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HOUSE BILL NO. 1525**FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by Senator Surovell
on February 16, 2017)

(Patron Prior to Substitute—Delegate Albo)

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

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-410.2 as follows:

§ 46.2-410.2. License suspension or revocation by Commissioner; offenses under the laws of other jurisdictions.

A. Notwithstanding any other provision of this chapter, the Commissioner shall not administratively revoke or suspend the driver's license of any person solely on the basis of receiving a record of such person's conviction for any offense under the laws of another jurisdiction that would otherwise require the Commissioner to revoke or suspend such person's driver's license when such offense is substantially similar to an offense under the laws of the Commonwealth or a county, city, or town ordinance if any court of the Commonwealth has held that the other jurisdiction's law under which such person was convicted is not substantially similar to the laws of the Commonwealth or a county, city, or town ordinance and such holding has not been subsequently reversed or modified.

B. Whenever the Commissioner is required to determine whether the law of another jurisdiction is substantially similar to the laws of the Commonwealth, or a county, city, or town ordinance, such determination shall be based only on the text of the other jurisdiction's law without reference to the particular circumstances of any conviction under such other jurisdiction's laws.

2. That the Department of Motor Vehicles shall reinstate a person's driver's license that was administratively revoked or suspended prior to July 1, 2017, by the Commissioner of the Department of Motor Vehicles solely on the basis of receiving a record of such person's conviction for any offense under the laws of another jurisdiction if such person submits to the Department of Motor Vehicles a request to review such suspension or revocation and the Department of Motor Vehicles determines that such suspension or revocation was based on a conviction not in compliance with the provisions of this act. Any refusal by the Department of Motor Vehicles to reinstate a person's driver's license shall be reviewable in accordance with the provisions of § 46.2-410.1 of the Code of Virginia. Nothing herein shall require the Department of Motor Vehicles to reinstate a person's driver's license if such license was otherwise suspended or revoked.