

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 46.2-203.1, 46.2-208, 46.2-208.1, and 46.2-380 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 46.2-208.3; and to repeal §§ 46.2-208.2 and 46.2-213 of the Code of Virginia relating to Department of Motor Vehicles; release of information.

[H 1092]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-203.1, 46.2-208, 46.2-208.1, and 46.2-380 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-208.3 as follows:

§ 46.2-203.1. Provision of updated addresses by persons completing forms; acknowledgment of future receipt of official notices.

Whenever any person completes a form for an application, certificate of title, registration card, license plate, driver's license, and any other form requisite for the purpose of this title, or whenever any person is issued a summons for a violation of the motor vehicle laws of the Commonwealth, he shall provide his current address on the form or summons. By signing the form or summons, the person acknowledges that (i) the address is correct; (ii) any official notice, including an order of suspension, will be sent by (a) prepaid first class mail to the address on the signed form with the most current date; or (b) by other means of communication, including email or other electronic address, if such electronic address is provided to the Department on the signed form; and (iii) the notice shall be deemed to have been accepted by the person at that if sent to any such address. In addition, upon signing a summons for a violation of the motor vehicle laws, the person shall acknowledge that his failure to appear in court and pay fines and costs could result in suspension of his operator's license.

§ 46.2-208. Records of Department; when open for inspection; release of privileged information.

A. All records in the office of the Department containing the specific classes of The information outlined below shall be considered privileged records and, unless otherwise provided for in this title, shall not be released except as provided in subsection B:

1. Personal information, including all data as defined as "personal information" in § 2.2-3801;
2. Driver information, including defined as all data that relates to driver's license status and driver activity; and
3. Special identification card information, defined as all data that relates to identification card status; and
4. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity data, but excluding crash data.

B. The Commissioner shall release such information only under the following conditions:

1. Notwithstanding other provisions of this section, medical data information included in personal data information shall be released only to a physician, physician assistant, or nurse practitioner as provided in § accordance with a proceeding under §§ 46.2-321 and 46.2-322.

2. Insurance data may be released as specified in §§ 46.2-372, 46.2-380, and 46.2-706.

3. Notwithstanding other provisions of this section, information disclosed or furnished shall be assessed a fee as specified in § 46.2-214.

4. When the person requesting the information is Upon the request of (i) the subject of the information, (ii) the parent or guardian of a minor who is the subject of the information, (iii) the guardian of the subject of the information, (iv) the authorized representative of the subject of the information, or (v) the owner of the vehicle that is the subject of the information, the Commissioner shall provide him with the requested information and a complete explanation of it. Requests for such information need not be made in writing or in person and may be made orally or by telephone, provided that the Department is satisfied that there is adequate verification of the requester's identity. When so requested in writing by (a) the subject of the information, (b) the parent or guardian of a minor who is the subject of the information, (c) the guardian of the subject of the information, (d) the authorized representative of the subject of the information, or (e) the owner of the vehicle that is the subject of the information, the Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver and, special identification card, or vehicle information in the form of an abstract of the record. If the requester is requesting such information in the scope of his official business as counsel from a public defender's office or as counsel appointed by a court, such records shall be

ENROLLED

HB1092ER

57 *provided free of charge.*

58 5. ~~On~~ Upon the written request of any insurance carrier, surety, or representative of an insurance
 59 carrier or surety either, the Commissioner shall furnish to such insurance carrier, surety, or
 60 representative an abstract of requester information in the record of any person subject to the provisions
 61 of this title. The abstract transcript shall include any record of any conviction of a violation of any
 62 provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any
 63 injury or damage in which he was involved and a report of which is required by ~~§ 46.2-372~~ filed
 64 pursuant to § 46.2-373. No such report of any conviction or accident crash shall be made after 60
 65 months from the date of the conviction or accident crash unless the Commissioner or court used the
 66 conviction or accident crash as a reason for the suspension or revocation of a driver's license or driving
 67 privilege, in which case the revocation or suspension and any conviction or accident crash pertaining
 68 thereto shall not be reported after 60 months from the date that the driver's license or driving privilege
 69 has been reinstated. This abstract *The response of the Commissioner under this subdivision* shall not be
 70 admissible in evidence in any court proceedings.

71 6. ~~On~~ Upon the written request of any business organization or its authorized agent, in the conduct
 72 of its business, the Commissioner shall compare personal information supplied by the business
 73 organization or agent requester with that contained in the Department's records and, when the
 74 information supplied by the business organization or agent requester is different from that contained in
 75 the Department's records, provide the business organization or agent requester with correct information
 76 as contained in the Department's records. Personal information provided under this subdivision shall be
 77 used solely for the purpose of pursuing remedies that require locating an individual.

78 7. ~~The~~ Upon the written request of any business organization or its authorized agent, the
 79 Commissioner shall provide vehicle information to any business organization or agent on such business'
 80 or agent's written request the requester. Disclosures made under this subdivision shall not include any
 81 personal information and shall not be subject to the limitations contained in subdivision 6.

82 8. ~~On~~ Upon the written request of any motor vehicle rental or leasing company or its designated
 83 authorized agent, the Commissioner shall (i) compare personal information supplied by the company or
 84 agent requester with that contained in the Department's records and, when the information supplied by
 85 the company or agent requester is different from that contained in the Department's records, provide the
 86 company or agent requester with correct information as contained in the Department's records and (ii)
 87 provide the company or agent requester with driver information in the form of an abstract of any person
 88 subject to the provisions of this title. Such abstract information shall include any record of any
 89 conviction of a violation of any provision of any statute or ordinance relating to the operation or
 90 ownership of a motor vehicle or of any injury or damage in which the subject of the abstract
 91 information was involved and a report of which is required by ~~§ 46.2-372~~ was filed pursuant to
 92 § 46.2-373. No such abstract information shall include any record of any conviction or accident crash
 93 more than 60 months after the date of such conviction or accident crash unless the Commissioner or
 94 court used the conviction or accident crash as a reason for the suspension or revocation of a driver's
 95 license or driving privilege, in which case the revocation or suspension and any conviction or accident
 96 crash pertaining thereto shall cease to be included in such abstract information after 60 months from the
 97 date on which the driver's license or driving privilege was reinstated. No abstract released *The response*
 98 *of the Commissioner* under this subdivision shall not be admissible in evidence in any court proceedings.

99 9. ~~On~~ Upon the request of any federal, state, or local governmental entity, local government group
 100 self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized
 101 agent of any of the foregoing, the Commissioner shall (i) compare personal information supplied by the
 102 governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for
 103 the Commonwealth, court, or the authorized agent of any of the foregoing, requester with that contained
 104 in the Department's records and, when the information supplied by the governmental entity, local
 105 government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court,
 106 or the authorized agent of any of the foregoing, requester is different from that contained in the
 107 Department's records, provide the governmental entity, local government group self-insurance pool,
 108 law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the
 109 foregoing requester with correct information as contained in the Department's records and (ii). *The*
 110 *Commissioner shall also provide driver, special identification card, and vehicle information in the form*
 111 *of an abstract of the record showing all convictions, accidents, and driver's license suspensions or*
 112 *revocations as requested pursuant to this subdivision.* The Commissioner may also release other
 113 appropriate information as to the governmental entity, local government group self-insurance pool,
 114 law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the
 115 foregoing, may require in order to carry out its official functions upon request. Upon request in
 116 accordance with this subdivision, the Commissioner shall furnish a certificate, under seal of the
 117 Department, setting forth a distinguishing number or license plate of a motor vehicle, trailer, or

semitrailer, together with the name and address of its owner. The certificate shall be prima facie evidence in any court in the Commonwealth of the ownership of the vehicle, trailer, or semitrailer to which the distinguishing number or license plate has been assigned by the Department. However, the Commissioner shall not release any photographs pursuant to this subdivision unless the requester provides the depicted individual's name and other sufficient identifying information contained on such individual's record. The abstract information in this subdivision shall be provided free of charge.

The Department shall release to a requester information that is required for a requester to carry out the requester's official functions in accordance with this subdivision. If the requester has entered into an agreement with the Department, such agreement shall be in a manner prescribed by the Department, and such agreement shall contain the legal authority that authorizes the performance of the requester's official functions and a description of how such information will be used to carry out such official functions. If the Commissioner determines that sufficient authority has not been provided by the requester to show that the purpose for which the information shall be used is one of the requester's official functions, the Commissioner shall refuse to enter into any agreement. If the requester submits a request for information in accordance with this subdivision without an existing agreement to receive the information, the request shall be in a manner prescribed by the Department, and such request shall contain the legal authority that authorizes the performance of the requester's official functions and a description of how such information will be used to carry out such official functions. If the Commissioner determines that sufficient authority has not been provided by the requester to show that the purpose for which such information shall be used is one of the requester's official functions, the Commissioner shall deny such request.

10. ~~On~~ Upon the request of the driver licensing authority in any other state or foreign country, the Commissioner shall provide whatever classes of driver and vehicle information the requesting authority shall require in order to carry out its official functions. The information shall be provided free of charge.

11. ~~On~~ a. For the purpose of obtaining information regarding noncommercial driver's license holders, upon the written request of any employer, prospective employer, or authorized agent of either, and with the written consent of the individual concerned, the Commissioner shall (i) compare personal information supplied by the employer, prospective employer, or agent requester with that contained in the Department's records and, when the information supplied by the employer, prospective employer, or agent requester is different from that contained in the Department's records, provide the employer, prospective employer, or agent requester with correct information as contained in the Department's records and (ii) provide the employer, prospective employer, or agent requester with driver information in the form of an abstract a transcript of an individual's record showing, including all convictions, accidents all crashes, driver's license suspensions or revocations, and any type of driver's license that the individual currently possesses, and all driver's license suspensions, revocations, cancellations, or forfeiture, provided that the such individual's position or the position that the individual is being considered for involves the operation of a motor vehicle.

b. For the purpose of obtaining information regarding commercial driver's license holders, upon the written request of any employer, prospective employer, or authorized agent of either, the Commissioner shall (i) compare personal information supplied by the requester with that contained in the Department's records and, when the information supplied by the requester is different from that contained in the Department's records, provide the requester with correct information as contained in the Department's records and (ii) provide the requester with driver information in the form of a transcript of such individual's record, including all convictions, all crashes, any type of driver's license that the individual currently possesses, and all driver's license suspensions, revocations, cancellations, forfeitures, or disqualifications, provided that such individual's position or the position that the individual is being considered for involves the operation of a commercial motor vehicle.

12. ~~On~~ Upon the written request of any member of a volunteer fire company or volunteer emergency medical services agency and with written consent of the individual concerned, or upon the request of an applicant for membership in a volunteer fire company or any volunteer emergency medical services personnel or applicant to serve as volunteer emergency medical services personnel, the Commissioner shall (i) compare personal information supplied by the volunteer fire company or volunteer emergency medical services agency requester with that contained in the Department's records and, when the information supplied by the volunteer fire company or volunteer emergency medical services agency requester is different from that contained in the Department's records, provide the volunteer fire company or volunteer emergency medical services agency requester with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract a transcript of the member's, personnel, or applicant's individual's record showing, including all convictions, accidents all crashes, license suspensions or revocations, and any type of driver's license that the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such abstract transcript shall be provided free of charge if the request is accompanied by

appropriate written evidence that the person is a member of or applicant for membership in a volunteer fire company or a volunteer emergency medical services agency to serve as a member of a volunteer emergency medical services agency and the abstract transcript is needed by a volunteer fire company or volunteer emergency medical services agency the requester to establish the qualifications of the member, volunteer, or applicant to operate equipment owned by the volunteer fire company or volunteer emergency medical services agency.

13. On Upon the written request of any person who has applied to be a volunteer with a Virginia affiliate of Big Brothers/Big Brothers Big Sisters of America, a Virginia affiliate of Compeer, or the Virginia Council of the Girl Scouts of the USA, and with the consent of the individual who is the subject of the information and has applied to be a volunteer with the requester, or on the written request of a Virginia chapter of the American Red Cross, a Virginia chapter of the Civil Air Patrol, or Faith in Action, and with the consent of the individual who is the subject of the information and applied to be a volunteer vehicle operator with the requester, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of Big Brothers/Big Sisters of America the requester with that contained in the Department's records and, when the information supplied by a Virginia affiliate of Big Brothers/Big Sisters of America the requester is different from that contained in the Department's records, provide the Virginia affiliate of Big Brothers/Big Sisters of America requester with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract a transcript of the applicant's record showing, including all convictions, accidents all crashes, license suspensions or revocations, and any type of driver's license that the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such abstract transcript shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer or volunteer vehicle operator with a Virginia affiliate of Big Brothers/Big Sisters of America the requester as provided in this subdivision.

14. On the written request of any person who has applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153, the Commissioner shall provide an abstract a transcript of the applicant's record showing, including all convictions, accidents all crashes, license suspensions or revocations, and any type of driver's license that the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such abstract transcript shall be provided free of charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153.

15. Upon the request of any employer, prospective employer, or authorized representative of either, the Commissioner shall (i) compare personal information supplied by the employer, prospective employer, or agent with that contained in the Department's records and, when the information supplied by the employer, prospective employer, or agent is different from that contained in the Department's records, provide the employer, prospective employer, or agent with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the driving record of any individual who has been issued a commercial driver's license, provided that the individual's position or the position that the individual is being considered for involves the operation of a commercial motor vehicle. Such abstract shall show all convictions, accidents, license suspensions, revocations, or disqualifications, and any type of driver's license that the individual currently possesses.

16. Upon the receipt of a completed application and payment of applicable processing fees, the Commissioner may enter into an agreement with any governmental authority or business to exchange information specified in this section by electronic or other means.

17. Upon the request of an attorney representing a person involved in a motor vehicle accident crash, the Commissioner shall provide the vehicle information for any vehicle involved in the crash, including and the owner's name and address, to the attorney of the owner of any such vehicle.

18. Upon the request, in the course of business, of any authorized representative of an insurance company or of any not-for-profit entity organized to prevent and detect insurance fraud, or perform rating and underwriting activities, the Commissioner shall provide to such person (i) all vehicle information, including the owner's name and address, descriptive data and title, registration, and vehicle activity data, as requested, or (ii) all driver information, including name, license number and classification, date of birth, and address information for each driver under the age of 22 licensed in the Commonwealth of Virginia meeting the request criteria designated by such person, with provided that such request criteria consisting of includes the driver's license number or address information. No such information shall be used for solicitation of sales, marketing, or other commercial purposes of such driver. Use of such information shall be limited to use in connection with insurance claims investigation activities, antifraud activities, rating, or underwriting.

19. Upon the request of an officer authorized to issue criminal warrants, for the purpose of issuing a warrant for arrest for unlawful disposal of trash or refuse in violation of § 33.2-802 the Commissioner

shall provide vehicle information, including the owner's name and address.

20. Upon the written request of the compliance agent of a private security services business, as defined in § 9.1-138, which is licensed by the Virginia Department of Criminal Justice Services, the Commissioner shall provide the name and address of the owner of the vehicle under procedures determined by the Commissioner.

21. Upon the request of the operator of a toll facility or, a traffic light photo-monitoring system acting on behalf of a government entity, or of the Dulles Access Highway, or an authorized agent or employee of a toll facility operator or traffic light photo-monitoring system operator acting on behalf of a government entity or the Dulles Access Highway, for the purpose of obtaining vehicle owner data under subsection M of § 46.2-819.1 or subsection H of § 15.2-968.1 or subsection N of § 46.2-819.5. Information released pursuant to this subdivision shall be limited to the name and address of the owner of the vehicle having failed to pay a toll or having failed to comply with a traffic light signal or having improperly used the Dulles Access Highway and the vehicle information, including all descriptive vehicle data and title and registration data of the same vehicle.

22. On the written request of any person who has applied to be a volunteer with a Virginia affiliate of Compeer, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of Compeer with that contained in the Department's records and, when the information supplied by a Virginia affiliate of Compeer is different from that contained in the Department's records, provide the Virginia affiliate of Compeer with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with a Virginia affiliate of Compeer.

23. Upon the request of the Department of Environmental Quality for the purpose of obtaining vehicle owner data in connection with enforcement actions involving on-road testing of motor vehicles, pursuant to § 46.2-1178.1.

24. On the written request of any person who has applied to be a volunteer vehicle operator with a Virginia chapter of the American Red Cross, the Commissioner shall (i) compare personal information supplied by a Virginia chapter of the American Red Cross with that contained in the Department's records and, when the information supplied by a Virginia chapter of the American Red Cross is different from that contained in the Department's records, provide the Virginia chapter of the American Red Cross with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of the American Red Cross.

25. On the written request of any person who has applied to be a volunteer vehicle operator with a Virginia chapter of the Civil Air Patrol, the Commissioner shall (i) compare personal information supplied by a Virginia chapter of the Civil Air Patrol with that contained in the Department's records and, when the information supplied by a Virginia chapter of the Civil Air Patrol is different from that contained in the Department's records, provide the Virginia chapter of the Civil Air Patrol with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of the Civil Air Patrol.

26. On the written request of any person who has applied to be a volunteer vehicle operator with Faith in Action, the Commissioner shall (i) compare personal information supplied by Faith in Action with that contained in the Department's records and, when the information supplied by Faith in Action is different from that contained in the Department's records, provide Faith in Action with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with Faith in Action.

27. On Upon the written request of the surviving spouse or child of a deceased person or the executor or administrator of a deceased person's estate, the Department shall, if the deceased person had been issued a driver's license or special identification card by the Department, supply the requestor

requester with a hard copy image of any photograph of the deceased person kept in the Department's records.

28. On the written request of any person who has applied to be a volunteer with a Virginia Council of the Girl Scouts of the USA, the Commissioner shall (i) compare personal information supplied by a Virginia Council of the Girl Scouts of the USA with that contained in the Department's records and, when the information supplied by a Virginia Council of the Girl Scouts of the USA is different from that contained in the Department's records, provide a Virginia Council of the Girl Scouts of the USA with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with the Virginia Council of the Girl Scouts of the USA.

29. a. Upon written agreement, the Commissioner may digitally verify the authenticity and validity of a driver's license, learner's permit, or special identification card to the American Association of Motor Vehicle Administrators, a motor vehicle dealer as defined in § 46.2-1500, or other another organization approved by the Commissioner.

b. The Commissioner may release information in the Department's record through any American Association of Motor Vehicle Administrators service program created for the purpose of the exchange of information to any business, government agency, or authorized agent who would otherwise be authorized to receive the information requested pursuant to this section.

30. Upon the request of the operator of a video-monitoring system as defined in § 46.2-844 acting on behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection B of § 46.2-844. Information released pursuant to this subdivision shall be limited to the name and address of the owner of the vehicle having passed a stopped school bus and the vehicle information, including all descriptive vehicle data and title and registration data for such vehicle.

31. Notwithstanding the provisions of this section other than subdivision 32, the Department shall not release, except upon request by the subject of the information, the guardian of the subject of the information, the parent of a minor who is the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a driving credential or a special identification card, (ii) the information in the Department's records indicating the type of proof documentation that was provided, or (iii) applications relating to the issuance of a driving credential or a special identification card. As used in this subdivision, "proof document" means any document not originally created by the Department that is submitted to the Department for the issuance of any driving credential or special identification card. "Proof document" does not include any information contained on a driving credential or special identification card.

32. Notwithstanding the provisions of this section, the Department may release the information in the Department's records that it deems reasonable and necessary for the purpose of federal compliance audits.

C. Whenever the Commissioner issues an order to suspend or revoke the driver's license or driving privilege of any individual, he may notify the National Driver Register Service operated by the United States Department of Transportation and any similar national driver information system and provide whatever classes of information the authority may require. Information disclosed or furnished shall be assessed a fee as specified in § 46.2-214, unless as otherwise provided in this section.

D. Accident reports may be inspected under the provisions of §§ 46.2-379 and 46.2-380.

E. Whenever the Commissioner takes any licensing action pursuant to the provisions of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), he may provide information to the Commercial Driver License Information System, or any similar national commercial driver information system, regarding such action.

F. In addition to the foregoing provisions of this section, vehicle information may also be inspected under the provisions of §§ 46.2-633, 46.2-644.02, 46.2-644.03, and §§ 46.2-1200.1 through 46.2-1237.

G. The Department may promulgate regulations to govern the means by which personal, vehicle, and driver information is requested and disseminated.

H. Driving records of any person accused of an offense involving the operation of a motor vehicle shall be provided by the Commissioner upon request to any person acting as counsel for the accused. If such counsel is from the public defender's office or has been appointed by the court, such records shall be provided free of charge.

I. The Department shall maintain the records of persons convicted of violations of § 18.2-36.2, subsection B of § 29.1-738, and §§ 29.1-738.02, 29.1-738.2, and 29.1-738.4 which shall be forwarded by every general district court or circuit court or the clerk thereof, pursuant to § 46.2-383. Such records

shall be electronically available to any law-enforcement officer as provided for under clause (ii) of subdivision B 9.

J. Whenever the Commissioner issues a certificate of title for a motor vehicle, he may notify the National Motor Vehicle Title Information System, or any other nationally recognized system providing similar information, or any entity contracted to collect information for such system, and may provide whatever classes of information are required by such system.

D. Upon the receipt of a completed application and payment of applicable processing fees, the Commissioner may enter into an agreement with any governmental authority or business to exchange information specified in this section by electronic or other means.

§ 46.2-208.1. Electronic transfer of information in Department records for voter registration purposes.

Notwithstanding the provisions of § 46.2-208, the Commissioner shall provide for the electronic transfer of information from the Department's records to the ~~State Board~~ Department of Elections and the general registrars for the purpose of voter registration as required by Chapter 4 (§ 24.2-400 et seq.) of Title 24.2, including but not limited to the purposes of § 24.2-410.1. Except as provided in §§ 24.2-404 and 24.2-444, the ~~State Board~~ Department of Elections and the general registrars shall not make information provided by the Department available to the public and shall not provide such information to any third party.

§ 46.2-208.3. Notice by Department.

The Department may send notice of a driver's license renewal pursuant to § 46.2-330 or a vehicle registration renewal in the form of a postcard to a customer at the address shown on the records of the Department. Notwithstanding the provisions of § 46.2-208, the Department may put sufficient information on the face of the postcard to provide the recipient with adequate notice of renewal. Such information shall only be disclosed as permitted in this section.

§ 46.2-380. Reports made under certain sections open to inspection by certain persons; copies; maintenance of reports and photographs for three-year period.

A. Any report of ~~an accident~~ a crash made pursuant to § 46.2-372, 46.2-373, 46.2-375, or 46.2-377 shall be maintained by the Department in either hard copy or electronic form for a period of at least 36 months from the date of the ~~accident and~~ crash. The report shall be open to the inspection of (i) any person involved or injured in the ~~accident~~ crash or as a result thereof, or his attorney, or any person owning a vehicle or property involved in the crash, or his attorney, (ii) any authorized representative of any insurance carrier reasonably anticipating exposure to civil liability as a consequence of the ~~accident~~ crash or to which the person has applied for issuance or renewal of a policy of automobile insurance, or (iii) the FMCSA or any authorized agent thereof. The Commissioner shall, ~~on~~ upon written request of the person authorized to inspect the report, furnish a copy of the report, in either hard copy or electronic form, at the expense of the requester. Any such report shall also be open to inspection by the personal representative of any person injured or killed in the ~~accident~~ crash, including his guardian, conservator, executor, committee, next of kin as defined in § 54.1-2800, or administrator, or, if the person injured or killed is under 18 years of age, his parent or guardian. The Commissioner shall only be required to furnish under this section copies of reports required by the provisions of this article to be made directly to the Commissioner. The Commissioner may set a reasonable fee for furnishing a copy of any report, provide to whom payment shall be made, and establish a procedure for payment.

B. The Commissioner or Superintendent of State Police having a copy of any photograph taken by a law-enforcement officer relating to a nonfatal ~~accident~~ crash shall maintain the negatives for or an electronic record of such photographs in their records for at least 36 months from the date of the ~~accident~~ crash.

2. That §§ 46.2-208.2 and 46.2-213 of the Code of Virginia are repealed.

3. That an emergency exists and this act is in force from its passage.