

AGENDA

Board of Supervisors Work Session

May 11, 2021

6:00 PM

- A. Call to Order
- B. Closed Session
 - 1. Section 2.2-3711 (A) (1) of the Virginia Freedom of Information Act Personnel re: Economic Development Authority Board of Directors

7:00 PM

- C. Joint Meeting with EDA
 - 1. Closed Session - Sections 2.2-3711(A) (7) and (A) (8) for Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and Consultation with Legal Counsel for the Provision of Legal Advice re: Economic Development Authority Matters
- D. Ordinance to Amend and Re-Ordain Warren County Code Section 172-37.2 re: Other Exemptions for License Decals or Stickers – Caitlin Jordan
- E. Chester Gap Updates – Chief Brown
- F. Discussion - Warren County Transfer Station and Convenience Sites – Mike Berry
- G. Transfer Station Report – Sheriff Butler
- H. Adjournment

Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, and resignation of a specific public officer of the public body; I further move that discussion be limited to the Economic Development Authority Board of Directors.

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Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(1) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

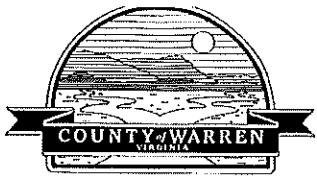
Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "EDA"), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, and other potential claims and litigation relating to other possible liabilities of the EDA and the recovery of EDA funds and assets.

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Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS WORK SESSION

DATE	ITEM	SUBJECT	PAGE
May 11, 2021	D	Proposed Amendment to Warren County Code Section 172-37.2 to Comply with Section 46.2-752 of the Code of Virginia	1 OF 1

EXPLANATION & SUMMARY:

Virginia Code Section 46.2-752 authorizes localities to "levy and assess taxes and charge license fees on motor vehicles, trailers, and semitrailers." On September 18, 2018, the Board of Supervisors approved the addition of Section 172-37.2 to the Warren County Code. This section provides that the Treasurer shall issue a license decal or sticker without charging a license fee for one motor vehicle for the following individuals:

1. A disabled veteran, or their un-married surviving spouse, and such vehicle bears a special license plate issued in accordance with §46.2-739 of the Code of Virginia;
2. A person, or their un-remarried surviving spouse, who has been awarded the Purple Heart and such vehicle bears a special license plate issued in accordance with § 46.2-742 of the Code of Virginia;
3. A person, or their un-remarried surviving spouse, who has been awarded the Medal of Honor and such vehicle bears a special license plate issued in accordance with § 46.2-745 of the Code of Virginia;
4. A person, or their un-remarried surviving spouse, who has been a prisoner of war and such vehicle bears a special license plate issued in accordance with § 46.2-746 of the Code of Virginia;

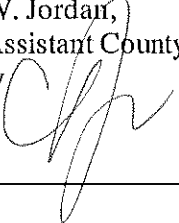
Additionally, this code section provides that National Guard Members whose vehicles bear a Virginia National Guard license plate issued pursuant to § 46.2-744 of the Code of Virginia, and does not bear reserved numbers or letters, shall only be charged one-half (1/2) of the annual license tax fee. Lastly, this code section directs the Treasurer to issue a license decal or sticker without charge for antique motor vehicles and antique trailers in accordance with § 46.2-730.

Pursuant to Virginia Code § 46.2-752, Warren County is only authorized to provide the exemption to disabled veterans and their un-married surviving spouses. The state code sections referenced in the Warren County Code are not applicable to the vehicle license tax assessed and levied by localities, but rather apply to fees for special license plates issued by the Commissioner of the Department of Motor Vehicles (i.e. the DMV). *See attached the referenced Virginia Code Sections.* Therefore, Warren County Code § 172-37.2 should be amended to lawfully comply with the Virginia Code § 46.2-752. *See attached the proposed amendments to Warren County Code § 172-37.2.*

However, Virginia Code § 46.2-752 enumerates twenty (20) categories of vehicles that a locality may exempt from the vehicle license tax. *See attached Virginia Code § 46.2-752 for the full list of categories.* The Board of Supervisors may select which categories, if any, it would like to incorporate into Warren County Code § 172-37.2.

COST AND FINANCING:

N/A

SUBMITTED BY:	DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER	PROCESSED BY:
Caitlin W. Jordan, Senior Assistant County Attorney 	(DESCRIBE)	

AN ORDINANCE TO AMEND SECTION 172-37.2 OF THE WARREN COUNTY CODE

BE IT ORDATINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that section 172-37.2 of the Warren County Code (Other exemptions) be amended as follows:

CHAPTER 172. VEHICLES AND TRAFFIC

ARTICLE II Vehicle License Tax

§ 172-37.2 Other exemptions.
[Added 9-18-2018]

- A. The County Treasurer shall issue a license decal or sticker without charging a license tax for one motor vehicle which is regularly used by:
- (1) A disabled veteran, or their un-remarried surviving spouse, and such vehicle bears a special license plate issued in accordance with § 46.2-739, Code of Virginia 1950, as amended;
 - ~~(2) A person, or their un-remarried surviving spouse, who has been awarded the Purple Heart and such vehicle bears a special license plate issued in accordance with § 46.2-742, Code of Virginia 1950, as amended;~~
 - ~~(3) A person, or their un-remarried surviving spouse, who has been awarded the Medal of Honor and such vehicle bears a special license plate issued in accordance with § 46.2-745, Code of Virginia 1950, as amended;~~
 - ~~(4) A person, or their un-remarried surviving spouse, who has been a prisoner of war and such vehicle bears a special license plate issued in accordance with § 46.2-746, Code of Virginia 1950, as amended.~~
- ~~B. The annual license tax for active Virginia National Guard members whose vehicles bear a Virginia National Guard license plate issued pursuant to § 46.2-744, Code of Virginia 1950, as amended, shall be 1/2 the fee prescribed in § 46.2-694, Code of Virginia 1950, as amended, unless the plates bear reserved numbers or letters, in which case there is no discount on the annual license tax.~~
- ~~C. The County Treasurer shall issue a license decal or sticker without charging a license tax for antique motor vehicles and antique trailers in accordance with § 46.2-730, Code of Virginia 1950, as amended.~~

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

Language proposed to be deleted is lined through.
Language proposed to be added it underlined.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 6. Titling and Registration of Motor Vehicles

§ 46.2-752. Taxes and license fees imposed by counties, cities, and towns; limitations on amounts; disposition of revenues; requiring evidence of payment of personal property taxes and certain fines; prohibiting display of licenses after expiration; failure to display valid local license required by other localities; penalty.

A. Except as provided in § 46.2-755, counties, cities, and towns may levy and assess taxes and charge license fees on motor vehicles, trailers, and semitrailers. However, none of these taxes and license fees shall be assessed or charged by any county on vehicles owned by residents of any town located in the county when such town constitutes a separate school district if the vehicles are already subject to town license fees and taxes, nor shall a town charge a license fee to any new resident of the town, previously a resident of a county within which all or part of the town is situated, who has previously paid a license fee for the same tax year to such county. The amount of the license fee or tax imposed by any county, city, or town on any motor vehicle, trailer, or semitrailer shall not be greater than the annual or one-year fee imposed by the Commonwealth on the motor vehicle, trailer, or semitrailer in effect on January 1, 2020. The license fees and taxes shall be imposed in such manner, on such basis, for such periods, and subject to proration for fractional periods of years, as the proper local authorities may determine.

Owners or lessees of motor vehicles, trailers, and semitrailers who have served outside of the United States in the armed services of the United States shall have a 90-day grace period, beginning on the date they are no longer serving outside the United States, in which to comply with the requirements of this section. For purposes of this section, "the armed services of the United States" includes active duty service with the regular Armed Forces of the United States or the National Guard or other reserve component.

Local licenses may be issued free of charge for any or all of the following:

1. Vehicles powered by clean special fuels as defined in § 46.2-749.3, including dual-fuel and bi-fuel vehicles,
2. Vehicles owned by volunteer emergency medical services agencies,
3. Vehicles owned by volunteer fire departments,
4. Vehicles owned or leased by active members or active auxiliary members of volunteer emergency medical services agencies,
5. Vehicles owned or leased by active members or active auxiliary members of volunteer fire departments,
6. Vehicles owned or leased by auxiliary police officers,
7. Vehicles owned or leased by volunteer police chaplains,
8. Vehicles owned by surviving spouses of persons qualified to receive special license plates under § 46.2-739,
9. Vehicles owned or leased by auxiliary deputy sheriffs or volunteer deputy sheriffs,
10. Vehicles owned by persons qualified to receive special license plates under § 46.2-739,
11. Vehicles owned by any of the following who served at least 10 years in the locality: former members of volunteer emergency medical services agencies, former members of volunteer fire departments, former auxiliary police officers, members and former members of authorized police volunteer citizen support units, members and former members of authorized sheriff's volunteer citizen support units, former volunteer police chaplains, and former volunteer special police officers appointed under former § 15.2-1737. In the case of active members of

volunteer emergency medical services agencies and active members of volunteer fire departments, applications for such licenses shall be accompanied by written evidence, in a form acceptable to the locality, of their active affiliation or membership, and no member of an emergency medical services agency or member of a volunteer fire department shall be issued more than one such license free of charge,

12. All vehicles having a situs for the imposition of licensing fees under this section in the locality,

13. Vehicles owned or leased by deputy sheriffs; however, no deputy sheriff shall be issued more than one such license free of charge,

14. Vehicles owned or leased by police officers; however, no police officer shall be issued more than one such license free of charge,

15. Vehicles owned or leased by officers of the State Police; however, no officer of the State Police shall be issued more than one such license free of charge,

16. Vehicles owned or leased by salaried firefighters; however, no salaried firefighter shall be issued more than one such license free of charge,

17. Vehicles owned or leased by salaried emergency medical services personnel; however, no salaried emergency medical services personnel shall be issued more than one such license free of charge,

18. Vehicles with a gross weight exceeding 10,000 pounds owned by museums officially designated by the Commonwealth,

19. Vehicles owned by persons, or their surviving spouses, qualified to receive special license plates under subsection A of § 46.2-743, and

20. Vehicles owned or leased by members of the Virginia Defense Force; however, no member of the Virginia Defense Force shall be issued more than one such license free of charge.

The governing body of any county, city, or town issuing licenses under this section may by ordinance provide for a 50 percent reduction in the fee charged for the issuance of any such license issued for any vehicle owned or leased by any person who is 65 years old or older. No such discount, however, shall be available for more than one vehicle owned or leased by the same person.

The governing body of any county, city, or town issuing licenses free of charge under this subsection may by ordinance provide for (i) the limitation, restriction, or denial of such free issuance to an otherwise qualified applicant, including without limitation the denial of free issuance to a taxpayer who has failed to timely pay personal property taxes due with respect to the vehicle and (ii) the grounds for such limitation, restriction, or denial.

The situs for the imposition of licensing fees under this section shall in all cases, except as hereinafter provided, be the county, city, or town in which the motor vehicle, trailer, or semitrailer is normally garaged, stored, or parked. If it cannot be determined where the personal property is normally garaged, stored, or parked, the situs shall be the domicile of its owner. In the event the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile.

B. The revenue derived from all county, city, or town taxes and license fees imposed on motor vehicles, trailers, or semitrailers shall be applied to general county, city, or town purposes.

C. A county, city, or town may require that no motor vehicle, trailer, or semitrailer shall be locally licensed until the applicant has produced satisfactory evidence that all personal property taxes on the motor vehicle, trailer, or semitrailer to be licensed have been paid and satisfactory evidence that any delinquent motor vehicle, trailer, or semitrailer personal property taxes owing have been paid which have been properly assessed or are assessable against the applicant by the county, city, or town. A county, city, or town may also provide that no motor vehicle license shall be issued unless the tangible personal property taxes properly assessed or assessable by that locality on

any tangible personal property used or usable as a dwelling titled by the Department of Motor Vehicles and owned by the taxpayer have been paid. Any county and any town within any such county may by agreement require that all personal property taxes assessed by either the county or the town on any vehicle be paid before licensure of such vehicle by either the county or the town.

C1. The Counties of Dinwiddie, Lee, and Wise may, by ordinance or resolution adopted after public notice and hearing and, with the consent of the treasurer, require that no license may be issued under this section unless the applicant has produced satisfactory evidence that all fees, including delinquent fees, payable to such county or local solid waste authority, for the disposal of solid waste pursuant to the Virginia Water and Waste Authorities Act (§ 15.2-5100 et seq.), or pursuant to § 15.2-2159, have been paid in full. For purposes of this subsection, all fees, including delinquent fees, payable to a county for waste disposal services described herein, shall be paid to the treasurer of such county; however, in Wise County, the fee shall be paid to the county or its agent.

D. The Counties of Arlington, Fairfax, Loudoun, and Prince William and towns within them and any city may require that no motor vehicle, trailer, or semitrailer shall be licensed by that jurisdiction unless all fines owed to the jurisdiction by the owner of the vehicle, trailer, or semitrailer for violation of the jurisdiction's ordinances governing parking of vehicles have been paid. The provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

E. If in any county imposing license fees and taxes under this section, a town therein imposes like fees and taxes on vehicles of owners resident in the town, the owner of any vehicle subject to the fees or taxes shall be entitled, on the owner's displaying evidence that he has paid the fees or taxes, to receive a credit on the fees or taxes imposed by the county to the extent of the fees or taxes he has paid to the town. Nothing in this section shall deprive any town now imposing these licenses and taxes from increasing them or deprive any town not now imposing them from hereafter doing so, but subject to the limitations provided in subsection D. The governing body of any county and the governing body of any town in that county wherein each imposes the license tax herein provided may provide mutual agreements so that not more than one license plate or decal in addition to the state plate shall be required.

F. Notwithstanding the provisions of subsection E, in a consolidated county wherein a tier-city exists, the tier-city may, in accordance with the provisions of the agreement or plan of consolidation, impose license fees and taxes under this section in addition to those fees and taxes imposed by the county, provided that the combined county and tier-city rates do not exceed the maximum provided in subsection A. No credit shall be allowed on the fees or taxes imposed by the county for fees or taxes paid to the tier-city, except as may be provided by the consolidation agreement or plan. The governing body of any county and the governing body of any tier-city in such county wherein each imposes the license tax herein may provide by mutual agreement that no more than one license plate or decal in addition to the state license plate shall be required.

G. Any county, city, or town may by ordinance provide that it shall be unlawful for any owner or operator of a motor vehicle, trailer, or semitrailer (i) to fail to obtain and, if any required by such ordinance, to display the local license required by any ordinance of the county, city or town in which the vehicle is registered, or (ii) to display upon a motor vehicle, trailer, or semitrailer any such local license, required by ordinance to be displayed, after its expiration date. The ordinance may provide that a violation shall constitute a misdemeanor the penalty for which shall not exceed that of a Class 4 misdemeanor and may, in the case of a motor vehicle registered to a resident of the locality where such vehicle is registered, authorize the issuance by local law-enforcement officers of citations, summonses, parking tickets, or uniform traffic summonses for violations. Any such ordinance may also provide that a violation of the ordinance by the registered owner of the vehicle may not be discharged by payment of a fine except upon presentation of satisfactory evidence that the required license has been obtained. Nothing in this section shall be construed to require a county, city, or town to issue a decal or any other tangible evidence of a local license to be displayed on the licensed vehicle if the county's, city's, or town's ordinance does not require display of a decal or other evidence of payment. No ordinance adopted pursuant to this section shall require the display of any local license, decal, or sticker on any vehicle owned by a public service company, as defined in § 56-76, having a fleet of at least 2,500 vehicles garaged in the Commonwealth.

H. Except as provided by subsections E and F, no vehicle shall be subject to taxation under the provisions of this section in more than one jurisdiction. Furthermore, no person who has purchased a local vehicle license, decal, or

sticker for a vehicle in one county, city, or town and then moves to and garages his vehicle in another county, city, or town shall be required to purchase another local license, decal, or sticker from the county, city, or town to which he has moved and wherein his vehicle is now garaged until the expiration date of the local license, decal, or sticker issued by the county, city, or town from which he moved.

I. Purchasers of new or used motor vehicles shall be allowed at least a 10-day grace period, beginning with the date of purchase, during which to pay license fees charged by local governments under authority of this section.

J. The treasurer or director of finance of any county, city, or town may enter into an agreement with the Commissioner whereby the Commissioner will refuse to issue or renew any vehicle registration of any applicant therefor who owes to such county, city, or town any local vehicle license fees or delinquent tangible personal property tax or parking citations. Before being issued any vehicle registration or renewal of such license or registration by the Commissioner, the applicant shall first satisfy all such local vehicle license fees and delinquent taxes or parking citations and present evidence satisfactory to the Commissioner that all such local vehicle license fees and delinquent taxes or parking citations have been paid in full. However, a vehicle purchased by an applicant subsequent to the onset of enforcement action under this subsection may be issued an initial registration for a period of up to 90 days to allow the applicant to satisfy all applicable requirements under this subsection, provided that a fee sufficient for the registration period, as calculated under subsection B of § 46.2-694, is paid. Such initial registration shall not be eligible for the one-month registration extension provided for in § 46.2-646.2 for this same purpose. The Commissioner shall charge a reasonable fee to cover the costs of such enforcement action, and the treasurer or director of finance may add the cost of this fee to the delinquent tax bill or the amount of the parking citation. The treasurer or director of finance of any county, city, or town seeking to collect delinquent taxes or parking citations through the withholding of registration or renewal thereof by the Commissioner as provided for in this subsection shall notify the Commissioner in the manner provided for in his agreement with the Commissioner and supply to the Commissioner information necessary to identify the debtor whose registration or renewal is to be denied. Any agreement entered into pursuant to the provisions of this subsection shall provide the debtor notice of the intent to deny renewal of registration or issuance of registration for any currently unregistered vehicle at least 30 days prior to the expiration date of a current vehicle registration. For the purposes of this subsection, notice by first-class mail to the registrant's address as maintained in the records of the Department of Motor Vehicles shall be deemed sufficient. In the case of parking violations, the Commissioner shall only refuse to issue or renew the vehicle registration of any applicant therefor pursuant to this subsection for the vehicle that incurred the parking violations. The provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

K. The governing bodies of any two or more counties, cities, or towns may enter into compacts for the regional enforcement of local motor vehicle license requirements. The governing body of each participating jurisdiction may by ordinance require the owner or operator of any motor vehicle, trailer, or semitrailer to display on his vehicle a valid local license issued by another county, city, or town that is a party to the regional compact, provided that the owner or operator is required by the jurisdiction of situs, as provided in § 58.1-3511, to obtain and display such license. The ordinance may also provide that no motor vehicle, trailer, or semitrailer shall be locally licensed until the applicant has produced satisfactory evidence that (i) all personal property taxes on the motor vehicle, trailer, or semitrailer to be licensed have been paid to all participating jurisdictions and (ii) any delinquent motor vehicle, trailer, or semitrailer personal property taxes that have been properly assessed or are assessable by any participating jurisdiction against the applicant have been paid. Any city and any county having the urban county executive form of government, the counties adjacent to such county and towns within them may require that no motor vehicle, trailer, or semitrailer shall be licensed by that jurisdiction or any other jurisdiction in the compact unless all fines owed to any participating jurisdiction by the owner of the vehicle for violation of any participating jurisdiction's ordinances governing parking of vehicles have been paid. The ordinance may further provide that a violation shall constitute a misdemeanor the penalty for which shall not exceed that of a Class 4 misdemeanor. Any such ordinance may also provide that a violation of the ordinance by the owner of the vehicle may not be discharged by payment of a fine and applicable court costs except upon presentation of satisfactory evidence that the required license has been obtained. The provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

L. In addition to the taxes and license fees permitted in subsection A, counties, cities, and towns may charge a license fee of no more than \$1 per motor vehicle, trailer, and semitrailer. Except for the provisions of subsection B, such fee shall be subject to all other provisions of this section. All funds collected pursuant to this subsection shall be paid pursuant to § 51.1-1204 to the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund to the accounts of all members of the Fund who are volunteers for fire departments or emergency medical services agencies within the jurisdiction of the particular county, city, or town.

M. In any county, the county treasurer or comparable officer and the treasurer of any town located wholly or partially within such county may enter into a reciprocal agreement, with the approval of the respective local governing bodies, that provides for the town treasurer to collect license fees or taxes on any motor vehicle, trailer, or semitrailer owed to the county that are non-delinquent, delinquent, or both or for the county treasurer to collect license fees or taxes on any motor vehicle, trailer, or semitrailer owed to the town that are non-delinquent, delinquent, or both. A treasurer or comparable officer collecting any such license fee or tax pursuant to an agreement entered into under this subsection shall account for and pay over such amounts to the locality owed such license fee or tax in the same manner as provided by law. As used in this subsection, with regard to towns, "treasurer" means the town officer or employee vested with authority by the charter, statute, or governing body to collect local taxes.

N. For any summons issued for a violation of this section, the court may, in its discretion, dismiss the summons, where proof of compliance with this section is provided to the court on or before the court date.

Code 1950, § 46-64; 1950, p. 240; 1952, c. 169; 1954, cc. 491, 594; 1956, cc. 66, 549, 570; 1958, c. 541, § 46.1-65; 1959, Ex. Sess., cc. 22, 55; 1962, c. 574; 1964, c. 218; 1972, c. 200; 1974, c. 621; 1975, c. 105; 1977, c. 166; 1979, c. 185; 1980, c. 105; 1982, c. 85; 1984, cc. 308, 630, 695; 1986, c. 123; 1987, cc. 208, 243; 1989, cc. 321, 706, 727; 1990, cc. 181, 187, 188, 455; 1991, c. 622; 1992, cc. 226, 355, 794, 806; 1993, cc. 50, 63, 175, 565; 1994, cc. 528, 962; 1995, cc. 91, 412, 449, 460, 479, 659; 1996, cc. 89, 562; 1997, cc. 246, 499, 905, 911; 1998, c. 649; 1999, c. 236; 2000, c. 303; 2001, cc. 338, 471, 605, 606; 2002, cc. 206, 553; 2003, c. 326; 2004, cc. 689, 723; 2005, c. 317; 2006, c. 148; 2007, cc. 213, 230, 813, 865; 2008, cc. 163, 457, 591; 2009, cc. 366, 756, 843; 2010, cc. 125, 131; 2013, c. 82; 2014, c. 543; 2015, cc. 69, 502, 503; 2017, cc. 119, 670; 2018, c. 431; 2020, cc. 1230, 1275.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 6. Titling and Registration of Motor Vehicles

§ 46.2-742. Special license plates for persons awarded Purple Heart; fee.

On receipt of an application and written evidence that the applicant has been awarded the Purple Heart, the Commissioner shall issue to the applicant special license plates.

No fee shall be charged for license plates issued under this section to any one motor vehicle owned and used personally by any applicant. For each additional set of license plates issued to an applicant under this section, the Commissioner shall charge the prescribed fee for state license plates.

Unremarried surviving spouses of persons eligible to receive special license plates under this section may also be issued special license plates under this section.

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section.

The design of license plates issued under this section to persons who have been awarded multiple decorations shall reflect the number of such decorations.

1987, cc. 466, 472, § 46.1-105.15; 1989, c. 727; 1994, c. 914; 1995, c. 747; 1996, cc. 922, 1026; 2004, c. 747; 2008, c. 614; 2011, c. 436.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 6. Titling and Registration of Motor Vehicles

§ 46.2-745. Special license plates for persons awarded the Medal of Honor; fees.

On receipt of an application and written confirmation from one of the armed services that the applicant has been awarded the Medal of Honor, the Commissioner shall issue special license plates to such persons and to unremarried surviving spouses of such persons. No fee shall be charged for the issuance of these license plates.

It shall be unlawful for any person who is not a person described in this section to willfully and falsely represent himself as having the qualifications to obtain the special license plates herein provided for.

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section.

The design of license plates issued under this section to persons who have been awarded multiple decorations shall reflect the number of such decorations.

Unremarried surviving spouses of persons eligible to receive special license plates under this section may also be issued special license plates under this section.

1980, c. 55, § 46.1-105.8; 1989, c. 727; 1995, c. 747; 2004, c. 747.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 6. Titling and Registration of Motor Vehicles

§ 46.2-746. Special license plates for former prisoners of war; fees.

On receipt of an application and written evidence from one of the armed forces that the applicant was a prisoner of war and was honorably discharged, if not currently a member of the armed forces, the Commissioner shall issue special license plates to persons who have been prisoners of the enemy in any war. No fee shall be charged for license plates issued under the provisions of this section.

It shall be unlawful for any person to willfully and falsely represent himself as having the qualifications to obtain the special plates provided for in this section.

No individual shall be issued special license plates under this section for more than one vehicle.

On presentation of appropriate written evidence from the Foreign Claims Settlement Commission of the United States, special license plates provided for in this section shall also be issued by the Commissioner to persons who were not members of the armed forces.

Unremarried surviving spouses of persons eligible to receive special license plates under this section may also be issued special license plates under this section.

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section.

1977, c. 164, § 46.1-105.7; 1978, c. 605; 1981, c. 125; 1982, c. 199; 1987, c. 146; 1989, c. 727; 1994, c. 127; 1995, c. 747.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 6. Titling and Registration of Motor Vehicles

§ 46.2-744. Special license plates for members of National Guard; fees.

On receipt of an application and written confirmation that the applicant is a member of the National Guard, the Commissioner shall issue to the applicant special license plates.

The fee for license plates issued under this section to members of the National Guard units shall be one-half the fee prescribed in § 46.2-694, unless the plates bear reserved numbers or letters as provided for in § 46.2-726. In this latter case, the fee for the issuance of license plates shall be the same as for those issued under § 46.2-726.

The fee for members of non-Virginia National Guard units shall be ten dollars per year plus the prescribed cost for state license plates, unless the plates bear reserved numbers or letters as provided for in § 46.2-726. In this latter case, such license plates shall be subject to an additional charge of ten dollars per year for the reserved numbers or letters.

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section.

1981, c. 355, § 46.1-105.9; 1982, c. 85; 1989, c. 727; 1995, cc. 252, 747.

Code of Virginia
 Title 46.2. Motor Vehicles
 Chapter 6. Titling and Registration of Motor Vehicles

§ 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 only the first such application.

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

1. The physical condition of the vehicle's license plate or plates has been inspected and approved by the Department;
2. The license plate or plates are registered to the specific vehicle by the Department;
3. The owner of the vehicle periodically registers the vehicle with the Department and pays a registration fee for the vehicle equal to that which would be charged to obtain regular state license plates for that vehicle;
4. The vehicle passes a periodic safety inspection as provided in Article 21 (§ 46.2-1157 et seq.) of Chapter 10;
5. The vehicle displays current decals attached to the license plate, issued by the Department, indicating the valid registration period for the vehicle; and
6. When applicable, the vehicle meets the requirement of Article 22 (§ 46.2-1176 et seq.) of Chapter 10.

If more than one request is made for use, as provided in this subsection, of license plates having the same number, the Department shall accept only the first such application. Only vehicles titled to the person seeking to use license plates as provided in this subsection shall be eligible to use license plates as provided in this subsection.

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

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

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

Code 1950, § 46-99.1; 1954, c. 60; 1958, c. 541, § 46.1-104; 1980, c. 359; 1986, c. 8; 1989, cc. 338, 727; 1999, c. 292; 2000, c. 259; 2004, c. 796; 2007, c. 492; 2008, c. 159; 2014, cc. 53, 256.

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