

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 46.2-410.2, relating to revocation*
3 *or suspension of driver's licenses; laws of other jurisdictions.*

4 [H 1525]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 46.2-410.2 as follows:**8 **§ 46.2-410.2. License suspension or revocation by Commissioner; offenses under the laws of other**
9 **jurisdictions.**

10 *Notwithstanding any other provision of this chapter, the Commissioner shall not administratively*
11 *revoke or suspend the driver's license of any person on the basis of receiving a record of such person's*
12 *conviction for any offense under the laws of another jurisdiction that would otherwise require the*
13 *Commissioner to revoke or suspend such person's driver's license unless such offense is substantially*
14 *similar to an offense under the laws of the Commonwealth or a county, city, or town ordinance.*
15 *Whenever the Commissioner is required to determine whether the law of another jurisdiction is*
16 *substantially similar to the laws of the Commonwealth, or a county, city, or town ordinance, such*
17 *determination shall be based only on the text of the other jurisdiction's law without reference to the*
18 *particular circumstances of any conviction under such other jurisdiction's laws. However, if the*
19 *Commissioner cannot reasonably determine from the text of the other jurisdiction's law whether such*
20 *law is substantially similar to the laws of the Commonwealth, or a county, city, or town ordinance, the*
21 *Commissioner may, if available, review a certified copy of the final order of the person's conviction in*
22 *order to make such determination.*

23 **2. That the Department of Motor Vehicles shall reinstate a person's driver's license that was**
24 **administratively revoked or suspended prior to July 1, 2017, by the Commissioner of the**
25 **Department of Motor Vehicles solely on the basis of receiving a record of such person's conviction**
26 **for any offense under the laws of another jurisdiction if, on a form promulgated by the**
27 **Department of Motor Vehicles, such person submits to the Department of Motor Vehicles a**
28 **request to review such suspension or revocation and the Department of Motor Vehicles determines**
29 **that such suspension or revocation was based on a conviction not in compliance with the**
30 **provisions of this act. The person requesting the review shall submit with the form a copy of the**
31 **other jurisdiction's statute under which he was convicted that was in effect at the time of the**
32 **conviction and a certified copy of the final order of conviction from the other jurisdiction. Any**
33 **refusal by the Department of Motor Vehicles to reinstate a person's driver's license shall be**
34 **reviewable in accordance with the provisions of § 46.2-410.1 of the Code of Virginia. Nothing**
35 **herein shall require the Department of Motor Vehicles to reinstate a person's driver's license if**
36 **such license was otherwise suspended or revoked.**

ENROLLED

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