalent to an appointment by such nonresident of the Commissioner of the Department of Motor Vehicles, and his successors in office, to be the attorney or statutory agent of such nonresident for the purpose of service of process in any action against him growing out of (i) any accident or collision in which such nonresident, his agent, or his employee may be involved or (ii) any violation of the provisions of Title 46.2 within the Commonwealth, any local ordinance that constitutes a substantially similar law as defined in Va. Code 46.2-341.23, or any other local ordinance relating to the operation or parking of motor vehicles.

6. Fiscal Impact Estimates are Unknown: See item 8 below.

7. Budget amendment necessary: No.

8. Fiscal implications:

Since the number of individuals who would file Service of Process under this legislation is unknown, the fiscal impact cannot be determined. DMV believes that the legislation would result in an increase in the number of nonresident Service of Process transactions currently handled by DMV. The legislation broadens the scope from nonresidents involved in accidents while driving motor vehicles in Virginia to any action against nonresidents operating motor vehicles in Virginia that grows out of an accident in which such nonresident is involved or a violation of the motor vehicle code (Title 46.2) within the Commonwealth, any local ordinance that constitutes a substantially similar law as defined in Va. Code 46.2-341.23, or any other local ordinance relating to the operation or parking of motor vehicles.

9. Specific agency or political subdivisions affected: DMV.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/24/07/rwt

Document: G:LLSDATA/2007 Legislation/DPB Fiscal Impact Statements/HB3126

cc: Secretary of Transportation