

2005 SESSION

BILL NO.

Offered December 1, 2004

*A BILL to amend and reenact § 46.2-330 of the Code of Virginia, related to the licensure of drivers.*

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Patron—Trinity Episcopal School  
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Referred to Committee on \_\_\_\_\_  
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Be it enacted by the YMCA Model General Assembly:

1. That § 46.2-330 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-330. Expiration and renewal of licenses; examinations required.

A. Every driver's license shall expire on the applicant's birthday in years in which the applicant attains an age equally divisible by five. At no time shall any driver's license be issued for less than three nor more than seven years. Thereafter the driver's license shall be renewed on or before the birthday of the licensee and shall be valid for five years, expiring in the next year in which the licensee's age is equally divisible by five.

B. Within one year prior to the date shown on the driver's license as the date of expiration, the Department shall mail notice, to the holder thereof, at the address shown on the records of the Department in its driver's license file, that his license will expire on a date specified therein, whether he must be reexamined, and when he may be reexamined. Nonreceipt of the notice shall not extend the period of validity of the driver's license beyond its expiration date.

Any driver's license may be renewed by application, which shall include the applicant's certification of Virginia residency, after the applicant has taken and successfully completed those parts of the examination provided for in §§ 46.2-311, 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), including vision and written tests, other than the parts of the examination requiring the applicant to drive a motor vehicle. All drivers applying in person for renewal of a license shall take and successfully complete the examination each renewal year.

C. Notwithstanding any other provision of this section, the Commissioner, in his discretion, may require any applicant for renewal to be fully examined as provided in §§ 46.2-311, 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). Furthermore, if the applicant is less than 80 years old, the Commissioner may waive the vision examination for any applicant for renewal of a driver's license which is not a commercial driver's license, and the requirement or the taking of the written test as provided in subsection B of this section, § 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), for any applicant for renewal who is at least

41 21 years old if the applicant's driver's license record on file at the Department contains,  
42 for the five years prior to the expiration date of the license being renewed, a record of no  
43 more than one conviction for any offense reportable under §§ 46.2-382, 46.2-382.1, and  
44 46.2-383. Such written test shall not be waived for an applicant less than 21 years old if  
45 he has one or more such convictions. However, in no case shall there be any waiver of  
46 the vision examination for applicants for renewal of a commercial driver's license or of  
47 the knowledge test required by the Virginia Commercial Driver's License Act for the  
48 hazardous materials endorsement on a commercial driver's license. No driver's license or  
49 learner's permit issued to any person who is ~~80~~ 75 years old or older shall be renewed  
50 unless the applicant for renewal appears in person and ~~either (i) passes a vision~~  
51 ~~examination or (ii) presents a report of a vision examination, made within 90 days prior~~  
52 ~~thereto by an ophthalmologist or optometrist, indicating that the applicant's vision meets~~  
53 ~~or exceeds the standards contained in § 46.2-311~~ is fully examined as provided in  
54 §§ 46.2-311, 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et  
55 seq.).

56 D. Every applicant for renewal of a driver's license, whether renewal shall or shall not be  
57 dependent on any examination of the applicant, shall appear in person before the  
58 Department to apply for renewal, unless specifically notified by the Department that  
59 renewal may be accomplished in another manner as provided in the notice.

60 E. This section shall not modify the provisions of § 46.2-221.2.

**House Patron:**

Kathryn Hansen

**Senate Patron:**

Lauren Bass

