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SENATE BILL NO. 749

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Transportation
on February 3, 2022)

(Patron Prior to Substitute—Senator McDougle)

A BILL to amend and reenact § 46.2-730 of the Code of Virginia, relating to antique motor vehicles and antique trailers; license plates.

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-730 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-730. License plates for antique motor vehicles and antique trailers; fee.

A. On receipt of an application and evidence that the applicant owns or has regular use of another passenger car, autocycle, or motorcycle, the Commissioner shall issue appropriately designed license plates to owners of antique motor vehicles and antique trailers. These license plates shall be valid so long as title to the vehicle is vested in the applicant. The fee for the registration card and license plates of any of these vehicles shall be a one-time fee of \$50.

B. On receipt of an application and evidence that the applicant owns or has regular use of another passenger car, autocycle, or motorcycle, the Commissioner may authorize for use on antique motor vehicles and antique trailers Virginia license plates manufactured prior to 1976 and designed for use without decals, if such license plates are embossed with or are of the same year of issue as the model year of the antique motor vehicle or antique trailer on which they are to be displayed. Original metal year tabs issued in place of license plates for years 1943 and 1952 and used with license plates issued in 1942 and 1951, respectively, also may be authorized by the Commissioner for use on antique motor vehicles and antique trailers that are of the same model year as the year the metal tab was originally issued. These license plates and metal tabs shall remain valid so long as title to the vehicle is vested in the applicant. The fee for the registration card and permission to use the license plates and metal tabs on any of these vehicles shall be a one-time fee of \$50. If more than one request is made for use, as provided in this section, of license plates having the same number, the Department shall accept *multiple requests only the first such application if (i) the number combination requested is not currently registered on license plates embossed with the year matching the plate being requested and (ii) 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.*

C. Notwithstanding the provisions of §§ 46.2-711 and 46.2-715, antique motor vehicles may display single license plates if the original manufacturer's design of the antique motor vehicles allows for the use of only single license plates or if the license plate was originally issued in one of the following years and is displayed in accordance with the provisions of subsection B: 1906, 1907, 1908, 1909, 1945, or 1946.

D. Antique motor vehicles and antique trailers registered with license plates issued or authorized for use under this section shall not be used for general transportation purposes, including, but not limited to, daily travel to and from the owner's place of employment, but shall only be used:

1. For participation in club activities, exhibits, tours, parades, and similar events;

2. On the highways of the Commonwealth for the purpose of testing their operation or selling the vehicle or trailer, obtaining repairs or maintenance, transportation to and from events as described in subdivision 1, and for occasional pleasure driving not exceeding 250 miles from the residence of the owner; and

3. To carry or transport (i) passengers in the antique motor vehicles, (ii) personal effects in the antique motor vehicles and antique trailers, or (iii) other antique motor vehicles being transported for show purposes.

The registration card issued to an antique motor vehicle or an antique trailer registered pursuant to subsections A, B, and C shall indicate such vehicle or trailer is for limited use.

E. Owners of motor vehicles and trailers applying for registration pursuant to subsections A, B and C shall submit to the Department, in the manner prescribed by the Department, certifications that such vehicles or trailers are capable of being safely operated on the highways of the Commonwealth.

Pursuant to § 46.2-1000, the Department shall suspend the registration of any vehicle or trailer registered with license plates issued under this section that the Department or the Department of State Police determines is not properly equipped or otherwise unsafe to operate. Any law-enforcement officer shall take possession of the license plates, registration card and decals, if any, of any vehicle or trailer registered with license plates issued under this section when he observes any defect in such vehicle or trailer as set forth in § 46.2-1000.

F. Antique motor vehicles and antique trailers displaying license plates issued or authorized for use

60 pursuant to subsections B and C may be used for general transportation purposes if the following
61 conditions are met:

62 1. The physical condition of the vehicle's license plate or plates has been inspected and approved by
63 the Department;

64 2. The license plate or plates are registered to the specific vehicle by the Department;

65 3. The owner of the vehicle periodically registers the vehicle with the Department and pays a
66 registration fee for the vehicle equal to that which would be charged to obtain regular state license
67 plates for that vehicle;

68 4. The vehicle passes a periodic safety inspection as provided in Article 21 (§ 46.2-1157 et seq.) of
69 Chapter 10;

70 5. The vehicle displays current decals attached to the license plate, issued by the Department,
71 indicating the valid registration period for the vehicle; and

72 6. When applicable, the vehicle meets the requirement of Article 22 (§ 46.2-1176 et seq.) of Chapter
73 10.

74 If more than one request is made for use, as provided in this subsection, of license plates having the
75 same number, the Department shall accept *multiple requests* only ~~the first such application~~ if (i) the
76 number combination requested is not currently registered on license plates embossed with the year
77 matching the plate being requested and (ii) only one license plate with the same number combination
78 has been issued for use after 1973 or, if the plate requested is for a motorcycle, 1976. Only vehicles
79 titled to the person seeking to use license plates as provided in this subsection shall be eligible to use
80 license plates as provided in this subsection.

81 G. Nothing in this section shall be construed as prohibiting the use of an antique motor vehicle to
82 tow a trailer or semitrailer.

83 H. Any owner of an antique motor vehicle or antique trailer registered with license plates pursuant to
84 this section who is convicted of a violation of this section is guilty of a Class 4 misdemeanor. Upon
85 receiving a record of conviction of a violation of this section, the Department shall revoke and not
86 reinstate the owner's privilege to register the vehicle operated in violation of this section with license
87 plates issued or authorized for use pursuant to this section for a period of five years from the date of
88 conviction.

89 I. Except for the one-time \$50 registration fee prescribed in subsections A and B, the provisions of
90 this section shall apply to all owners of vehicles and trailers registered with license plates issued under
91 this section prior to July 1, 2007. Such owners shall, based on a schedule and a manner prescribed by
92 the Department, (i) provide evidence that they own or have regular use of another passenger car or
93 motorcycle, as required under subsections A and B, and (ii) comply with the certification provisions of
94 subsection E. The Department shall cancel the registrations of vehicles owned by persons that, prior to
95 January 1, 2008, do not provide the Department ~~(i)~~ (a) evidence of owning or having regular use of
96 another autocycle, passenger car, or motorcycle, as required under subsections A and B, and ~~(ii)~~ (b) the
97 certification required pursuant to subsection E.