

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 33.2-373, 46.2-342, 46.2-345, 46.2-345.2, 46.2-345.3, and 46.2-600.1 of the*
 3 *Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-212.3, relating to*
 4 *voluntary contributions during electronic Department of Motor Vehicles transactions.*

5 [S 41]

6 Approved

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

8 **1. That §§ 33.2-373, 46.2-342, 46.2-345, 46.2-345.2, 46.2-345.3, and 46.2-600.1 of the Code of Virginia**
 9 **are amended and reenacted and that the Code of Virginia is amended by adding a section numbered**
 10 **46.2-212.3 as follows:**

11 **§ 33.2-373. Virginia Highway Safety Improvement Program.**

12 A. The Board shall establish the Virginia Highway Safety Improvement Program (the Program) to reduce
 13 motorized and nonmotorized fatalities and severe injuries on highways in the Commonwealth, whether such
 14 highways are state or locally maintained. The Board shall use funds set aside pursuant to § 33.2-358 and any
 15 funds deposited pursuant to §§ 46.2-212.3 and 46.2-882.1 for the Program.

16 B. Beginning in fiscal year 2024, the Board shall, after program administration costs, allocate the funds in
 17 accordance with its adopted investment strategy pursuant to subsection C as follows:

18 1. At least 54 percent for infrastructure projects that address a hazardous road location or feature and
 19 address an identified highway safety problem;

20 2. At least 29 percent for strategies and activities to address behavioral causes of crashes that result in
 21 fatalities and severe injuries; and

22 3. The remaining amount for eligible purposes under this section pursuant to the investment strategy
 23 adopted pursuant to subsection C.

24 C. The Board shall adopt an investment strategy to guide the investments of the Program. The strategy
 25 shall cover a period of at least five years and seek to achieve a significant reduction in the anticipated number
 26 of fatalities and severe injuries over the covered period and shall give priority to projects, strategies, and
 27 activities based on the expected reduction in fatalities and severe injuries relative to cost, including
 28 improvements that are widely implemented based on a high-risk roadway feature that is correlated with a
 29 particular crash type, rather than crash frequency.

30 **§ 46.2-212.3. Voluntary contributions during electronic Department transactions.**

31 *The Department shall provide a method by which an individual conducting a Department transaction for*
 32 *the renewal of a driver's license, other form of identification issued by the Department, or vehicle registration*
 33 *using electronic means may make a voluntary contribution:*

34 1. *To the Virginia Donor Registry and Public Awareness Fund (the Fund) established pursuant to*
 35 *§ 32.1-297.1. The Department shall inform the individual of the existence of the Fund and also that*
 36 *contributing to the Fund is voluntary. The Department shall collect all moneys contributed pursuant to this*
 37 *subdivision and transmit the moneys on a regular basis to the Virginia Transplant Council, which shall credit*
 38 *the contributions to the Fund.*

39 2. *To the Virginia Highway Safety Improvement Program (the Program) established pursuant to*
 40 *§ 33.2-373. The Department shall inform the individual of the existence of the Program and also that*
 41 *contributing to the Program is voluntary. The Department shall collect all moneys contributed pursuant to*
 42 *this subdivision and transmit the moneys on a regular basis to the Commonwealth Transportation Board to*
 43 *be used solely for the Program.*

44 **§ 46.2-342. What license to contain; organ donor information; Uniform Donor Document.**

45 A. Every license issued under this chapter shall bear:

46 1. For licenses issued or renewed on or after July 1, 2003, a license number which shall be assigned by the
 47 Department to the licensee and shall not be the same as the licensee's social security number;

48 2. A photograph of the licensee;

49 3. The licensee's full name, year, month, and date of birth;

50 4. The licensee's address, subject to the provisions of subsection B;

51 5. A brief description of the licensee for the purpose of identification;

52 6. A space for the signature of the licensee; and

53 7. Any other information deemed necessary by the Commissioner for the administration of this title.

54 No abbreviated names or nicknames shall be shown on any license.

55 B. At the option of the licensee, the address shown on the license may be either the post office box,
 56 business, or residence address of the licensee, provided such address is located in Virginia. However,

57 regardless of which address is shown on the license, the licensee shall supply the Department with his
58 residence address, which shall be an address in Virginia. This residence address shall be maintained in the
59 Department's records. Whenever the licensee's address shown either on his license or in the Department's
60 records changes, he shall notify the Department of such change as required by § 46.2-324.

61 C. The Department may contract with the United States Postal Service or an authorized agent to use the
62 National Change of Address System for the purpose of obtaining current address information for a person
63 whose name appears in customer records maintained by the Department. If the Department receives
64 information from the National Change of Address System indicating that a person whose name appears in a
65 Department record has submitted a permanent change of address to the Postal Service, the Department may
66 then update its records with the mailing address obtained from the National Change of Address System.

67 D. The license shall be made of a material and in a form to be determined by the Commissioner.

68 E. Licenses issued to persons less than 21 years old shall be immediately and readily distinguishable from
69 those issued to persons 21 years old or older. Distinguishing characteristics shall include unique design
70 elements of the document and descriptors within the photograph area to identify persons who are at least 15
71 years old but less than 21 years old. These descriptors shall include the month, day, and year when the person
72 will become 21 years old.

73 F. The Department shall establish a method by which an applicant for a driver's license or an
74 identification card may indicate his consent to make an anatomical gift for transplantation, therapy, research,
75 and education pursuant to § 32.1-291.5, and shall cooperate with the Virginia Transplant Council to ensure
76 that such method is designed to encourage organ, tissue, and eye donation with a minimum of effort on the
77 part of the donor and the Department.

78 G. If an applicant indicates his consent to be a donor pursuant to subsection F, the Department may make
79 a notation of this designation on his license or card and shall make a notation of this designation in his driver
80 record. The notation shall remain on the individual's license or card until he revokes his consent to make an
81 anatomical gift by requesting removal of the notation from his license or card or otherwise in accordance with
82 § 32.1-291.6. Inclusion of a notation indicating consent to making an organ donation on an applicant's license
83 or card pursuant to this subsection shall be sufficient legal authority for removal, following death, of the
84 subject's organs or tissues without additional authority from the donor or his family or estate, in accordance
85 with the provisions of § 32.1-291.8.

86 H. A minor may make a donor designation pursuant to subsection F without the consent of a parent or
87 legal guardian as authorized by the Revised Uniform Anatomical Gift Act (§ 32.1-291.1 et seq.).

88 I. ~~The Department shall provide a method by which an applicant conducting a Department of Motor~~
89 ~~Vehicles transaction using electronic means may make a voluntary contribution to the Virginia Donor~~
90 ~~Registry and Public Awareness Fund (Fund) established pursuant to § 32.1-297.1. The Department shall~~
91 ~~inform the applicant of the existence of the Fund and also that contributing to the Fund is voluntary.~~

92 ~~J. The Department shall collect all moneys contributed pursuant to subsection I and transmit the moneys~~
93 ~~on a regular basis to the Virginia Transplant Council, which shall credit the contributions to the Fund.~~

94 ~~K. When requested by the applicant, and upon presentation of a signed statement by a licensed physician~~
95 ~~confirming the applicant's condition, the Department shall indicate on the applicant's driver's license that the~~
96 ~~applicant (i) is an insulin-dependent diabetic; (ii) is deaf or hard of hearing or speech impaired; (iii) has a~~
97 ~~traumatic brain injury; (iv) has an intellectual disability, as defined in § 37.2-100, or autism spectrum~~
98 ~~disorder, as defined in § 38.2-3418.17; or (v) has a non-apparent disability. Any request for a traumatic brain~~
99 ~~injury indicator on an applicant's driver's license shall be accompanied by a form prescribed by the~~
100 ~~Commissioner and completed by a licensed physician. For purposes of this subsection, "non-apparent~~
101 ~~disability" means a physical, sensory, mental, or emotional impairment that substantially limits one or more~~
102 ~~activities of daily living and that may not be visible or otherwise apparent, or a record of such impairment.~~

103 ~~L. J. In the absence of gross negligence or willful misconduct, the Department and its employees shall be~~
104 ~~immune from any civil or criminal liability in connection with the making of or failure to make a notation of~~
105 ~~donor designation on any license or card or in any person's driver record.~~

106 ~~M. K. The Department shall, in coordination with the Virginia Transplant Council, prepare an organ donor~~
107 ~~information brochure describing the organ donor program and providing instructions for completion of the~~
108 ~~uniform donor document information describing the bone marrow donation program and instructions for~~
109 ~~registration in the National Bone Marrow Registry. The Department shall include a copy of such brochure~~
110 ~~with every driver's license renewal notice or application mailed to licensed drivers in Virginia.~~

111 ~~N. L. The Department shall establish a method by which an applicant for an original, reissued, or renewed~~
112 ~~driver's license may indicate his blood type. If the applicant chooses to indicate his blood type, the~~
113 ~~Department shall make a notation of this designation on his license and in his record. Such notation on the~~
114 ~~driver's license shall only be used by emergency medical services agencies in providing emergency medical~~
115 ~~support. Upon written request of the license holder or his legal guardian to have the designation removed, the~~
116 ~~Department shall issue the driver's license without such designation upon the payment of applicable fees.~~

117 Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant
118 to this subsection except to the subject of the information and by designation on the driver's license. Nothing

119 herein shall require the Department to verify any information provided for the designation. No action taken
 120 by any person, whether private citizen or public officer or employee, with regard to any blood type
 121 designation displayed on a driver's license, shall create a warranty of the reliability or accuracy of the
 122 document or electronic image, nor shall it create any liability on the part of the Commonwealth or of any
 123 department, office, or agency or of any officer, employee, or agent thereof.

124 **§ 46.2-345. Issuance of special identification cards; fee; confidentiality; penalties.**

125 A. On the application of any person who is a resident of the Commonwealth, the parent of any such
 126 person who is under the age of 18, or the legal guardian of any such person, the Department shall issue a
 127 special identification card to the person, provided that:

128 1. Application is made on a form prescribed by the Department and includes the applicant's full legal
 129 name; year, month, and date of birth; social security number; sex; and residence address. Applicants shall be
 130 permitted to choose between "male," "female," or "non-binary" when designating the applicant's sex on the
 131 application form;

132 2. The applicant presents, when required by the Department, proof of identity, legal presence, residency,
 133 and social security number or non-work authorized status;

134 3. The Department is satisfied that the applicant needs an identification card or the applicant shows he has
 135 a bona fide need for such a card; and

136 4. The applicant does not hold a driver's license, commercial driver's license, temporary driver's permit,
 137 learner's permit, motorcycle learner's permit, or special identification card without a photograph.

138 Persons 70 years of age or older may exchange a valid Virginia driver's license for a special identification
 139 card at no fee. Special identification cards subsequently issued to such persons shall be subject to the regular
 140 fees for special identification cards.

141 B. The fee for the issuance of an original, duplicate, reissue, or renewal special identification card is \$2
 142 per year, with a \$10 minimum fee, except no such fee shall be assessed against homeless youth, as described
 143 in subdivision A 7 of § 22.1-3. Persons 21 years old or older may be issued a scenic special identification
 144 card for an additional fee of \$5.

145 C. Every special identification card shall expire on the applicant's birthday at the end of the period of
 146 years for which a special identification card has been issued. At no time shall any special identification card
 147 be issued for less than three nor more than eight years, except under the provisions of subsection B of
 148 § 46.2-328.1 and except that those cards issued to children under the age of 15 shall expire on the child's
 149 sixteenth birthday. Notwithstanding these limitations, the Commissioner may extend the validity period of an
 150 expiring card if (i) the Department is unable to process an application for renewal due to circumstances
 151 beyond its control, (ii) the extension has been authorized under a directive from the Governor, and (iii) the
 152 card was not issued as a temporary special identification card under the provisions of subsection B of
 153 § 46.2-328.1. However, in no event shall the validity period be extended more than 90 days per occurrence of
 154 such conditions. Any special identification card issued to a person required to register pursuant to Chapter 9
 155 (§ 9.1-900 et seq.) of Title 9.1 shall expire on the applicant's birthday in years which the applicant attains an
 156 age equally divisible by five. For each person required to register pursuant to Chapter 9 of Title 9.1, the
 157 Department may not waive the requirement that each such person shall appear for each renewal or the
 158 requirement to obtain a photograph in accordance with subsection C of § 46.2-323.

159 D. A special identification card issued under this section may be similar in size, shape, and design to a
 160 driver's license, and include a photograph of its holder, but the card shall be readily distinguishable from a
 161 driver's license and shall clearly state that it does not authorize the person to whom it is issued to drive a
 162 motor vehicle. Every applicant for a special identification card shall appear in person before the Department
 163 to apply for a renewal, duplicate or reissue unless specifically permitted by the Department to apply in
 164 another manner.

165 E. Special identification cards, for persons at least 15 years old but less than 21 years old, shall be
 166 immediately and readily distinguishable from those issued to persons 21 years old or older. Distinguishing
 167 characteristics shall include unique design elements of the document and descriptors within the photograph
 168 area to identify persons who are at least 15 years old but less than 21 years old. These descriptors shall
 169 include the month, day, and year when the person will become 21 years old.

170 F. Special identification cards for persons under age 15 shall bear a full face photograph. The special
 171 identification card issued to persons under age 15 shall be readily distinguishable from a driver's license and
 172 from other special identification cards issued by the Department. Such cards shall clearly indicate that it does
 173 not authorize the person to whom it is issued to drive a motor vehicle.

174 G. Unless otherwise prohibited by law, a valid Virginia driver's license shall be surrendered upon
 175 application for a special identification card without the applicant's having to present proof of legal presence
 176 as required by § 46.2-328.1 if the Virginia driver's license is unexpired and it has not been revoked,
 177 suspended, or cancelled. The special identification card shall be considered a reissue and the expiration date
 178 shall be the last day of the month of the surrendered driver's license's month of expiration.

179 H. Any personal information, as identified in § 2.2-3801, which is retained by the Department from an
 180 application for the issuance of a special identification card is confidential and shall not be divulged to any

181 person, association, corporation, or organization, public or private, except to the legal guardian or the
182 attorney of the applicant or to a person, association, corporation, or organization nominated in writing by the
183 applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department from
184 furnishing the application or any information thereon to any law-enforcement agency.

185 I. Any person who uses a false or fictitious name or gives a false or fictitious address in any application
186 for an identification card or knowingly makes a false statement or conceals a material fact or otherwise
187 commits a fraud in any such application shall be guilty of a Class 2 misdemeanor. However, where the name
188 or address is given, or false statement is made, or fact is concealed, or fraud committed, with the intent to
189 purchase a firearm or where the identification card is obtained for the purpose of committing any offense
190 punishable as a felony, a violation of this section shall constitute a Class 4 felony.

191 J. The Department shall utilize the various communications media throughout the Commonwealth to
192 inform Virginia residents of the provisions of this section and to promote and encourage the public to take
193 advantage of its provisions.

194 K. The Department shall electronically transmit application information to the Department of State Police,
195 in a format approved by the State Police, for comparison with information contained in the Virginia Criminal
196 Information Network and National Crime Information Center Convicted Sexual Offender Registry Files, at
197 the time of issuance of a special identification card. Whenever it appears from the records of the State Police
198 that a person has failed to comply with the duty to register, reregister, or verify his registration information
199 pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the State Police shall promptly investigate and, if there
200 is probable cause to believe a violation has occurred, obtain a warrant or assist in obtaining an indictment
201 charging a violation of § 18.2-472.1 in the jurisdiction in which the person made application for the special
202 identification card.

203 L. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's
204 guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's
205 condition, the Department shall indicate on the applicant's special identification card that the applicant has
206 any condition listed in subsection ~~K~~ I of § 46.2-342 or that the applicant is blind or vision impaired.

207 M. The Department shall establish a method by which an applicant for an original, reissued, or renewed
208 special identification card may indicate his blood type. If the applicant chooses to indicate his blood type, the
209 Department shall make a notation of this designation on his special identification card and in his record. Such
210 notation on the special identification card shall only be used by emergency medical services agencies in
211 providing emergency medical support. Upon written request of the license holder or his legal guardian to
212 have the designation removed, the Department shall issue the special identification card without such
213 designation upon the payment of applicable fees.

214 Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant
215 to this subsection except to the subject of the information and by designation on the special identification
216 card. Nothing herein shall require the Department to verify any information provided for the designation. No
217 action taken by any person, whether private citizen or public officer or employee, with regard to any blood
218 type designation displayed on a special identification card, shall create a warranty of the reliability or
219 accuracy of the document or electronic image, nor shall it create any liability on the part of the
220 Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

221 **§ 46.2-345.2. Issuance of special identification cards without photographs; fee; confidentiality;**
222 **penalties.**

223 A. On the application of any person with a sincerely held religious belief prohibiting the taking of a
224 photograph who is a resident of the Commonwealth and who is at least 15 years of age, the Department shall
225 issue a special identification card without a photograph to the person, provided that:

226 1. Application is made on a form prescribed by the Department and includes the applicant's full legal
227 name; year, month, and date of birth; social security number; sex; and residence address. Applicants shall be
228 permitted to choose between "male," "female," or "non-binary" when designating the applicant's sex on the
229 application form;

230 2. The applicant presents, when required by the Department, proof of identity, legal presence, residency,
231 and social security number or non-work authorized status;

232 3. The applicant presents an approved and signed U.S. Department of the Treasury Internal Revenue
233 Service (IRS) Form 4029 or if such applicant is a minor, the applicant's parent or legal guardian presents an
234 approved and signed IRS Form 4029; and

235 4. The applicant does not hold a driver's license, commercial driver's license, temporary driver's permit,
236 learner's permit, motorcycle learner's permit, or special identification card.

237 B. The fee for the issuance of an original, duplicate, reissue, or renewal special identification card without
238 a photograph is \$2 per year, with a \$10 minimum fee, except no such fee shall be assessed against homeless
239 youth, as described in subdivision A 7 of § 22.1-3.

240 C. Every special identification card without a photograph shall expire on the applicant's birthday at the
241 end of the period of years for which a special identification card without a photograph has been issued. At no
242 time shall any special identification card without a photograph be issued for more than eight years.

243 Notwithstanding these limitations, the Commissioner may extend the validity period of an expiring card if (i)
 244 the Department is unable to process an application for re-issue due to circumstances beyond its control or (ii)
 245 the extension has been authorized under a directive from the Governor. However, in no event shall the
 246 validity period be extended more than 90 days per occurrence of such conditions.

247 D. A special identification card without a photograph issued under this section may be similar in size,
 248 shape, and design to a driver's license and shall not include a photograph of its holder. The card shall be
 249 readily distinguishable from a driver's license and shall clearly state that federal limits apply, that the card is
 250 not valid identification to vote, and that the card does not authorize the person to whom it is issued to drive a
 251 motor vehicle. Every applicant for a special identification card without a photograph shall appear in person
 252 before the Department to apply for a duplicate or reissue unless specifically permitted by the Department to
 253 apply in another manner.

254 E. Unless otherwise prohibited by law, a valid Virginia driver's license or special identification card shall
 255 be surrendered for a special identification card without a photograph without the applicant's having to present
 256 proof of legal presence as required by § 46.2-328.1 if the Virginia driver's license or special identification
 257 card is unexpired and has not been revoked, suspended, or canceled. The special identification card without a
 258 photograph shall be considered a reissue, and the expiration date shall be the last day of the month of the
 259 surrendered driver's license's or special identification card's month of expiration.

260 F. Any personal information, as identified in § 2.2-3801, that is retained by the Department from an
 261 application for the issuance of a special identification card without a photograph is confidential and shall not
 262 be divulged to any person, association, corporation, or organization, public or private, except to the legal
 263 guardian or the attorney of the applicant or to a person, association, corporation, or organization nominated in
 264 writing by the applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department
 265 from furnishing the application or any information thereon to any law-enforcement agency.

266 G. Any person who uses a false or fictitious name or gives a false or fictitious address in any application
 267 for a special identification card without a photograph or knowingly makes a false statement or conceals a
 268 material fact or otherwise commits a fraud in any such application is guilty of a Class 2 misdemeanor.
 269 However, where the special identification card without a photograph is obtained for the purpose of
 270 committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

271 H. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's
 272 guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's
 273 condition, the Department shall indicate on the applicant's special identification card without a photograph
 274 that the applicant has any condition listed in subsection ~~K~~ I of § 46.2-342.

275 I. The Department shall establish a method by which an applicant for an original, reissued, or renewed
 276 special identification card without a photograph may indicate his blood type. If the applicant chooses to
 277 indicate his blood type, the Department shall make a notation of this designation on his special identification
 278 card without a photograph and in his record. Such notation on the special identification card without a
 279 photograph shall only be used by emergency medical services agencies in providing emergency medical
 280 support. Upon written request of the license holder or his legal guardian to have the designation removed, the
 281 Department shall issue the special identification card without a photograph without such designation upon the
 282 payment of applicable fees.

283 Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant
 284 to this subsection except to the subject of the information and by designation on the special identification card
 285 without a photograph. Nothing herein shall require the Department to verify any information provided for the
 286 designation. No action taken by any person, whether private citizen or public officer or employee, with regard
 287 to any blood type designation displayed on a special identification card without a photograph, shall create a
 288 warranty of the reliability or accuracy of the document or electronic image, nor shall it create any liability on
 289 the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent
 290 thereof.

291 J. Unless the Code specifies that a photograph is required, a special identification card without a
 292 photograph shall be treated as a special identification card.

293 **§ 46.2-345.3. Issuance of identification privilege cards; fee; confidentiality; penalties.**

294 A. Upon application of any person who does not hold a status that is eligible for a special identification
 295 card under subsections A and B of § 46.2-328.1, the parent of any such person who is under the age of 18, or
 296 the legal guardian of any such person, the Department may issue an identification privilege card to any
 297 resident of the Commonwealth, provided that:

- 298 1. Application is made on a form prescribed by the Department;
- 299 2. The applicant presents, when required by the Department, proof of identity, residency, and social
 300 security number or individual taxpayer identification number;
- 301 3. The Department determines that the applicant has reported income and deductions from Virginia
 302 sources, as defined in § 58.1-302, or has been claimed as a dependent, on an individual income tax return
 303 filed with the Commonwealth in the preceding 12 months; and
- 304 4. The applicant does not hold a credential issued under this chapter.

305 Persons 70 years of age or older may exchange a valid Virginia driver privilege card for an identification
306 privilege card at no fee. Identification privilege cards subsequently issued to such persons shall be subject to
307 the regular fees for identification privilege cards.

308 B. The fee for the issuance of an original, duplicate, reissue, or renewal identification privilege card is
309 \$25, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3.
310 The amount paid by an applicant for an identification privilege card shall be considered privileged
311 information for the purposes of § 46.2-208.

312 C. An original identification privilege card shall expire on the applicant's fourth birthday following the
313 date of issuance. Duplicate, reissue, or renewal identification privilege cards shall be valid for a period of four
314 years from the date of issuance. No applicant shall be required to provide proof of compliance with
315 subdivision A 3 for a duplicate, reissue, or renewal identification privilege card. Those cards issued to
316 children under the age of 15 shall expire on the child's sixteenth birthday.

317 Notwithstanding the provisions of this subsection, the Commissioner may extend the validity period of an
318 expiring card if (i) the Department is unable to process an application for renewal due to circumstances
319 beyond its control and (ii) the extension has been authorized under a directive from the Governor. However,
320 in no event shall the validity period be extended more than 90 days per occurrence of such conditions.

321 D. An identification privilege card issued under this section may be similar in size, shape, and design to a
322 driving credential and include a photograph of its holder, but the card shall be readily distinguishable from a
323 driving credential and shall clearly state that it does not authorize the person to whom it is issued to drive a
324 motor vehicle. Every applicant for an identification privilege card shall appear in person before the
325 Department to apply for a renewal, duplicate, or reissue unless specifically permitted by the Department to
326 apply in another manner. The front of an identification privilege card shall be identical in appearance to a
327 special identification card issued under § 46.2-345, and the back of the card shall be identical in appearance
328 to the restriction on the back of a limited-duration special identification card.

329 E. Identification privilege cards, for persons at least 15 years old but younger than 21 years old, shall be
330 immediately and readily distinguishable from those issued to persons 21 years old or older. Distinguishing
331 characteristics shall include unique design elements of the credential and descriptors within the photograph
332 area to identify persons who are at least 15 years old but younger than 21 years old. These descriptors shall
333 include the month, day, and year when the person will become 21 years old.

334 F. Identification privilege cards for persons under age 15 shall bear a full-face photograph. The
335 identification card issued to persons under age 15 shall be readily distinguishable from a driving credential
336 and from other identification cards issued by the Department. Such cards shall clearly indicate that it does not
337 authorize the person to whom it is issued to drive a motor vehicle.

338 G. Any information collected pursuant to this section that is not otherwise collected by the Department or
339 required for the issuance of any other special identification card issued pursuant to the provisions of this
340 chapter and any information regarding restrictions in the Department's records related to the issuance of a
341 credential issued pursuant to this section shall be considered privileged. Notwithstanding the provisions of
342 § 46.2-208, such information shall not be released except upon request by the subject of the information, the
343 parent of a minor who is the subject of the information, the guardian of the subject of the information, or the
344 authorized representative of the subject of the information or pursuant to a court order.

345 The Department shall release to any federal, state, or local governmental entity, local government group
346 self-insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized
347 agent of any of the foregoing, information related to the issuance of an identification privilege card, the
348 release of which is not otherwise prohibited by this section, that is required for a requester to carry out the
349 requester's official functions if the requester provides the individual's name and other sufficient identifying
350 information contained on the individual's record. Any such release shall be in accordance with the
351 requirements of § 46.2-208.

352 H. Any person who uses a false or fictitious name or gives a false or fictitious address in any application
353 for an identification privilege card or knowingly makes a false statement or conceals a material fact or
354 otherwise commits a fraud in any such application is guilty of a Class 2 misdemeanor. However, where the
355 name or address is given, or false statement is made, or fact is concealed, or fraud committed, for the purpose
356 of committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

357 I. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's
358 guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's
359 condition, the Department shall indicate on the applicant's identification privilege card that the applicant has
360 any condition listed in subsection ~~K~~ I of § 46.2-342 or that the applicant is blind or vision impaired.

361 J. The Department shall establish a method by which an applicant for an original, reissued, or renewed
362 identification privilege card may indicate his blood type. If the applicant chooses to indicate his blood type,
363 the Department shall make a notation of this designation on his identification privilege card and in his record.
364 Such notation on the special identification card shall only be used by emergency medical services agencies in
365 providing emergency medical support. Upon written request of the license holder or his legal guardian to
366 have the designation removed, the Department shall issue the identification privilege card without such

367 designation upon the payment of applicable fees.

368 Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant
369 to this subsection except to the subject of the information and by designation on the identification privilege
370 card. Nothing herein shall require the Department to verify any information provided for the designation. No
371 action taken by any person, whether private citizen or public officer or employee, with regard to any blood
372 type designation displayed on an identification privilege card, shall create a warranty of the reliability or
373 accuracy of the document or electronic image, nor shall it create any liability on the part of the
374 Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

375 K. Unless the context of the Code provides otherwise, an identification privilege card shall be treated as a
376 special identification card.

377 **§ 46.2-600.1. Indication of special communication needs.**

378 A. As used in this section, "disability that can impair communication" means a condition with symptoms
379 that can impair the ability of a person with such condition to receive, send, process, or comprehend concepts
380 or verbal, nonverbal, or graphic symbol systems, including autism spectrum disorders as defined in
381 § 38.2-3418.17 and hearing loss.

382 B. The Department shall include on the application for registration of a motor vehicle an option for the
383 vehicle owner to, if applicable, voluntarily indicate that he or a person who will regularly occupy his vehicle
384 has a disability that can impair communication. On any application on which the applicant indicates that a
385 person who will regularly occupy his vehicle has such a disability, the Department may require the applicant
386 to certify that he has the consent of the regular occupant of the vehicle to release information pursuant to
387 subsection D.

388 C. Any vehicle owner with a driver's license indicator authorized pursuant to subsection ~~K~~ I of
389 § 46.2-342; special identification card indicator authorized pursuant to subsection L of § 46.2-345 or
390 subsection H of § 46.2-345.2; or identification privilege card indicator authorized pursuant to subsection I of
391 § 46.2-345.3 or whose vehicle is regularly occupied by an individual with such an indicator shall be eligible
392 for the registration indicator. A vehicle owner with such an indicator on his credential and a vehicle owner
393 whose vehicle is regularly occupied by an individual with a driver's license indicator or special identification
394 card indicator may apply to the Department for a registration indicator in a manner prescribed by the
395 Commissioner.

396 D. Notwithstanding the provisions of subsection A of § 46.2-208, the Department shall provide
397 information regarding vehicle registrants who have indicated, pursuant to subsection B or C, that they or
398 individuals who will regularly occupy their vehicles have a disability that can impair communication with
399 employees and agents of criminal justice agencies as defined in § 9.1-101. The Department shall confirm the
400 presence or absence of a registration indicator indicating that the registrant or a person regularly occupying
401 the vehicle of a registrant has a disability that can impair communication, but it shall not provide information
402 about the type of health condition or disability that the registrant or a person regularly occupying the vehicle
403 of a registrant has.

404 E. Any vehicle owner who has a registration indicator indicating that the registrant or a person regularly
405 occupying the vehicle of a registrant has a disability that can impair communication may have such indicator
406 removed by requesting such removal, in writing, to the Department.