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SENATE BILL NO. 775

Offered January 22, 2026

A *BILL to amend and reenact §§ 38.2-401, as it is currently effective and as it shall become effective, and 46.2-694, as it is currently effective and as it may become effective, of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-401.2, relating to insurance; Fire Programs Fund; fees for vehicles; Virginia At Risk Fire Grant Program established; Firefighter Personal Protective Equipment (PPE) Fund established.*

Patrons—Hackworth; Delegate: Cornett

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That §§ 38.2-401, as it is currently effective and as it shall become effective, and 46.2-694, as it is currently effective and as it may become effective, of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 38.2-401.2 as follows:

§ 38.2-401. (Effective until July 1, 2026) Fire Programs Fund.

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of (i) before July 1, 2026, one percent of the total direct gross premium income for such insurance; (ii) on and after July 1, 2026, but before July 1, 2027, 1.5 percent of the total direct gross premium income for such insurance; and (iii) on and after July 1, 2027, two percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of \$100, there shall be so apportioned and assessed against such company a contribution of \$100.

B. After reserving funds for the Fire Services Grant Program, *Virginia At Risk Fire Grant Program*, and Dry Fire Hydrant Grant Program pursuant to ~~subsection~~ *subsections D and E*, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of (i) training volunteer or career firefighting personnel in each of the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or

59 local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel;
 60 (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal
 61 protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire
 62 service purposes; or (vii) providing training and education and purchasing products, including personal
 63 protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial
 64 extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other
 65 provision of the Code, when localities use such funds to construct, improve, or expand fire service training
 66 facilities, fire-related training provided at such training facilities shall be by instructors certified or approved
 67 according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the
 68 Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county
 69 or city eligible for such funds shall receive less than \$10,000, nor eligible town less than \$4,000. The Virginia
 70 Fire Services Board shall be authorized to exceed allocations of \$10,000 for eligible counties and cities and
 71 \$4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations
 72 shall be fair and equitable as set forth in *Virginia Fire Services* Board policy. Any increases or decreases in
 73 such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving
 74 locality shall report annually to the Department of *Fire Programs* on the use of the funds allocated to it for
 75 the previous year and shall provide a completed Fire Programs Fund Disbursement Agreement form. Each
 76 receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual
 77 reporting period, a satisfactory report and a completed agreement form have not been submitted by a
 78 receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be
 79 added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for
 80 improvement of fire services in localities.

81 C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes
 82 of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2
 83 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for
 84 nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the
 85 members of the *Virginia* Fire Services Board in performing their official duties; however, the Fund shall not
 86 be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

87 D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional
 88 fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair
 89 live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, \$1
 90 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services
 91 Grant Program to be used as herein provided, and \$100,000 shall be distributed annually for continuing the
 92 statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the
 93 purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be
 94 administered by the Department of *Fire Programs* according to the policies established by the Virginia Fire
 95 Services Board.

96 E. *The Virginia At Risk Fire Grant Program is hereby established to provide grants to localities with fire*
 97 *departments that are determined to be most at risk of being unable to provide fire suppression or rescue*
 98 *activities or maintain compliance with relevant laws and regulations. Beginning January 1, 2026, 0.25*
 99 *percent of the assessments made pursuant to this section shall be distributed each year for the Virginia At*
 100 *Risk Fire Grant Program to be used as provided in this subsection. Moneys allocated pursuant to this*
 101 *subsection shall be used for the purposes stated in this subsection and for no other purpose. All grants*
 102 *provided from these programs shall be administered by the Department of Fire Programs according to the*
 103 *policies established by the Virginia Fire Services Board.*

104 F. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

105 F. G. The Director shall establish written standards for determining the extent to which clients outside the
 106 Commonwealth shall be financially responsible for the cost of fire and emergency services training provided
 107 by the Department of Fire Programs. Revenues generated by such training shall be retained in the ~~Fire~~
 108 ~~Programs~~ Fund and may be used solely for providing additional funded direct training to members of
 109 Virginia's fire and emergency services.

110 **§ 38.2-401. (Effective July 1, 2026) Fire Programs Fund.**

111 A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire
 112 Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of
 113 Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys
 114 collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection
 115 shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys
 116 appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire
 117 Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys
 118 deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest
 119 thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the
 120 Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection

121 prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any
 122 period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the
 123 Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in
 124 accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision
 125 of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the
 126 Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this
 127 section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be
 128 reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of
 129 moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and
 130 disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller
 131 upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his
 132 designee.

133 2. The Commission shall annually assess against all licensed insurance companies doing business in the
 134 Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and
 135 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in
 136 §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of (i) before July 1, 2026, one percent of
 137 the total direct gross premium income for such insurance; (ii) on and after July 1, 2026, but before July 1,
 138 2027, 1.5 percent of the total direct gross premium income for such insurance; and (iii) on and after July 1,
 139 2027, two percent of the total direct gross premium income for such insurance. Such assessment shall be
 140 apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct
 141 gross premium income or in which its direct gross premium income is insufficient to produce at the rate of
 142 assessment prescribed by law an amount equal to or in excess of \$100, there shall be so apportioned and
 143 assessed against such company a contribution of \$100.

144 B. After reserving funds for the Fire Services Grant Program, *Virginia At Risk Fire Grant Program*, and
 145 Dry Fire Hydrant Grant Program pursuant to ~~subsection~~ *subsections D and E*, 75 percent of the remaining
 146 moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of
 147 the Commonwealth providing fire service operations to be used for the improvement of volunteer and career
 148 fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to
 149 this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by
 150 the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of
 151 (i) training volunteer or career firefighting personnel in each of the receiving localities; (ii) funding fire
 152 prevention and public safety education programs; (iii) constructing, improving, and expanding regional or
 153 local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel;
 154 (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal
 155 protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire
 156 service purposes; or (vii) providing training and education and purchasing products, including personal
 157 protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial
 158 extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other
 159 provision of the Code, when localities use such funds to construct, improve, or expand fire service training
 160 facilities, fire-related training provided at such training facilities shall be by instructors certified or approved
 161 according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the
 162 Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county
 163 or city eligible for such funds shall receive less than \$10,000, nor eligible town less than \$4,000. The Virginia
 164 Fire Services Board shall be authorized to exceed allocations of \$10,000 for eligible counties and cities and
 165 \$4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations
 166 shall be fair and equitable as set forth in *Virginia Fire Services Board* policy. Any increases or decreases in
 167 such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving
 168 locality shall report annually to the Department of *Fire Programs* on the use of the funds allocated to it for
 169 the previous year, shall provide a completed Fire Programs Fund Disbursement Agreement form, and shall
 170 report, in accordance with the requirements set by the Virginia Fire Services Board, all emergency incidents
 171 through the National Emergency Response Information System (NERIS) while sharing such emergency
 172 incident data with the Department of Fire Programs in its capacity as state manager of NERIS. Each receiving
 173 locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting
 174 period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality,
 175 any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75
 176 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire
 177 services in localities.

178 C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes
 179 of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2
 180 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for
 181 nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the
 182 members of the Virginia Fire Services Board in performing their official duties; however, the Fund shall not

183 be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

184 D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional
 185 fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair
 186 live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, \$1
 187 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services
 188 Grant Program to be used as herein provided, and \$100,000 shall be distributed annually for continuing the
 189 statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the
 190 purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be
 191 administered by the Department of *Fire Programs* according to the policies established by the Virginia Fire
 192 Services Board.

193 E. *The Virginia At Risk Fire Grant Program is hereby established to provide grants to localities with fire*
 194 *departments that are determined to be most at risk of being unable to provide fire suppression or rescue*
 195 *activities or maintain compliance with relevant laws and regulations. Beginning January 1, 2026, 0.25*
 196 *percent of the assessments made pursuant to this section shall be distributed each year for the Virginia At*
 197 *Risk Fire Grant Program to be used as provided in this subsection. Moneys allocated pursuant to this*
 198 *subsection shall be used for the purposes stated in this subsection and for no other purpose. All grants*
 199 *provided from these programs shall be administered by the Department of Fire Programs according to the*
 200 *policies established by the Virginia Fire Services Board.*

201 F. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

202 F. G. The Director shall establish written standards for determining the extent to which clients outside the
 203 Commonwealth shall be financially responsible for the cost of fire and emergency services training provided
 204 by the Department of Fire Programs. Revenues generated by such training shall be retained in the ~~Fire~~
 205 ~~Programs~~ Fund and may be used solely for providing additional funded direct training to members of
 206 Virginia's fire and emergency services.

207 **§ 38.2-401.2. Firefighter Personal Protective Equipment (PPE) Fund.**

208 A. *There is hereby created in the state treasury a special nonreverting fund to be known as the Firefighter*
 209 *Personal Protective Equipment (PPE) Fund, referred to in this section as "the Fund." The Fund shall be*
 210 *established on the books of the Comptroller. All funds appropriated for such purpose and any gifts,*
 211 *donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and*
 212 *credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it.*
 213 *Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert*
 214 *to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of*
 215 *purchasing breathing apparatus equipment and other non-vehicular equipment necessary for the protection*
 216 *of firefighters responding to a fire. Expenditures and disbursements from the Fund shall be made by the State*
 217 *Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the*
 218 *Department of Fire Programs.*

219 B. *The Department of Fire Programs and the Virginia Fire Services Board shall develop policies and*
 220 *procedures for disbursements from the Fund and shall prioritize localities that (i) score above average or*
 221 *high on the fiscal stress index provided by the Virginia Department of Housing and Community*
 222 *Development; (ii) score double-distressed on the Commonwealth Opportunity Funds Distressed Localities*
 223 *Assessment provided by the Virginia Economic Development Partnership; and (iii) demonstrate the need for*
 224 *such protective non-vehicular equipment.*

225 C. *Funds disbursed to any locality pursuant to this section shall not be used to supplant or replace*
 226 *funding provided to a locality pursuant to the Fire Programs Fund established in § 38.2-401.*

227 **§ 46.2-694. (Contingent expiration date) Fees for vehicles designed and used for transportation of**
 228 **passengers; weights used for computing fees; burden of proof.**

229 A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the
 230 transportation of passengers on the highways in the Commonwealth are:

231 1. a. Twenty-three dollars for each private passenger car if the passenger car weighs 4,000 pounds or less,
 232 provided that it is not used for the transportation of passengers for compensation and is not kept or used for
 233 rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under this
 234 subdivision shall apply to a private passenger car that weighs 4,000 pounds or less and is used as a TNC
 235 partner vehicle as defined in § 46.2-2000.

236 b. Thirty-three dollars for each motor home if the motor home weighs 4,000 pounds or less, provided that
 237 it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire,
 238 or is not operated under a lease without a chauffeur.

239 2. a. Twenty-eight dollars for each private passenger car that weighs more than 4,000 pounds, provided
 240 that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for
 241 hire, or is not operated under a lease without a chauffeur; however, the fee provided under this subdivision
 242 shall apply to a private passenger car that weighs more than 4,000 pounds and is used as a TNC partner
 243 vehicle as defined in § 46.2-2000.

244 b. Thirty-eight dollars for each motor home if the motor home weighs more than 4,000 pounds, provided

245 that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for
246 hire, or is not operated under a lease without a chauffeur.

247 3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a
248 motorcycle with a normal seating capacity of more than 10 adults, including the driver, if the private motor
249 vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for
250 hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than \$23 if the
251 vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

252 4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less
253 than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

254 5. Twenty-three dollars for each trailer or semitrailer designed for use as living quarters for human beings.

255 6. Thirteen dollars plus \$0.30 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or
256 semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate
257 common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7
258 on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An
259 additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

260 7. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or
261 semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this
262 subsection. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of
263 the foregoing fee of \$0.70 per 100 pounds, a motor carrier of passengers, operating two or more vehicles both
264 within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation
265 Board of the U.S. Department of Transportation, Federal Highway Administration, may apply to the
266 Commissioner for prorated registration. Upon the filing of such application, in such form as the
267 Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this
268 subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that
269 proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such
270 vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such
271 vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total
272 mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the
273 adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such
274 license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or
275 through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for
276 each such vehicle shall not be less than \$33. For the purpose of determining such apportioned registration
277 fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth
278 shall be subject to inclusion in determining the apportionment provided for herein.

279 8. Thirteen dollars plus \$0.80 per 100 pounds or major fraction thereof for each motor vehicle, trailer or
280 semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation
281 of passengers. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This
282 subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in
283 § 46.2-2000.

284 9. Twenty-three dollars for a taxicab or other vehicle which is kept for rent or hire operated with a
285 chauffeur for the transportation of passengers, and which operates or should operate under permits issued by
286 the Department as required by law. An additional fee of \$5 shall be charged if the vehicle weighs more than
287 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner
288 vehicles as defined in § 46.2-2000.

289 10. Fourteen dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of
290 \$3 which shall be distributed as provided in § 46.2-1191.

291 10a. Twelve dollars for a moped, to be paid into the state treasury and set aside as a special fund to be
292 used to meet the expenses of the Department.

293 10b. Fourteen dollars for an autocycle.

294 11. Twenty-three dollars for a bus used exclusively for transportation to and from church school, for the
295 purpose of religious instruction, or church, for the purpose of divine worship. If the empty weight of the
296 vehicle exceeds 4,000 pounds, the fee shall be \$28.

297 12. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for other passenger-carrying
298 vehicles.

299 13. An additional fee of ~~\$4.25~~ \$6.25 per year shall be charged and collected at the time of registration of
300 each pickup or panel truck and each motor vehicle under subdivisions 1 through 12. All funds collected from
301 ~~\$4~~ \$6 of the ~~\$4.25~~ \$6.25 fee shall be paid into the state treasury and shall be set aside as a special fund to be
302 used only for emergency medical services purposes. The moneys in the special emergency medical services
303 fund shall be distributed as follows:

304 a. Two percent shall be distributed to the State Department of Health to provide funding to the Virginia
305 Association of Volunteer Rescue Squads to be used solely for the purpose of conducting volunteer
306 recruitment, retention, and training activities;

307 b. Thirty percent shall be distributed to the State Department of Health to support (i) emergency medical
308 services training programs (excluding advanced life support classes); (ii) advanced life support training; (iii)
309 recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer
310 emergency medical services personnel only, including public awareness campaigns, technical assistance
311 programs, and similar activities); (iv) emergency medical services system development, initiatives, and
312 priorities based on needs identified by the State Emergency Medical Services Advisory Board; (v) local,
313 regional, and statewide performance contracts for emergency medical services to meet the objectives
314 stipulated in § 32.1-111.3; (vi) technology and radio communication enhancements; and (vii) improved
315 emergency preparedness and response. Any funds set aside for distribution under this provision and
316 remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

317 c. Thirty-two percent shall be distributed to the Rescue Squad Assistance Fund;

318 d. Ten percent shall be available to the State Department of Health's Office of Emergency Medical
319 Services for use in emergency medical services; and

320 e. Twenty-six percent shall be returned by the Comptroller to the locality wherein such vehicle is
321 registered, to provide funding for training of volunteer or salaried emergency medical services personnel of
322 nonprofit emergency medical services agencies that hold a valid license issued by the Commissioner of
323 Health and for the purchase of necessary equipment and supplies for use in such locality for emergency
324 medical services provided by nonprofit emergency medical services agencies that hold a valid license issued
325 by the Commissioner of Health.

326 All revenues generated by the remaining \$0.25 of the ~~\$4.25~~ \$6.25 fee approved by the 2008 Session of the
327 General Assembly shall be deposited into the Rescue Squad Assistance Fund and used only to pay for the
328 costs associated with the certification and recertification training of emergency medical services personnel.

329 The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds
330 that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition
331 to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each
332 local governing body shall report annually to the Board of Health on the use of the funds returned to it
333 pursuant to this section. In any case in which the local governing body grants the funds to a regional
334 emergency medical services council to be distributed to the nonprofit emergency medical services agency
335 that holds a valid license issued by the Commissioner of Health, the local governing body shall remain
336 responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the funds
337 returned to the locality pursuant to this section for that year has not been received from a local governing
338 body, any funds due to that local governing body for the next fiscal year shall be retained until such time as
339 the report has been submitted to the Board.

340 B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall
341 pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697
342 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of
343 months in the registration period for such motor vehicles, trailers, and semitrailers.

344 C. The manufacturer's shipping weight or scale weight shall be used for computing all fees required by
345 this section to be based upon the weight of the vehicle.

346 D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought
347 is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner
348 or to his authorized agent.

349 **§ 46.2-694. (Contingent effective date) Fees for vehicles designed and used for transportation of**
350 **passengers; weights used for computing fees; burden of proof.**

351 A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the
352 transportation of passengers on the highways in the Commonwealth are:

353 1. Twenty-three dollars for each private passenger car or motor home if the passenger car or motor home
354 weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation
355 and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur; however, the
356 fee provided under this subdivision shall apply to a private passenger car or motor home that weighs 4,000
357 pounds or less and is used as a TNC partner vehicle as defined in § 46.2-2000.

358 2. Twenty-eight dollars for each private passenger car or motor home that weighs more than 4,000
359 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or
360 used for rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under
361 this subdivision shall apply to a private passenger car or motor home that weighs more than 4,000 pounds and
362 is used as a TNC partner vehicle as defined in § 46.2-2000.

363 3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a
364 motorcycle with a normal seating capacity of more than 10 adults, including the driver, if the private motor
365 vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for
366 hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than \$23 if the
367 vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

368 4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less

369 than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

370 5. Twenty-three dollars for each trailer or semitrailer designed for use as living quarters for human beings.

371 6. Thirteen dollars plus \$0.30 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or
372 semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate
373 common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7
374 on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An
375 additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

376 7. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or
377 semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this
378 subsection. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of
379 the foregoing fee of \$0.70 per 100 pounds, a motor carrier of passengers, operating two or more vehicles both
380 within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation
381 Board of the U.S. Department of Transportation, Federal Highway Administration, may apply to the
382 Commissioner for prorated registration. Upon the filing of such application, in such form as the
383 Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this
384 subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that
385 proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such
386 vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such
387 vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total
388 mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the
389 adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such
390 license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or
391 through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for
392 each such vehicle shall not be less than \$33. For the purpose of determining such apportioned registration
393 fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth
394 shall be subject to inclusion in determining the apportionment provided for herein.

395 8. Thirteen dollars plus \$0.80 per 100 pounds or major fraction thereof for each motor vehicle, trailer or
396 semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation
397 of passengers. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This
398 subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in
399 § 46.2-2000.

400 9. Twenty-three dollars for a taxicab or other vehicle which is kept for rent or hire operated with a
401 chauffeur for the transportation of passengers, and which operates or should operate under permits issued by
402 the Department as required by law. An additional fee of \$5 shall be charged if the vehicle weighs more than
403 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner
404 vehicles as defined in § 46.2-2000.

405 10. Eighteen dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of
406 \$3, which shall be distributed as provided in § 46.2-1191.

407 10a. Fourteen dollars for a moped, to be paid into the state treasury and set aside as a special fund to be
408 used to meet the expenses of the Department.

409 10b. Eighteen dollars for an auticycle.

410 11. Twenty-three dollars for a bus used exclusively for transportation to and from church school, for the
411 purpose of religious instruction, or church, for the purpose of divine worship. If the empty weight of the
412 vehicle exceeds 4,000 pounds, the fee shall be \$28.

413 12. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for other passenger-carrying
414 vehicles.

415 13. An additional fee of ~~\$4.25~~ \$6.25 per year shall be charged and collected at the time of registration of
416 each pickup or panel truck and each motor vehicle under subdivisions 1 through 12. All funds collected from
417 ~~\$4~~ \$6 of the ~~\$4.25~~ \$6.25 fee shall be paid into the state treasury and shall be set aside as a special fund to be
418 used only for emergency medical services purposes. The moneys in the special emergency medical services
419 fund shall be distributed as follows:

420 a. Two percent shall be distributed to the State Department of Health to provide funding to the Virginia
421 Association of Volunteer Rescue Squads to be used solely for the purpose of conducting volunteer
422 recruitment, retention and training activities;

423 b. Thirty percent shall be distributed to the State Department of Health to support (i) emergency medical
424 services training programs (excluding advanced life support classes); (ii) advanced life support training; (iii)
425 recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer
426 emergency medical services personnel only, including public awareness campaigns, technical assistance
427 programs, and similar activities); (iv) emergency medical services system development, initiatives, and
428 priorities based on needs identified by the State Emergency Medical Services Advisory Board; (v) local,
429 regional, and statewide performance contracts for emergency medical services to meet the objectives
430 stipulated in § 32.1-111.3; (vi) technology and radio communication enhancements; and (vii) improved

431 emergency preparedness and response. Any funds set aside for distribution under this provision and
432 remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

433 c. Thirty-two percent shall be distributed to the Rescue Squad Assistance Fund;

434 d. Ten percent shall be available to the State Department of Health's Office of Emergency Medical
435 Services for use in emergency medical services; and

436 e. Twenty-six percent shall be returned by the Comptroller to the locality wherein such vehicle is
437 registered, to provide funding for training of volunteer or salaried emergency medical services personnel of
438 nonprofit emergency medical services agencies that hold a valid license issued by the Commissioner of
439 Health and for the purchase of necessary equipment and supplies for use in such locality for emergency
440 medical services provided by nonprofit or volunteer emergency medical services agencies that hold a valid
441 license issued by the Commissioner of Health.

442 All revenues generated by the remaining \$0.25 of the ~~\$4.25~~ \$6.25 fee approved by the 2008 Session of the
443 General Assembly shall be deposited into the Rescue Squad Assistance Fund and used only to pay for the
444 costs associated with the certification and recertification training of emergency medical services personnel.

445 The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds
446 that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition
447 to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each
448 local governing body shall report annually to the Board of Health on the use of the funds returned to it
449 pursuant to this section. In any case in which the local governing body grants the funds to a regional
450 emergency medical services council to be distributed to the emergency medical services agency that holds a
451 valid license issued by the Commissioner of Health, the local governing body shall remain responsible for the
452 proper use of the funds. If, at the end of any fiscal year, a report on the use of the funds returned to the
453 locality pursuant to this section for that year has not been received from a local governing body, any funds
454 due to that local governing body for the next fiscal year shall be retained until such time as the report has
455 been submitted to the Board.

456 B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall
457 pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697
458 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of
459 months in the registration period for such motor vehicles, trailers, and semitrailers.

460 C. The manufacturer's shipping weight or scale weight shall be used for computing all fees required by
461 this section to be based upon the weight of the vehicle.

462 D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought
463 is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner
464 or to his authorized agent.