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SENATE BILL NO. 34

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Transportation
on January 20, 2022)

(Patron Prior to Substitute—Senator Marsden)

A BILL to amend and reenact §§ 46.2-104, 46.2-227, 46.2-603, and 46.2-692 of the Code of Virginia, relating to electronic credentials.

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-104, 46.2-227, 46.2-603, and 46.2-692 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-104. Possession of registration cards; exhibiting registration card and licenses; failure to carry license or registration card.

The operator of any motor vehicle, trailer, or semitrailer being operated on the highways in the Commonwealth, shall have in his possession: (i) the *physical* registration card issued by the Department or the registration card issued by the state or country in which the motor vehicle, trailer, or semitrailer is registered; and (ii) his driver's license, learner's permit, or temporary driver's permit.

The owner or operator of any motor vehicle, trailer, or semitrailer shall stop on the signal of any law-enforcement officer who is in uniform or shows his badge or other sign of authority and shall, on the officer's request, exhibit his registration card, driver's license, learner's permit, or temporary driver's permit and write his name in the presence of the officer, if so required, for the purpose of establishing his identity.

Every person licensed by the Department as a driver or issued a learner's or temporary driver's permit who fails to carry his license or permit, and the registration card for the vehicle which he operates, ~~shall be~~ is guilty of a traffic infraction and upon conviction punished by a fine of ~~ten~~ *ten* dollars \$10. However, if any person summoned to appear before a court for failure to display his license, permit, or registration card presents, before the return date of the summons, to the court a license or permit issued to him prior to the time the summons was issued or a registration card, as the case may be, or appears pursuant to the summons and produces before the court a license or permit issued to him prior to the time the summons was issued or a registration card, as the case may be, he shall, upon payment of all applicable court costs, have complied with the provisions of this section.

§ 46.2-227. Fees.

A. The Department shall assess a fee of *up to* \$10 per year for each individual who is issued electronic credentials by the Department or is granted access to an electronic credential issued in accordance with an agreement pursuant to the provisions of subsection C of § 46.2-226.

B. The Department shall assess a fee pursuant to § 46.2-214 for searches of the verification system.

C. Pursuant to § 46.2-214, the fees received by the Department pursuant to this section shall be paid into the state treasury and shall be set aside as a special fund to be used to meet the expenses of the Department.

§ 46.2-603. Issuance of certificate of title and registration card.

A. The Department, on receiving an application for a certificate of title for a motor vehicle, trailer, or semitrailer, shall issue to the owner a certificate of title and a registration card as separate documents.

B. Subject to all applicable federal laws, the Department may refrain from issuing a certificate of title in paper form and, instead, shall create only the electronic record of such title to be retained by the Department in its existing electronic title record system with a notation that no certificate of title has been printed on paper. The owner of a vehicle will be deemed to have obtained and the Department will be deemed to have issued a certificate of title when such title record has been created electronically as provided in this subsection. An owner or lienholder listed on a title record so created may at any time request and the Department shall provide a paper certificate of title for the vehicle. Except as provided in § 46.2-603.1, all transfers of vehicle ownership shall require a paper certificate of title in accordance with, and subject to, all applicable federal laws.

C. *The Department may issue an electronic registration card to an individual who holds a valid physical registration card that the Department is authorized to issue. If the Department issues an electronic registration card, the registration card shall be issued in addition to, and not instead of, the underlying physical registration card for which a person is eligible. No electronic registration card shall be issued unless the applicant holds the corresponding physical registration card. The possession or display of an electronic registration card shall not relieve a person from the requirements of any state law or regulation or local ordinance or regulation requiring the possession or display of the physical credential. Any provision of state law or regulation or local ordinance or regulation that may be satisfied by the display or possession of a physical registration card may be satisfied by displaying or*

60 *possessing an electronic registration card issued pursuant to this section at the discretion of the person*
61 *to whom it is presented and subject to the conditions of this section.*

62 **§ 46.2-692. Fee for replacement of indicia of titling and registration.**

63 The fee for the replacement *or duplication* of license plates, decals, registration cards, or certificates
64 of title ~~which are lost, mutilated or illegible~~ shall be as follows:

- 65 1. For any type of replacement or duplication of vehicle registration cards, International Registration
66 Plan cards, registration cards for overload permits, or dealer registration cards, \$2, except that no fee
67 shall be charged for the replacement or duplication of a vehicle registration card or registration card for
68 overload permit that is conducted using the Internet;
- 69 2. For a certificate of title, \$5;
- 70 3. For license plates or license plates with decals, \$10;
- 71 4. For a license plate with decals issued for trailers, \$5; and
- 72 5. For one or two decals, \$1.