

***Virginia Department of Motor  
Vehicles (DMV)***  
**2022 Legislative Bulletin**

**All effective dates are July 1, 2022, unless otherwise noted.**

# Virginia Department of Motor Vehicles

## 2022 Legislative Bulletin

### DMV Agency Bills

#### **HB 540: Driver's license; extension of validity. (Roem) (Chapter 39)**

Amends Va. Code § 46.2-221.2

The bill extends

(i) from three years to six years the maximum period for which a driver's license extension may be granted to the following persons in service to the United States government:

- Active duty military serving outside the Commonwealth,
- Member of the diplomatic service serving outside the Commonwealth,
- Civilian employee of the US government or any agency or contractor thereof serving outside of the US,
- The spouse or dependent accompanying any of the above and;

(ii) from one year to two years the maximum period for which a driver's license extension may be granted for good cause shown.

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#### **SB 215: Electronic vehicle titling and registration; permits DMV to expand existing program. (McPike) (Chapter 701)**

Amends Va. Code § 46.2-603.1.

The bill permits the Department of Motor Vehicles to expand the current authorization for an electronic titling program for new motor vehicles to all applications for original motor vehicle titles, thereby authorizing person-to-person online titling. The bill authorizes the Department to charge certain fees. The bill also allows for the online registration of such motor vehicles and allows for the issuance of a temporary certificate of registration valid for no more than 30 days.

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### **Data Management Services Administration**

#### **HB 444: Virginia Freedom of Information Act; meetings conducted through electronic meetings. (Bennett-Parker) (Chapter 597)**

Amends Va. Code §§ 2.2-2455, 2.2-3701, 2.2-3707, 2.2-3707.01, 2.2-3708.2, 2.2-3714, 10.1-1322.01, 15.2-1627.4, 23.1-1301, 23.1-2425, 30-179, and 62.1-44.15:02; adds § 2.2-3708.3

The bill amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing certain public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. The bill excepts local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and any board with the authority to deny, revoke, or suspend a professional or occupational license from the provisions that allow public bodies to conduct all-virtual public meetings. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments. **The bill has a delayed effective date of September 1, 2022.**

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#### **HB 734: Virginia Freedom of Information Act; disclosure of certain criminal records. (Bell) (Chapter 386)**

Amends Va. Code § 2.2-3706.1; adds § 8.01-622.2

The bill provides that (i) criminal investigative files relating to a criminal investigation or proceeding that is not ongoing are excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act, though they may be disclosed by the custodian of such records to certain individuals except as otherwise provided in the bill, and (ii) with the exception of disclosure to an attorney representing a petitioner or inspection by an attorney or a person proceeding pro se in a petition for a writ of habeas corpus or writ of actual innocence or any other federal or state post-conviction proceeding or pardon, no criminal investigative file or portion thereof shall be disclosed to any requester except (a) the victim; (b) the victim's immediate family members, if the victim is deceased and the immediate family member to which the records are to be disclosed is not a

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person of interest or a suspect in the criminal investigation; or (c) the victim's parent or guardian, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding, unless the public body has made reasonable efforts to notify any such individual of the request for such information. Upon receipt of notice that a public body has received a request for criminal investigative files, such persons shall have 14 days to file in an appropriate court for an injunction to prevent disclosure of the records and the time period within which the public body has to respond to the underlying request shall be tolled pending the notification process and any subsequent disposition by the court. The bill requires the court to consider certain information in making its determination and provides that a public body shall be prohibited from responding to the request until at least 14 days have passed from the time notice was received by any such individual listed in clauses (a), (b), or (c) and shall not disclose any criminal investigative files if the court awards an injunction.

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**HB 970: Public agencies; exclusion from mandatory disclosure, privacy of personal information, penalty. (O'Quinn) (Chapter 525)**

**SB 324: Public agencies; privacy of personal information. (Vogel) (Chapter – Pending)**

Amends Va. Code §§ 2.2-3705.1 and 2.2-3808.

These bills provide that public agencies shall not request personal donor information, defined as names and data of any kind collected for the purpose of directly or indirectly identifying an individual as a member, supporter, donor or volunteer of any entity exempt from federal income tax, from (i) any individual or any entity organized under § 501(c) of the Internal Revenue Code or (ii) any bidder, offeror, or contractor of an agency. The bills prohibit such public agencies from disclosing personal donor information without the express, written permission of every individual who is identifiable from the potential release of such personal information, including individuals identifiable as members, supporters, or volunteers of, or donors to, the agency. The bills exempt the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information. A person who knowingly violates this section will be guilty of a misdemeanor.

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SB 324 will be effective on the first day of the fourth month following the month of adjournment of the special session.

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**Driver Services Administration**

**HB 740 and SB 729: Catalytic converters; penalty.  
(Bell)(Ruff)(Chapters 664 and 665)**

Amend Va. Code §§ 18.2-146 and 59.1-136.3

The bills make it a Class 6 felony for a person to willfully break, injure, tamper with, or remove a catalytic converter or the parts thereof. Additionally, the bill outlines certain requirements for scrap metal purchasers regarding the purchase of a catalytic converter or parts thereof.

A felony conviction under this section will result in a one-year driver's license revocation under the felony motor vehicle statute, Va. Code § 46.2-389.

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**HB 1050 and SB 139: Minors; issuance of original driver's licenses.  
(Leftwich)(Edwards) (Chapters 55 and 636) LEAD**

Amend Va. Code § 46.2-336.

These bills authorize the chief juvenile and domestic relations district court judge to waive juvenile driver's license ceremonies within their district or order that the licensing ceremony be conducted in an alternative manner. Courts may now hold ceremonies in person, hold ceremonies in an alternate manner or waive them. This makes permanent the options provided to courts during the COVID-19 emergency declaration period.

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**SB 345: Driver's license or identification card; indication of blood type to be noted on license or card. (Barker) (Chapter 796) LEAD**  
Amends Va. Code §§ 46.2-342, 46.2-345, 46.2-345.2, and 46.2-345.3.

The bill directs the Department of Motor Vehicles to establish a method by which an applicant for a driver's license or identification card may indicate his blood type to be noted on his license or card for the purpose of providing emergency medical support by emergency medical services agencies. The bill prohibits the disclosure of such data and provides that the Department is not liable for the accuracy of such data.

**The bill has a delayed effective date of July 1, 2023.**

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### **Highway Safety Office**

**HB 920 and SB 247: (Kilgore) (Surovell) (Chapters 506 and 507)  
Careless driving; vulnerable road users.**  
Amend Va. Code §§ 46.2-392 and 46.2-816.1.

The bills provide that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bills also allow a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for not less than ten days nor more than six months.

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**SB 362: Bicycles and certain other vehicles; riding two abreast.  
(Stuart) (Chapter 341)**  
Amends Va. Code § 46.2-905.

The bill prohibits persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or

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scooters two abreast from impeding the normal and reasonable movement of traffic and requires such persons to move into a single-file formation as quickly as is practicable when being overtaken from the rear by a faster-moving vehicle.

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**Motor Carrier Administration**

**HB 67: Projecting vehicle loads; flagging. (Edmunds) (Chapter 50)  
LEAD**

Amends Va. Code § 46.2-1121

The bill requires any commercial motor vehicle transporting a load that extends beyond the sides of the vehicle by more than four inches or beyond the rear of a vehicle by more than four feet to have the extremities of the load marked by one or more red or orange fluorescent warning flags, located as specified in the bill, at least 18 inches both in length and width.

**The bill has a delayed effective date of July 1, 2023.**

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**HB 641: Transportation network companies; authorizes collection of cash fares. (Carr) (Chapter 239) LEAD**

Amends Va. Code § 46.2-2099.48

The bill authorizes the collection of cash fares by a transportation network company partner if the ride is arranged through a transit system for an eligible paratransit passenger. The bill sets certain receipt and accounting requirements.

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### Vehicle Services

#### **HB 40: Disabled veteran special license plate; transferral to surviving spouse. (P. Scott) (Chapter 20) LEAD**

Amends Va. Code § 46.2-739.

The bill authorizes a disabled veteran special license plate issued to a disabled veteran to be transferred, upon death, to an unremarried surviving spouse. Certification is required.

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#### **HB 179 and SB 186: Permanent farm use placard; an owner or lessee to obtain for vehicle from DMV. (Bloxom)(Hanger) (Chapters 52 and 51) LEAD**

Amends Va. Code §§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, and 46.2-673 and adds § 46.2-684.2.

The bills require an owner or lessee of a vehicle claiming a farm use exemption from the registration, licensing, and decal requirements for a motor vehicle, trailer, or semitrailer to obtain a nontransferable permanent farm use placard from the Department of Motor Vehicles and to display the farm use placard on the vehicle at all times.

The bills require the applicant to provide specified information about the vehicle and its usage, pay a \$15 fee, and certify that the vehicle is insured.

**The provisions of the bills requiring the owner or lessee of a farm vehicle to obtain and display a farm use placard have a delayed compliance date of July 1, 2023.**

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#### **HB 703: License plates, special; localities to pay initial issuance fee costs for development and issuance. (Keam) (Chapter 54) LEAD**

Amends Va. Code § 46.2-749.4

The bill authorizes localities to pay the initial issuance fee costs for the development and issuance of special license plates displaying the seal, symbol, emblem, or logotype of the locality in lieu of collecting 350 paid applications for such license plates.

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#### **HB 1122: Manufactured homes, certain; release of manufactured home records. (Campbell, J.L.) (Chapter 479)**

Amends Va. Code §§ 46.2-209.1 and 46.2-216

The bill requires the Commissioner of the Department of Motor Vehicles to furnish vehicle information for a manufactured home to a bona fide prospective purchaser or home owner of such manufactured home, real estate agent, title insurer, settlement agent, attorney, manufactured home dealer, manufactured home broker, or loan officer upon such individuals meeting certain requirements and prohibits the Department from disposing of any vehicle information for any manufactured home.

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#### **SB 212: License plates, special; issuance to members of United States Navy. (Kiggans) (Chapter 107) LEAD**

Amends Va. Code § 46.2-743.

The bill authorizes the issuance of revenue-sharing special license plates with a design that incorporates the emblem of the United States Navy to active members and certain veterans of the United States Navy. The bill provides that unremarried surviving spouses of such service members may also be issued such special license plates. The bill creates the Navy-Marine Corps Relief Society Fund to utilize funds from the license plate fees to support the Navy-Marine Corps Relief Society in Virginia.

The fee for the United States Navy license plate is \$25 in addition to the registration fee. Fifteen dollars of each plate purchase will be shared with the Navy-Marine Corps Relief Society in Virginia.

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**SB 733: Exempted vehicles; insurance. (Ruff) (Chapter 736) LEAD**

Amends Va. Code § 46.2-684.1.

The bill requires motor vehicles, trailers, and semi-trailers exempted from the registration requirement to be covered by motor vehicle insurance; a general liability policy; or an umbrella or excess insurance policy. The bill requires the owner of any such motor vehicle, trailer, or semi-trailer to provide proof of insurance within 30 days when requested by a law-enforcement officer and provides that failure to do so is punishable as a traffic infraction by a fine of \$600 to be paid into the Uninsured Motorists Fund.

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**SB 749: Antique motor vehicles and antique trailers; multiple requests for license plates. (McDougle) (Chapter 157) LEAD**

Amends Va. Code § 46.2-730.

The bill requires the Department of Motor Vehicles to accept multiple requests for the same license plate number for antique motor vehicles and antique trailers if the number combination is not currently registered on license plates embossed with the year matching the plate being requested and only one license plate with the same number combination has been issued for use after 1973 or, if the plate requested is for a motorcycle, 1976.

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**SB 753: License plates, special; issuance to commemorate The Richmond Planet. (Morrissey) (Chapter 119) LEAD**

The bill authorizes the issuance of special license plates commemorating the Richmond Planet newspaper bearing the legend THE RICHMOND PLANET.

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The fee for THE RICHMOND PLANET license plate is \$10 in addition to the registration fee.

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**SB 777: Front and rear bumpers; height limits. (Peake) (Chapter 31)**  
Amends Va. Code § 46.2-1063.

The bill provides that no passenger car or pickup or panel truck shall be operated on a public highway if the suspension, frame, or chassis has been modified by any means so as to cause the height of the front bumper to be four or more inches greater than the height of the rear bumper.

**This bill contains an emergency clause and is in force from its passage on March 22, 2022.**

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**Virginia Budget Bill**

**Expand Access to Entry-Level Driver Training for commercial drivers.**

This budget amendment specifies that entities that provide commercial motor vehicle training to the general public and that are not Virginia governmental entities are required to be licensed or certified by DMV to provide entry-level driver training. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia and Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations.

Entities not providing entry-level driver training to the general public are not required to be licensed or certified by the DMV to provide entry-level driver training in the Commonwealth. However, they must comply with all relevant federal requirements.

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