

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 129

An Act to amend and reenact § 46.2-223 of the Code of Virginia, relating to the Commissioner of the Department of Motor Vehicles; powers and duties.

[H 1828]

Approved March 18, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-223 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-223. Additional powers and duties of Commissioner.

The Commissioner shall have the following powers and duties related to transportation safety:

1. To evaluate safety measures currently in use by all transport operators in all modes which operate in or through the Commonwealth, with particular attention to the safety of equipment and appliances and methods and procedures of operation;
2. To engage in training and educational activities aimed at enhancing the safe transport of passengers and property in and through the Commonwealth;
3. To cooperate with all relevant entities of the federal government, including, but not limited to, the Department of Transportation, the Federal Railway Administration, the Federal Aviation Administration, the Coast Guard, and the Independent Transportation Safety Board in matters concerning transportation safety;
4. To initiate, conduct, and issue special studies on matters pertaining to transportation safety;
5. To evaluate transportation safety efforts, practices, and procedures of the agencies or other entities of the government of the Commonwealth and make recommendations to the Secretary of Transportation, the Governor, and the General Assembly on ways to increase transportation safety consciousness or improve safety practices;
6. To assist entities of state government and political subdivisions of the Commonwealth in enhancing their efforts to ensure safe transportation, including the dissemination of relevant materials and the rendering of technical or other advice;
7. To collect, tabulate, correlate, analyze, evaluate, and review the data gathered by various entities of the state government in regard to transportation operations, management, and accidents, especially the information gathered by the Department of Motor Vehicles, the Department of State Police, and the State Corporation Commission;
8. To develop, implement, and review, in conjunction with relevant state and federal entities, a comprehensive highway safety program for the Commonwealth, and to inform the public about it;
9. To assist towns, counties and other political subdivisions of the Commonwealth in the development, implementation, and review of local highway safety programs as part of the state program;
10. To review the activities, role, and contribution of various state entities to the Commonwealth's highway safety program and to report annually and in writing to the Governor and General Assembly on the status, progress, and prospects of highway safety in the Commonwealth;
11. To recommend to the Secretary of Transportation, the Governor, and the General Assembly any corrective measures, policies, procedures, plans, and programs which are needed to make the movement of passengers and property on the highways of the Commonwealth as safe as practicable;
12. To design, implement, administer, and review special programs or projects needed to promote highway safety in the Commonwealth;
13. To integrate highway safety activities into the framework of transportation safety in general; ~~and~~
14. To administer the Traffic Safety Fund established pursuant to § 46.2-749.2:10 and to accept grants, gifts, bequests, and other moneys contributed to, deposited in, or designated for deposit in the Fund; ~~and~~
15. *Notwithstanding any other provision of this title, for the duration of a declared state of emergency as defined in § 44-146.16 and for up to 90 days after the declaration of a state of emergency has been rescinded or expires, (i) to extend the validity or delay the cancellation of driver's licenses, special identification cards, and vehicle registrations; (ii) to extend the time frame during which a driver improvement clinic or payment plan may be completed; (iii) to extend the maximum number of days of residency permitted before a new resident must be licensed in Virginia pursuant to § 46.2-308 to operate a motor vehicle in the Commonwealth; and (iv) to extend the time frame during which a new resident may operate a motor vehicle in the Commonwealth that has been duly registered in another jurisdiction before registering the vehicle in the Commonwealth.*