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**HOUSE BILL NO. 545**

Offered January 14, 2026

Prefiled January 13, 2026

*A BILL to amend and reenact §§ 46.2-490, 46.2-490.3, 46.2-501, and 46.2-505 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-490.12 and 46.2-490.13, relating to driver improvement clinics; motorcycle driver improvement clinics; Motorcycle Driver Improvement Clinic Fund; created.*

Patron—McNamara

Committee Referral Pending

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-490, 46.2-490.3, 46.2-501, and 46.2-505 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-490.12 and 46.2-490.13 as follows:**

**§ 46.2-490. Establishment of driver improvement clinic program; application fees.**

A. The Commissioner shall, in his discretion, contract with such entities as the Commissioner deems fit, including private or governmental entities, to develop curricula for a statewide driver improvement clinic program. Such program shall include instruction concerning ~~but not limited to~~ (i) alcohol and drug abuse, (ii) aggressive driving, (iii) distracted driving, (iv) motorcycle awareness, and (v) work zone safety. The driver improvement clinic program shall be established for the purpose of instructing persons identified by the Department and the court system as problem drivers in need of driver improvement education and training and for those drivers interested in improved driving safety. *The driver improvement clinic program shall include motorcycle driver improvement clinics, which shall additionally be subject to the requirements of § 46.2-490.12.* The clinics shall be composed of uniform education and training programs designed for the rehabilitation of problem drivers, and for the purpose of creating a lasting and corrective influence on their driving performance. The clinics shall operate in localities based on their geographical location so as to be reasonably accessible to persons attending these clinics.

B. All businesses, organizations, governmental entities or individuals that want to provide driver improvement clinic instruction as a driver improvement clinic or instructor in the Commonwealth using approved curricula shall apply to the Department to be licensed to do so, based on criteria established by the Department. Such license shall be valid for a period of two years. A nonrefundable license application fee of \$150 shall be paid to the Department by all such businesses, organizations, governmental entities or individuals. A nonrefundable license fee of \$40 shall also be paid for each additional clinic location operated by a clinic. A nonrefundable license fee of \$75 shall be paid to the Department by a person applying for a clinic instructor license.

The first certification issued for additional clinic locations and clinic instructors shall expire on the same date the original clinic's certification expires, and the first application or license fee may be prorated on a monthly basis. Thereafter, the renewal period for any additional clinic locations and clinic instructors shall match that of the original clinic.

However, neither the license application fee for each additional clinic location nor the license application fee for a clinic instructor license shall be required of or collected from the Virginia Association of Volunteer Rescue Squads or its members in connection with clinics that are provided for emergency vehicle operation training. All such application fees collected by the Department shall be paid by the Commissioner into the state treasury and shall be set aside as a special fund to be used to meet the expenses of the Department.

**§ 46.2-490.3. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Computer-based clinic provider;" means any clinic licensed by the Department to conduct driver improvement clinics via the Internet or other electronic means approved by the Department.

"Driver improvement clinic" or "clinic" means an individual, partnership or corporation, institution of higher education, or government entity licensed by the Department as prescribed by this chapter for the purpose of instructing persons identified by the Department and the court system as problem drivers; in need of driver improvement education and training; and for drivers interested in improving their own knowledge of highway safety. *"Driver improvement clinic" or "clinic" includes motorcycle driver improvement clinics.*

"Instructor" means any person, whether acting for himself as operator of a driver training clinic or for such clinic for compensation, who is licensed by the Department as prescribed by this chapter and who teaches, conducts classes, gives demonstrations, or supervises persons undergoing mandatory or voluntary driver improvement training.

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59 "Motorcycle driver improvement clinic" means a driver improvement clinic developed specifically for  
60 operators of motorcycles and that includes such information and instruction as may be useful for persons  
61 operating motorcycles.

62 **§ 46.2-490.12. Motorcycle driver improvement clinics.**

63 The Commissioner shall, in the process of contracting with entities pursuant to subsection A of § 46.2-490  
64 for the creation of motorcycle driver improvement clinics, contract with such entities to develop curricula for  
65 such motorcycle driver improvement clinics. Such motorcycle driver improvement clinics shall include  
66 instruction concerning (i) the safe operation of motorcycles, (ii) issues specific to such operation, and (iii)  
67 other topics included in standard driver improvement clinics that pertain to motorcycles. Such instruction  
68 shall be comparable in structure, rigor, and substantive nature to the course of instruction of standard driver  
69 improvement clinics and shall otherwise conform to the instructional requirements of standard driver  
70 improvement clinics in § 46.2-490, to the extent that they do not conflict with or duplicate the requirements of  
71 this section. The Commissioner shall give priority to the creation of motorcycle driver improvement clinics  
72 that operate as computer-based clinic providers.

73 **§ 46.2-490.13. Motorcycle Driver Improvement Clinic Fund.**

74 To finance the cost of motorcycle driver improvement clinics, the Department shall deposit \$3 of the fee  
75 collected for the issuance of each motorcycle registration into a special fund to be known as the Motorcycle  
76 Driver Improvement Clinic Fund (the Fund). The Department shall use the Fund as necessary for (i) the  
77 costs incurred by the Department of Motor Vehicles in the administration of this article relating to  
78 motorcycle driver improvement clinics; (ii) the funding of motorcycle driver improvement clinics; and (iii)  
79 any other purposes related to the administration of this article, as it relates to motorcycle driver improvement  
80 clinics, including contractual costs related to administrative and other operational support for such clinics.

81 **§ 46.2-501. Notice to attend driver improvement clinic.**

82 A. Any notice to attend a driver improvement clinic shall contain:

83 1. Information on how to schedule a driver improvement clinic *and whether such clinic shall be a*  
84 *standard clinic or a motorcycle driver improvement clinic.*

85 2. The purpose of the driver improvement clinic, including the consequences of not attending the clinic  
86 program.

87 3. An explanation of the terms of the probationary licensing period.

88 4. A requirement stating that the clinic must be satisfactorily completed within ninety days from the date  
89 of the notice. The Commissioner may for good cause shown, and provided the person provides the  
90 Commissioner with satisfactory evidence documenting the need and soonest date of return, extend the time  
91 limit otherwise provided for attending such a clinic when the person directed to attend a driver improvement  
92 clinic is (i) attending an institution of higher education outside Virginia, and attendance is to coincide with a  
93 break in the school year of such institution of higher education, provided that jurisdiction does not offer an  
94 approved driver improvement clinic or (ii) in the military or is a military dependent and is stationed outside  
95 the United States or outside the Commonwealth in a jurisdiction that does not offer an approved driver  
96 improvement clinic.

97 B. The notice directing any person to attend a driver improvement clinic shall be forwarded by certified  
98 mail to the last known address of the person, as shown on the records of the Department.

99 **§ 46.2-505. Court may direct defendant to attend driver improvement clinic.**

100 A. Any circuit or general district court or juvenile court of the Commonwealth, or any federal court,  
101 charged with the duty of hearing traffic cases for offenses committed in violation of any law of the  
102 Commonwealth, or any valid local ordinance, or any federal law regulating the movement or operation of a  
103 motor vehicle, may require any person found guilty, or in the case of a juvenile found not innocent, of a  
104 violation of any state law, local ordinance, or federal law, to attend a driver improvement clinic or a mature  
105 driver motor vehicle crash prevention course as provided for in § 38.2-2217. The attendance requirement may  
106 be in lieu of or in addition to the penalties prescribed by § 46.2-113, the ordinance, or federal law. The court  
107 shall determine if a person is to receive safe driving points upon satisfactory completion of a driver  
108 improvement clinic conducted by the Department or by any business, organization, governmental entity or  
109 individual certified by the Department to provide driver improvement clinic instruction. In the absence of  
110 such notification, no safe driving points shall be awarded by the Department.

111 B. Notwithstanding the provisions of subsection A, no court shall, as a result of a person's attendance at a  
112 driver improvement clinic or a mature driver motor vehicle crash prevention course, reduce, dismiss, or defer  
113 the conviction of a person charged with any offense committed while operating a commercial motor vehicle  
114 as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.) or any holder of a  
115 commercial driver's license charged with any offense committed while operating a noncommercial motor  
116 vehicle.

117 C. Persons required by the court to attend a driver improvement clinic or a mature driver motor vehicle  
118 crash prevention course shall notify the court if the driver improvement clinic or mature driver motor vehicle  
119 crash prevention course has or has not been attended and satisfactorily completed, in compliance with the  
120 court order. Failure of the person to attend and satisfactorily complete a driver improvement clinic or mature

121 driver motor vehicle crash prevention course, in compliance with the court order, may be punished as  
122 contempt of such court.

123 *D. Any court authorized to direct a defendant to attend a driver improvement clinic pursuant to this*  
124 *section may, in its discretion, direct a defendant who committed a violation while operating a motorcycle to*  
125 *attend a motorcycle driver improvement clinic and satisfy the requirements thereof.*

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