

# ***Virginia Department of Motor Vehicles (DMV)***

## **2018 Legislative Bulletin**

Stakeholders

**All effective dates are July 1, 2018, unless otherwise noted.**

# **Virginia Department of Motor Vehicles**

## 2018 Legislative Bulletin

### **Driver Education/Training**

#### **SB 126: Driver education programs; parent/student driver education component. (Cosgrove) (Chapter 521)**

Amends Va. Code §§ 22.1-205 and 46.2-1702

This bill permits any school division outside Planning District 8, at the discretion of the local school board, to administer a parent/student driver education component as part of the driver education curriculum. Under both current law and the bill, such component is a requirement in Planning District 8 (Northern Virginia). The bill also allows for school divisions outside Planning District 8 to administer such component in-person or online.

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#### **SB 359: Driver education courses; instructor qualifications. (McClellan) (Chapter 619)**

Amends Va. Code § 46.2-1702

This bill allows DMV to accept, in lieu of the requirements established by the Department of Education for driver education instructor qualification, 20 years' service as a traffic enforcement officer with patrol experience with any local police department by a law-enforcement officer who (i) retired or resigned while in good standing from such department, (ii) was certified through a criminal justice training academy, and (iii) has been certified to teach driver training by the Department of Criminal Justice Services.

Current law only allows the Commissioner to accept 20 years' service with the Department of State Police by a person who retired or resigned while in good standing from such department in lieu of such requirements for driver education instructor qualification.

In addition to the above-mentioned, they are still required to submit the following:

- Completion of Instructor Licensing Application
- \$50 annual instructor licensing fee
- National Criminal Background Record Check

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## **Special License Plates**

### **HB 287: Special license plates; STOP GUN VIOLENCE. (Simon) (Chapter 737)**

§ 1 Bill

This bill authorizes the issuance of revenue-sharing special license plates for supporters of stopping gun violence bearing the legend STOP GUN VIOLENCE.

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### **HB 761 and SB 446: Special license plates; WE ARE THE BIRTHPLACE OF THE FFA. (Landes and Hanger) (Chapters 7 and 159)**

§ 1 Bill

This bill authorizes the issuance of revenue-sharing special license plates for members and supporters of the Virginia Future Farmers of America (FFA) Foundation bearing the legend WE ARE THE BIRTHPLACE OF THE FFA.

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### **HB 1068: Special license plates; veterans of certain military reserve organizations. (Heretick) (Chapter 119)**

Amends Va. Code § 46.2-746.3

This bill provides that veterans of the Air Force Reserve, the Army Reserve, the Coast Guard Reserve, the Marine Reserve, and the Naval Reserve shall, upon application, be issued the special license plate issued under current law, upon application, to active members of those military reserve organizations.

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#### **HB 1342: Special license plates; supporters of NASA facilities in Virginia. (Bloxom) (Chapter 156)**

Amends Va. Code § 46.2-749.81

This bill provides that special license plates may be issued in a series for supporters of NASA facilities in Virginia. Current law only authorizes issuance of NASA Langley Research Center special license plates.

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#### **HB 1535: Special license plates; KEEPING THE LIGHTS ON. (Austin) (Chapter 157)**

§ 1 Bill

This bill authorizes the issuance of revenue-sharing special license plates for supporters of Virginia's electric cooperatives bearing the legend KEEPING THE LIGHTS ON.

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#### **SB515: Special license plates; Virginia Realtors. (Suetterlein) (Chapter 161)**

This bill updates the name of an occupational organization whose members may apply for a special license plate from "Association of Realtors" to "Virginia Realtors."

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#### **SB 701: Special license plates; ALZHEIMER'S ASSOCIATION. (Chase) (Chapter 162)**

§ 1 Bill

This bill authorizes the issuance of revenue-sharing special license plates for supporters of the Alzheimer's Association bearing the legend ALZHEIMER'S ASSOCIATION.

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#### **SB 792: Special license plates; Friends of the Blue Ridge Parkway. (Edwards) (Chapter 631)**

Amends § 3 of Chapter 760 of the Acts of Assembly of 2011

This bill provides that funds received by Friends of the Blue Ridge Parkway, Inc., as a result of its special revenue-sharing license plate fees may be used to support the group's operation and programs in Virginia. Current law requires that such funds be used only to clear the scenic overlooks along the Blue Ridge Parkway in order to promote tourism along the Parkway in Virginia.

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#### **SB 947: Special license plates; emergency medical services agencies; fire departments. (Hanger) (Chapter 635)**

Amends Va. Code §§ 46.2-735 and 46.2-736

This bill requires fire departments to maintain a copy of approved applications (Firefighter, Professional Firefighter, Rescue Squad License Plates/Vehicle Registration Application -VSA-124) submitted by professional fire fighters, volunteer fire fighters or volunteer fire department auxiliary members to DMV to obtain special license plates. In addition, this bill requires fire departments as well as volunteer emergency medical services agencies and volunteer emergency medical services agency auxiliaries to notify the DMV within 30 days when members from such agencies or agency auxiliaries separate from the agencies and are no longer entitled to the special license plates.

DMV will accept a letter on official letterhead or VSA-124 form with section 7 completed on page two as notification that a member has separated from the agency. Notifications of member separations from the agencies should be submitted to the DMV Special Registration Work Center for processing. If the CSC receives an application due to separation forward it to the Special Registration Work Center via Landing Zone (refer to VLIC-4.320 for procedures). Upon receipt of notification, the Special Registration Work Center will review the information and contact the customer directly if more information is required. Unless DMV receives a new approval for such plates from a fire department or emergency medical services agency stating the customer is a member, the special license plates will be canceled and a standard license plates will be issued.

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### **Motor Vehicles**

#### **HB 5002: Budget Bill Item 439. Fee for titling of motor vehicles.**

This bill authorizes the increase of the title fee from \$10 to \$15. DMV will require payment of the \$10 title fee for vehicles purchased prior to 7/1/18 until 9/30/18. For vehicles purchased on or after 7/1/18, DMV will assess the \$15 title fee.

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#### **HB 489: Registration and licensing of vehicles; payment of local taxes and fees. (Hurst) (Chapter 431)**

Amends Va. Code § 46.2-752

This bill provides for the Department of Motor Vehicles (DMV) Commissioner to refuse to issue or renew vehicle registrations for persons with certain delinquent taxes or fees if the treasurer or director of finance for the locality has entered into an agreement with DMV. The DMV Commissioner may issue an initial registration for a period of up to 90 days for vehicles purchased subsequent to an enforcement action to allow the applicant to satisfy all applicable requirements, provided that the applicant pays a fee sufficient for the registration period.

This bill only applies to vehicles purchased after a locality stop is placed on the customer's vehicle record. It restricts the initial vehicle registration period to up to 90-days for customers with unpaid local taxes and fees indicated by a Vehicle Registration Withholding Stop (VRWS). If there are other stops on the vehicle record for outstanding financial responsibility or emissions requirements, the customer will be limited to obtaining registration for a period less than 90 days.

This bill does not impact registration renewal and transfer transactions, which allow for a 30-day extension of registration in order to satisfy outstanding requirements.

Also, for previously owned, unregistered vehicles, the customer is not eligible for the limited registration to allow additional time for payment of the unpaid local taxes and fees.

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#### **HB 627 and SB 873: Inspections prior to sale; exception; certain special orders. (Marshall and Ruff) (Chapters 27 and 294)**

Amends Va. Code § 46.2-1540

This bill exempts from the requirement that motor vehicles be inspected prior to retail sale transactions (i) any motor vehicle that is sold on the basis of a special order placed with a dealer or manufacturer outside the Commonwealth by a dealer who makes modifications to such vehicle prior to delivery to the first retail customer who takes delivery outside the Commonwealth and (ii) any new motor vehicle that has previously been inspected and displays a valid state inspection sticker. For a new vehicle sold on the basis of a special order by a dealer on behalf of a nonresident, the bill expands the existing exception for an order

placed with a manufacturer outside the Commonwealth to also exempt an order placed with a dealer outside the Commonwealth. The bill contains a technical amendment.

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#### **HB 1069 and SB 575: Vehicle registration extension for satisfaction of certain requirements. (Heretick and DeSteph) (Chapters 286 and 288)**

Amends Va. Code by adding § 46.2-646.2

This bill expands the persons eligible for a one-month extension of a vehicle registration period to include those whose vehicle registration has been withheld for failure to pay tolls. This extension will apply just as it applies today for registration stops based on delinquent personal property taxes, unpaid parking citations, and emissions inspection violations.

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#### **HB 1323: Military surplus motor vehicles; registration and operation on highways. (Yancey) (Chapter 555)**

Amends Va. Code §§ 46.2-100, 46.2-711, 46.2-1158.1, and 46.2-1179; and adds § 46.2-730.1

This bill authorizes the Department of Motor Vehicles to issue a registration card and license plates for military surplus motor vehicles. The bill defines “military surplus motor vehicles” as:

A multipurpose or tactical vehicle that was manufactured by or under the direction of the United States Armed Forces for off-road use and

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subsequently authorized for sale to civilians. "Military surplus motor vehicle" does not include specialized mobile equipment as defined in § **46.2-700**, trailers, or semitrailers.

The bill authorizes DMV to create license plates and collect a one-time \$100 fee for issuance of the license plates and registration. DMV has created a new form VSA 10M - "Military Surplus License Plate Applicant Certification" for completion to apply for military surplus license plates/registration. The registration process for military surplus vehicles is the same as the process for antique vehicles; requires a second vehicle for daily use

Applications for titling and registration of military surplus vehicles will be processed at DMV Headquarters (Titling Work Center) until December 31, 2018.

Beginning January 1, 2019, customer service centers will process applications for titling and registering these vehicles.

The uses of motor vehicles with military surplus license plates are limited to:

- Participation in off-road events, on-road club activities, exhibits, tours, parades, and similar events;
- On the highways of the Commonwealth for the purpose of selling the vehicle, obtaining repairs or maintenance; and
- Occasional pleasure driving not exceeding 125 miles from the address at which the vehicle is stored for use. This amounts to a 250 mile round trip; cannot be used for general transportation purposes, including, but not limited to daily travel to and from owner's place of employment.

The bill authorizes any law-enforcement officer to require a person operating a military surplus motor vehicle to provide the address at which the vehicle is stored for use and the destination of such operation.

Military surplus motor vehicles are exempt from emissions standards and prohibited from being registered as "antique" vehicles.

This bill creates a new statute (Va. Code § 46.2-730.1) for military surplus vehicle violations and requires DMV to revoke the ability to register the vehicle for a period of five years upon receipt of a conviction for this violation.

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#### **HB 1441 and SB 249: Golf carts; use on public highways in Town of Jarratt. (Orrock and Dance) (Chapters 838 and 840)**

Amends Va. Code § 58.1-602, 58.1-2401, 58.1-2402, 58.1-2403, and 58.1-2425

This bill provides that all-terrain vehicles, mopeds, and off-road vehicles shall be subject to the motor vehicle sales and use tax but exempt from the retail sales and use tax. Current law provides that such vehicles are subject to the retail sales and use tax but exempt from the motor vehicle sales and use tax.

The motor vehicle sales and use tax will be imposed at the same rate as the state and local sales and use tax: a rate of six percent for jurisdictions in Planning Districts 8 and 23; and 5.3 percent for all other jurisdictions within the Commonwealth. The revenues collected from the motor vehicle sales tax on all-terrain vehicles, mopeds, and off-road vehicles will be distributed in the same manner as the state and local retail sales and use tax.

The tax rate applied will be based on the point of sale jurisdiction or garage jurisdiction. The minimum sales and use tax does not apply to this bill. DMV will still give credit for proof of SUT paid in another state.

#### **The bill has a delayed effective date of October 1, 2018.**

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#### **SB 84: Temporary registration of fleet vehicles; penalty. (Black) (Chapter 355)**

Amends Va. Code by adding § 46.2-654.2

This bill provides that the Department of Motor Vehicles may issue to fleet logistics providers, defined in the bill, a temporary registration for certain fleet vehicles. The bill requires that such temporary registration expire on receipt of permanent license plates from the Department or another jurisdiction, or 30 days from issuance, whichever occurs first.

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#### **HB 236: Parked vehicles; registration, licensing, and titling requirements. (Collins) (Chapter 425)**

Amends Va. Code § 46.2-613

This bill expands the class of vehicles subject to registration, licensing, and titling requirements from vehicles operated on a highway, to vehicles operated or parked on a highway. The bill contains technical amendments.

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#### **Driver Licenses and Identification Cards**

#### **HB 737: Department of Motor Vehicles documents; veteran indicator. (McGuire) (Chapter 440)**

Amends by adding Va. Code § 46.2-328.2

This bill authorizes the Department of Motor Vehicles to issue driver's licenses, permits, and identification cards displaying an indicator to reflect that the holder

is a veteran. The bill also repeals the authority of the Department to issue veterans identification cards.

Having the word "veteran" appear on your driver's license or ID card is a convenient way to show veteran status at retailers and restaurants that offer discounts to veterans. This option is offered by DMV on behalf of the Department of Veteran Services (DVS).

To obtain a credential with the veteran indicator, the customer must submit: a completed license or ID card application (DL-1P or DL-2P); a completed Virginia Veterans Military Service Certification form (DL-11); and proof of veteran status. The DMV will not require customers who were previously issued a veteran ID card to resubmit veteran proof documents in order to have their driver's license or ID card reissued with the veteran indicator. Discharge documents may be submitted: online via electronic file transfer; by mailing a photocopy veteran status proof document to the Driver's License and Identification Card Work Center at DMV Headquarters; in person at a DMV Customer Service Center when initially requesting a veteran indicator; or after submitting their veteran certification information online prior to their visit. Photocopies are acceptable at the customer service center.

If a customer opts to place a veteran indicator on their credential, the indicator will display temporary driving permit, or receipt in the case of an ID card, and the actual credential received by mail.



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#### ***Highway Safety***

##### **HB 708: Rear-facing child restraint devices. (Filler-Corn) (Chapter 402)**

Amends Va. Code §§ 46.2-1095 and 46.2-1096

This bill prohibits child restraint devices from being forward-facing until the child reaches at least two years of age or until the child reaches the minimum weight limit for a forward-facing child restraint device as prescribed by the manufacturer of the device. The bill also expands the reasons that a physician may determine that it is impractical for a child to use a child restraint system to include the child's height.

**The bill has a delayed effective date of July 1, 2019.**

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#### ***Motor Carrier and Tax Services***

##### **HB 125: Hauling forest products. (Austin) (Chapter 12)**

Amends Va. Code § 46.2-1148.1

This bill expands for the purpose of issuing an overweight permit for hauling forest products and the definition of forest products to include rough-sawn green lumber.

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##### **HB 214 and SB 73: Overweight permits for hauling Virginia-grown farm produce; bridges and culverts. (Knight and Cosgrove) (Chapters 501 and 612)**

Amends Va. Code § 46.2-1148

This bill provides that no five-axle-combination vehicle shall be issued an overweight permit for hauling Virginia-grown farm produce unless such vehicle has no less than 42 feet of axle space between extreme axles. It also provides that no vehicle issued an overweight permit for hauling Virginia-grown farm produce shall cross any bridge or culvert in the Commonwealth if the gross weight of such vehicle is greater than the amount posted for the bridge or culvert as its carrying capacity. Current law requires specific weight limitations based upon axle weights or axle spacing.

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#### **HB 830 and SB 128: TNC partner vehicles; interior trade dress. (Bagby and Cosgrove) (Chapters 443 and 356)**

Amends Va. Code § 46.2-2099.50

This bill provides that transportation network company (TNC) partner vehicles may be equipped with certain removable illuminated interior trade dress devices that assist passengers in identifying and communicating with TNC partners. The bill also limits the display and color of such illuminated interior trade dress devices and requires a TNC that issues such devices to file the specifications of the device with the Department of Motor Vehicles.

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