2023 Special Session I

Budget Bill - HB6001 (Chapter 1)

Department of Motor Vehicles

Item 440	First Year - FY2023	Second Year - FY2024
Ground Transportation Regulation (60100)	**$219,245,172**	**$218,850,722**
Customer Service Centers Operations (60101)	$157,777,659	$157,383,209
Ground Transportation Regulation and Enforcement (60103)	$46,508,649	$46,508,649
Motor Carrier Regulation Services (60105)	$14,958,864	$14,958,864
Fund Sources:		
Commonwealth Transportation	$211,798,572	$211,404,122
Trust and Agency	$5,446,600	$5,446,600
Federal Trust	$2,000,000	$2,000,000

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods, which may include offering discounts on certain transactions conducted online, as determined by the department. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions; however, this restriction shall not apply with respect to any credit or debit card transactions the department conducts on behalf of another agency, provided (i) the other agency is authorized to charge customers for the use of credit or debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer are charged to the department.

B. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

C. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first $500,000 and 5.0 percent of all gross collections in excess of $500,000 made by the entity during each fiscal year on such state taxes and fees in place as a matter of law. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be

responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.

D. Out of the amounts identified in this Item, an amount estimated at $372,873 the first year and $372,873 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

E.1. Notwithstanding any other provision of law, the department shall assess a minimum fee of $15 for all titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.

2. Notwithstanding any other provision of law, the department shall assess a $10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.

3. Notwithstanding any other provision of law, the department shall establish a $20 minimum fee for original driver's licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.

F. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.

G. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.

H. The Department of Motor Vehicles is hereby granted approval to distribute the transactional charges of the Cardinal accounting system to state agencies, when the transactions involve funds passed through the department to the benefiting agency. This paragraph shall not pertain to Direct Aid to Public Education.

I. The Department of Motor Vehicles is hereby granted approval to distribute a portion of its indirect cost allocation charge to another state agency when the charge is related to revenue collected and transferred by the department to the state agency. Such transfers shall be based on the agency's proportionate share of the department's total transactions in the immediately preceding fiscal year. The Department shall annually submit to the Department of Planning and Budget a summary of the transfer amounts and the transaction volumes used to allocate the internal cost amounts.

J. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall not be required to include organ donation brochures with every driver's license renewal notice or application mailed to licensed drivers.

K. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such refusal, the toll operator has offered the individual a settlement of no more than $2,200.

L. The Department is authorized to impose a $10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes.

M. Notwithstanding § 4-2.03 of this act, the Virginia Department of Motor Vehicles shall be exempt from recovering statewide and agency indirect costs from the federal grants until an indirect cost plan can be evaluated

and developed by the agency.

N. Notwithstanding the provisions of Title 46.2 of the Code of Virginia, only entities that both (i) provide commercial motor vehicle training to the general public and (ii) are not Virginia governmental entities shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in accordance with Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations in the Commonwealth of Virginia. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia. No other person as defined in § 1-230 shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in the Commonwealth.

O. The Commissioner, in consultation with the Secretary of Administration and the Governor's Chief Transformation Officer, is authorized to issue a Request for Information for (i) updating customer-facing web applications; (ii) pursuing the use of artificial intelligence in day-to-day activities; (iii) the issuance of digital passports and mobile driver's licenses; (iv) improving customer service, specifically through smart phone technologies and the use of self-service kiosks; and (v) other innovative technologies to improve the overall customer experience. The Commissioner is further authorized to enter into agreements with surrounding states for the purpose of building a multi-state consortium to improve the overall customer experience across state lines.