

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 46.2-208 and 46.2-749 of the Code of Virginia, relating to Department of*  
 3 *Motor Vehicles data; certain institutions of higher education; fees.*

4 [S 445]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 46.2-208 and 46.2-749 of the Code of Virginia are amended and reenacted as follows:**8 **§ 46.2-208. Records of Department; when open for inspection; release of privileged information.**9 A. The following information shall be considered privileged and unless otherwise provided for in this title  
 10 shall not be released except as provided in subsection B:

11 1. Personal information as defined in § 2.2-3801;

12 2. Driver information, defined as all data that relates to driver's license status and driver activity;

13 3. Special identification card information, defined as all data that relates to identification card status; and

14 4. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity  
 15 data, but excluding crash data.

16 B. The Commissioner shall release such information only under the following conditions:

17 1. Notwithstanding other provisions of this section, medical information included in personal information  
 18 shall be released only to a physician, a physician assistant, or an advanced practice registered nurse in  
 19 accordance with a proceeding under §§ 46.2-321 and 46.2-322.

20 2, 3. [Repealed.]

21 4. Upon the request of (i) the subject of the information, (ii) the parent of a minor who is the subject of the  
 22 information, (iii) the guardian of the subject of the information, (iv) the authorized agent or representative of  
 23 the subject of the information, or (v) the owner of the vehicle that is the subject of the information, the  
 24 Commissioner shall provide him with the requested information and a complete explanation of it. Requests  
 25 for such information need not be made in writing or in person and may be made orally or by telephone,  
 26 provided that the Department is satisfied that there is adequate verification of the requester's identity. When  
 27 so requested in writing by (a) the subject of the information, (b) the parent of a minor who is the subject of  
 28 the information, (c) the guardian of the subject of the information, (d) the authorized agent or representative  
 29 of the subject of the information, or (e) the owner of the vehicle that is the subject of the information, the  
 30 Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver,  
 31 special identification card, or vehicle information. If the requester is requesting such information in the scope  
 32 of his official business as counsel from a public defender's office or as counsel appointed by a court, such  
 33 records shall be provided free of charge.34 5. Upon the written request of any insurance carrier or surety, or authorized agent of either, the  
 35 Commissioner shall furnish to such requester information in the record of any person subject to the  
 36 provisions of this title. The transcript shall include any record of any conviction of a violation of any  
 37 provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any  
 38 injury or damage in which he was involved and a report filed pursuant to § 46.2-373. No such report of any  
 39 conviction or crash shall be made after 60 months from the date of the conviction or crash unless the  
 40 Commissioner or court used the conviction or crash as a reason for the suspension or revocation of a driver's  
 41 license or driving privilege, in which case the revocation or suspension and any conviction or crash pertaining  
 42 thereto shall not be reported after 60 months from the date that the driver's license or driving privilege has  
 43 been reinstated. The response of the Commissioner under this subdivision shall not be admissible in evidence  
 44 in any court proceedings.45 6. Upon the written request of any business organization or its authorized agent, in the conduct of its  
 46 business, the Commissioner shall compare personal information supplied by the requester with that contained  
 47 in the Department's records and, when the information supplied by the requester is different from that  
 48 contained in the Department's records, provide the requester with correct information as contained in the  
 49 Department's records. Personal information provided under this subdivision shall be used solely for the  
 50 purpose of pursuing remedies that require locating an individual.51 7. Upon the written request of any business organization or its authorized agent, the Commissioner shall  
 52 provide vehicle information to the requester. Disclosures made under this subdivision shall not include any  
 53 personal information, driver information, or special identification card information and shall not be subject to  
 54 the limitations contained in subdivision 6.55 8. Upon the written request of any motor vehicle rental or leasing company or its authorized agent, the  
 56 Commissioner shall (i) compare personal information supplied by the requester with that contained in the

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57 Department's records and, when the information supplied by the requester is different from that contained in  
58 the Department's records, provide the requester with correct information as contained in the Department's  
59 records and (ii) provide the requester with driver information of any person subject to the provisions of this  
60 title. Such information shall include any record of any conviction of a violation of any provision of any  
61 statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in  
62 which the subject of the information was involved and a report of which was filed pursuant to § 46.2-373. No  
63 such information shall include any record of any conviction or crash more than 60 months after the date of  
64 such conviction or crash unless the Commissioner or court used the conviction or crash as a reason for the  
65 suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension  
66 and any conviction or crash pertaining thereto shall cease to be included in such information after 60 months  
67 from the date on which the driver's license or driving privilege was reinstated. The response of the  
68 Commissioner under this subdivision shall not be admissible in evidence in any court proceedings.

69 9. Upon the request of any federal, state, or local governmental entity, local government group self-  
70 insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized agent of  
71 any of the foregoing, the Commissioner shall compare personal information supplied by the requester with  
72 that contained in the Department's records and, when the information supplied by the requester is different  
73 from that contained in the Department's records, provide the requester with correct information as contained  
74 in the Department's records. The Commissioner shall also provide driver, special identification card, and  
75 vehicle information as requested pursuant to this subdivision. The Commissioner may release other  
76 appropriate information to the governmental entity upon request. Upon request in accordance with this  
77 subdivision, the Commissioner shall furnish a certificate, under seal of the Department, setting forth a  
78 distinguishing number or license plate of a motor vehicle, trailer, or semitrailer, together with the name and  
79 address of its owner. The certificate shall be prima facie evidence in any court in the Commonwealth of the  
80 ownership of the vehicle, trailer, or semitrailer to which the distinguishing number or license plate has been  
81 assigned by the Department. However, the Commissioner shall not release any photographs pursuant to this  
82 subdivision unless the requester provides the depicted individual's name and other sufficient identifying  
83 information contained on such individual's record. The information in this subdivision shall be provided free  
84 of charge.

85 The Department shall release to a requester information that is required for a requester to carry out the  
86 requester's official functions in accordance with this subdivision. If the requester has entered into an  
87 agreement with the Department, such agreement shall be in a manner prescribed by the Department, and such  
88 agreement shall contain the legal authority that authorizes the performance of the requester's official  
89 functions and a description of how such information will be used to carry out such official functions. If the  
90 Commissioner determines that sufficient authority has not been provided by the requester to show that the  
91 purpose for which the information shall be used is one of the requester's official functions, the Commissioner  
92 shall refuse to enter into any agreement. If the requester submits a request for information in accordance with  
93 this subdivision without an existing agreement to receive the information, the request shall be in a manner  
94 prescribed by the Department, and such request shall contain the legal authority that authorizes the  
95 performance of the requester's official functions and a description of how such information will be used to  
96 carry out such official functions. If the Commissioner determines that sufficient authority has not been  
97 provided by the requester to show that the purpose for which such information shall be used is one of the  
98 requester's official functions, the Commissioner shall deny such request.

99 Notwithstanding the provisions of this subdivision, the Department shall not disseminate to any federal,  
100 state, or local government entity, law-enforcement officer, or law-enforcement agency any privileged  
101 information for any purposes related to civil immigration enforcement unless (i) the subject of the  
102 information provides consent or (ii) the requesting agency presents a lawful judicial order, judicial subpoena,  
103 or judicial warrant. When responding to a lawful judicial order, judicial subpoena, or judicial warrant, the  
104 Department shall disclose only those records or information specifically requested. Within three business  
105 days of receiving a request for information for the purpose of civil immigration enforcement, the  
106 Commissioner shall send a notification to the individual about whom such information was requested that  
107 such a request was made and the identity of the entity that made such request.

108 The Department shall not enter into any agreement pursuant to subsection E with a requester pursuant to  
109 this subdivision unless the requester certifies that the information obtained will not be used for civil  
110 immigration purposes or knowingly disseminated to any third party for any purpose related to civil  
111 immigration enforcement.

112 10. Upon the request of the driver licensing authority in any foreign country, the Commissioner shall  
113 provide whatever driver and vehicle information the requesting authority shall require to carry out its official  
114 functions. The information shall be provided free of charge.

115 11. a. For the purpose of obtaining information regarding noncommercial driver's license holders, upon  
116 the written request of any employer, prospective employer, or authorized agent of either, and with the written  
117 consent of the individual concerned, the Commissioner shall (i) compare personal information supplied by  
118 the requester with that contained in the Department's records and, when the information supplied by the

119 requester is different from that contained in the Department's records, provide the requester with correct  
 120 information as contained in the Department's records and (ii) provide the requester with driver information in  
 121 the form of a transcript of an individual's record, including all convictions, all crashes, any type of driver's  
 122 license that the individual currently possesses, and all driver's license suspensions, revocations, cancellations,  
 123 or forfeiture, provided that such individual's position or the position that the individual is being considered for  
 124 involves the operation of a motor vehicle.

125 b. For the purpose of obtaining information regarding commercial driver's license holders, upon the  
 126 written request of any employer, prospective employer, or authorized agent of either, the Commissioner shall  
 127 (i) compare personal information supplied by the requester with that contained in the Department's records  
 128 and, when the information supplied by the requester is different from that contained in the Department's  
 129 records, provide the requester with correct information as contained in the Department's records and (ii)  
 130 provide the requester with driver information in the form of a transcript of such individual's record, including  
 131 all convictions, all crashes, any type of driver's license that the individual currently possesses, and all driver's  
 132 license suspensions, revocations, cancellations, forfeitures, or disqualifications, provided that such  
 133 individual's position or the position that the individual is being considered for involves the operation of a  
 134 commercial motor vehicle.

135 12. Upon the written request of any member of a volunteer fire company or volunteer emergency medical  
 136 services agency and with written consent of the individual concerned, or upon the request of an applicant for  
 137 membership in a volunteer fire company or to serve as volunteer emergency medical services personnel, the  
 138 Commissioner shall (i) compare personal information supplied by the requester with that contained in the  
 139 Department's records and, when the information supplied by the requester is different from that contained in  
 140 the Department's records, provide the requester with correct information as contained in the Department's  
 141 records and (ii) provide driver information in the form of a transcript of the individual's record, including all  
 142 convictions, all crashes, any type of driver's license that the individual currently possesses, and all license  
 143 suspensions, revocations, cancellations, or forfeitures. Such transcript shall be provided free of charge if the  
 144 request is accompanied by appropriate written evidence that the person is a member of or applicant for  
 145 membership in a volunteer fire company or a volunteer emergency medical services agency and the transcript  
 146 is needed by the requester to establish the qualifications of the member, volunteer, or applicant to operate  
 147 equipment owned by the volunteer fire company or volunteer emergency medical services agency.

148 13. Upon the written request of a Virginia affiliate of Big Brothers Big Sisters of America, a Virginia  
 149 affiliate of Compeer, or the Virginia Council of the Girl Scouts of the USA, and with the consent of the  
 150 individual who is the subject of the information and has applied to be a volunteer with the requester, or on the  
 151 written request of a Virginia chapter of the American Red Cross, a Virginia chapter of the Civil Air Patrol, or  
 152 Faith in Action, and with the consent of the individual who is the subject of the information and applied to be  
 153 a volunteer vehicle operator with the requester, the Commissioner shall (i) compare personal information  
 154 supplied by the requester with that contained in the Department's records and, when the information supplied  
 155 by the requester is different from that contained in the Department's records, provide the requester with  
 156 correct information as contained in the Department's records and (ii) provide driver information in the form  
 157 of a transcript of the applicant's record, including all convictions, all crashes, any type of driver's license that  
 158 the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such  
 159 transcript shall be provided at a fee that is one-half the normal charge if the request is accompanied by  
 160 appropriate written evidence that the person has applied to be a volunteer or volunteer vehicle operator with  
 161 the requester as provided in this subdivision.

162 14. On the written request of any person who has applied to be a volunteer with a court-appointed special  
 163 advocate program pursuant to § 9.1-153, the Commissioner shall provide a transcript of the applicant's  
 164 record, including all convictions, all crashes, any type of driver's license that the individual currently  
 165 possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such transcript shall be  
 166 provided free of charge if the request is accompanied by appropriate written evidence that the person has  
 167 applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153.

168 15, 16. [Repealed.]

169 17. Upon the request of an attorney representing a person involved in a motor vehicle crash, the  
 170 Commissioner shall provide the vehicle information for any vehicle involved in the crash and the name and  
 171 address of the owner of any such vehicle.

172 18. Upon the request, in the course of business, of any authorized agent of an insurance company or of  
 173 any not-for-profit entity organized to prevent and detect insurance fraud, or perform rating and underwriting  
 174 activities, the Commissioner shall provide (i) all vehicle information, the owner's name and address,  
 175 descriptive data and title, registration, and vehicle activity data, as requested, or (ii) the driver name, license  
 176 number and classification, date of birth, and address information for each driver under the age of 22 licensed  
 177 in the Commonwealth, provided that such request includes the driver's license number or address information  
 178 of such driver. Use of such information shall be limited to use in connection with insurance claims  
 179 investigation activities, antifraud activities, rating, or underwriting.

180 19. [Repealed.]

181 20. Upon the written request of the compliance agent of a private security services business, as defined in  
182 § 9.1-138, which is licensed by the Virginia Department of Criminal Justice Services, the Commissioner shall  
183 provide the name and address of the owner of the vehicle under procedures determined by the Commissioner.

184 21. (For contingent expiration date, see Acts 2023, c. 738, cl. 2) Upon the request of the operator of a toll  
185 facility, a traffic light signal violation monitoring system acting on behalf of a government entity, a traffic  
186 control device violation monitoring system acting on behalf of a government entity, or the Dulles Access  
187 Highway, or an authorized agent or employee of a toll facility operator, a traffic light signal violation  
188 monitoring system operator acting on behalf of a government entity, a traffic control device violation  
189 monitoring system operator acting on behalf of a government entity, or the Dulles Access Highway, for the  
190 purpose of obtaining vehicle owner data under subsection H of § 15.2-968.1, subsection A of § 33.2-504,  
191 subsection M of § 46.2-819.1, subsection P of § 46.2-819.3:1, or subsection N of § 46.2-819.5. Information  
192 released pursuant to this subdivision shall be limited to (i) the name, physical address, and, if available, email  
193 or other electronic address of the owner of the vehicle having failed to pay a toll, comply with a traffic light  
194 signal, or comply with a traffic control device or having improperly used the Dulles Access Highway and (ii)  
195 the vehicle information, including all descriptive vehicle data and title and registration data of the same  
196 vehicle.

197 21. (For contingent effective date, see Acts 2023, c. 738, cl. 2) Upon the request of the operator of a toll  
198 facility, a traffic light photo monitoring system acting on behalf of a government entity, or the Dulles Access  
199 Highway, or an authorized agent or employee of a toll facility operator or traffic light photo monitoring  
200 system operator acting on behalf of a government entity or the Dulles Access Highway, for the purpose of  
201 obtaining vehicle owner data under subsection H of § 15.2-968.1, subsection A of § 33.2-504, subsection M  
202 of § 46.2-819.1, subsection P of § 46.2-819.3:1, or subsection N of § 46.2-819.5. Information released  
203 pursuant to this subdivision shall be limited to the name, physical address, and, if available, email or other  
204 electronic address of the owner of the vehicle having failed to pay a toll or having failed to comply with a  
205 traffic light signal or having improperly used the Dulles Access Highway and the vehicle information,  
206 including all descriptive vehicle data and title registration data of the same vehicle.

207 22-26. [Repealed.]

208 27. Upon the written request of the executor or administrator of a deceased person's estate, the  
209 Department shall, if the deceased person had been issued a driver's license or special identification card by  
210 the Department, supply the requester with a hard copy image of any photograph of the deceased person kept  
211 in the Department's records.

212 28. [Repealed.]

213 29. a. Upon written agreement, the Commissioner may digitally verify the authenticity and validity of a  
214 driver's license, learner's permit, or special identification card to the American Association of Motor Vehicle  
215 Administrators, a motor vehicle dealer as defined in § 46.2-1500, or another organization approved by the  
216 Commissioner.

217 b. Upon written agreement, the Commissioner may release minimum information as needed in the  
218 Department's record through any American Association of Motor Vehicle Administrators service program  
219 created for the purpose of the exchange of information to any business, government agency, or authorized  
220 agent who would otherwise be authorized to receive the information requested pursuant to this section.

221 30. Upon the request of the operator of a video-monitoring system as defined in § 46.2-844 acting on  
222 behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection B  
223 of § 46.2-844. Information released pursuant to this subdivision shall be limited to the name and address of  
224 the owner of the vehicle having passed a stopped school bus and the vehicle information, including all  
225 descriptive vehicle data and title and registration data for such vehicle.

226 31. Upon the request of the operator of a photo speed monitoring device as defined in § 46.2-882.1 acting  
227 on behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection  
228 H of § 46.2-882.1. Information released pursuant to this subdivision shall be limited to the name and address  
229 of the owner of the vehicle having committed a vehicle speed violation, as defined in § 46.2-882.1, and the  
230 vehicle information, including all descriptive vehicle data and title and registration data, for such vehicle.

231 32. Notwithstanding the provisions of this section other than subdivision 33, the Department shall not  
232 release, except upon request by the subject of the information, the guardian of the subject of the information,  
233 the parent of a minor who is the subject of the information, or the authorized agent of the subject of the  
234 information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a driving  
235 credential or a special identification card, (ii) the information in the Department's records indicating the type  
236 of proof documentation that was provided, or (iii) applications relating to the issuance of a driving credential  
237 or a special identification card. As used in this subdivision, "proof document" means any document not  
238 originally created by the Department that is submitted to the Department for the issuance of any driving  
239 credential or special identification card. "Proof document" does not include any information contained on a  
240 driving credential or special identification card.

241 33. Notwithstanding the provisions of this section, the Department may release the information in the  
242 Department's records that it deems reasonable and necessary for the purpose of federal compliance audits.

243 34. The Department may release to a party that is subject to an administrative proceeding conducted by  
 244 the Department nonmedical privileged information necessary to participate in such administrative  
 245 proceeding. Such information shall be limited to matters of fact and law asserted or questioned by the  
 246 Department, as are required to be provided pursuant to §§ 2.2-4019 and 2.2-4020. The Department may also  
 247 release such information to other parties to the same administrative proceeding. Notwithstanding the  
 248 provisions of subsection E, no information released pursuant to this subdivision shall be disseminated to any  
 249 third party that is not a party to such administrative proceeding.

250 35. *Upon the request of an accredited institution of higher education with a main campus located in the*  
 251 *Commonwealth that has an existing agreement with the Department pursuant to § 46.2-749, the*  
 252 *Commissioner shall provide to the requesting institution the name, physical address, and, if available,*  
 253 *telephone number and email or other electronic address associated with each active special license plate*  
 254 *issued by the Department that bears the seal, symbol, emblem, or logotype of the requesting institution of*  
 255 *higher education, provided that the subject of the information consents to the disclosure in accordance with*  
 256 *this subdivision. Information released by the Department pursuant to this subdivision shall be used only for*  
 257 *surveys, marketing, and solicitations related to such institution of higher education and such purposes as are*  
 258 *otherwise authorized in writing by the subject of the information.*

259 *Prior to the release of any information pursuant to this subdivision, the Department shall obtain the*  
 260 *consent of the subject of the information in writing, including by electronic means acceptable to the*  
 261 *Commissioner. Such consent may be submitted to the Department by the (i) subject of the information or (ii)*  
 262 *requesting institution if such institution demonstrates to the Commissioner's reasonable satisfaction that it*  
 263 *has obtained such consent from the subject of the information. The Commissioner shall request the consent*  
 264 *required for the disclosure of information pursuant to this subdivision from the subject of the information*  
 265 *upon initial issuance, reissuance, and renewal of special license plates pursuant to § 46.2-749.*

266 *The Department may enter into an agreement with an institution eligible to request information pursuant*  
 267 *to this subdivision related to the assessment of fees pursuant to subsection C, provided that fees assessed for*  
 268 *data requests made pursuant to this subdivision are no more than \$1.25. Such agreement shall schedule data*  
 269 *transfers to avoid duplicate data. Records that were previously released, but which include a change to any*  
 270 *information required to be provided under this subdivision, shall not be considered duplicate data.*

271 C. Information disclosed or furnished shall be assessed a fee as specified in § 46.2-214, unless as  
 272 otherwise provided in this section.

273 D. Upon the receipt of a completed application and payment of applicable processing fees, the  
 274 Commissioner may enter into an agreement with any governmental authority or business to exchange  
 275 information specified in this section by electronic or other means.

276 E. The Department shall not release any privileged information pursuant to this title unless the  
 277 Department has entered into a written agreement authorizing such release. The Department shall require the  
 278 requesting entity to specify the purpose authorized pursuant to this title that forms the basis for the request  
 279 and provide the permissible purpose as defined under 18 U.S.C. § 2721(b). Privileged information requested  
 280 by an entity that has been altered or aggregated may be used only for the original purposes specified in the  
 281 written agreement consistent with this title. The requesting entity shall disseminate privileged information  
 282 only to third parties subject to the original purpose specified in the written agreement consistent with this  
 283 title. Any agreement that does not allow third-party distribution shall include a statement that such  
 284 distribution is prohibited. Such agreement may limit the scope of any authorized distribution consistent with  
 285 this title. Privileged information distributed to any third party shall only be further distributed by such third  
 286 party subject to the original purpose specified and consistent with this title, or unless such third party is the  
 287 subject of the information, the parent of a minor who is the subject of the information, the guardian of the  
 288 subject of the information, the authorized agent or representative of the subject of the information, or the  
 289 owner of the vehicle that is the subject of the information.

290 Any agreement entered into pursuant to this subsection between the Department and the Department of  
 291 State Police shall specify (i) that privileged information shall be distributed only to authorized personnel of  
 292 an entity meeting the definition of a criminal justice agency as defined in § 9.1-101 and other comparable  
 293 local, state, and federal criminal justice agencies and entities issued a Virginia S-Originating Agency  
 294 Identification (S-ORI) status; (ii) that privileged information shall be accessed, used, and disseminated only  
 295 for the administration of criminal justice as defined in § 9.1-101; and (iii) that no local, state, or federal  
 296 government entity, through the Virginia Criminal Information Network (VCIN) or any other method of  
 297 dissemination controlled by the Department of State Police, has access to information stored by the  
 298 Department in violation of the protections contained in this section. The Department of State Police shall  
 299 notify the Department prior to when a new entity is to be granted S-ORI status and provide a copy of the  
 300 S-ORI application to the Department. The Department of State Police shall not allow any entity to access  
 301 Department data through VCIN if the Department objects in writing to the entity obtaining such data.

302 The provisions of this subsection shall not apply to (a) requests for information made pursuant to  
 303 subdivision B 4; (b) a request made by an entity authorized to receive privileged information pursuant to  
 304 subsection B, provided that such request is made on a form provided by the Department, other than a written

305 agreement, that requires the requester to certify that such entity is entitled to receive such information  
306 pursuant to this title, state the purpose authorized pursuant to subsection B that forms the basis for the  
307 request, explain why the information requested is necessary to accomplish the stated purpose, and certify that  
308 the information will be used only for the stated purpose and the information received shall not be  
309 disseminated to third parties unless there is authorization to do so; or (c) the release of information to a law-  
310 enforcement officer or agency during an emergency situation, provided that (1) the requesting entity is  
311 authorized to receive such information pursuant to subdivision B 9, (2) the timely release of such information  
312 is in the interest of public safety, and (3) the requesting entity completes the form required pursuant to clause  
313 (b) within 48 hours of the release of such information.

314 F. Any person that receives any privileged information that such person knows or has reason to know was  
315 received in violation of this title shall not disseminate any such information and shall notify the Department  
316 of the receipt of such privileged information.

317 G. The Department shall conduct audits annually based on a risk assessment to ensure that privileged  
318 information released by the Department pursuant to this title is being used as authorized by law and pursuant  
319 to the agreements entered into by the Department. If the Department finds that privileged information has  
320 been used in a manner contrary to law or the relevant agreement, the Department may revoke access.

321 H. Any request for privileged information by an authorized agent of a governmental entity shall be  
322 governed by the provisions of subdivision B 9.

323 **§ 46.2-749. Issuance of license plates bearing seal, symbol, emblem, or logotype of certain**  
324 **institutions of higher education; fees.**

325 A. On receipt of an application, the Commissioner may develop and issue for any accredited institution of  
326 higher education in the Commonwealth, in accordance with policies and procedures established by the  
327 Commissioner and in accordance with an agreement between the institution and the Department, special  
328 license plates bearing the seal, symbol, emblem, or logotype of that institution of higher education.

329 On receipt of a minimum of 350 prepaid applications and a design therefor, the Commissioner may  
330 develop and issue special license plates bearing the seal, symbol, emblem or logotype of such institutions that  
331 are located outside Virginia, in accordance with policies and procedures established by the Commissioner and  
332 in accordance with an agreement between the institution and the Department.

333 For each set of license plates issued hereunder, the Commissioner shall charge, in addition to the  
334 prescribed cost of state license plates, an annual fee of \$25.

335 B. Any institution of higher education that enters into an agreement with the Department pursuant to this  
336 section thereby waives any royalty fees to which it might otherwise be entitled for use of its seal, symbol,  
337 emblem, or logotype as provided in this section. However, any such institution located in Virginia shall  
338 annually receive an allocation of \$15 for each set of license plates in excess of 1,000 registrations pursuant to  
339 the institution's agreement with the Department during the term of the agreement. The allocated funds shall  
340 be deposited by the Department into the state treasury and credited to the relevant institution to be used to  
341 support scholarships for eligible undergraduate students enrolled in the institution. Only students who (i) are  
342 bona fide domiciliaries of Virginia as defined in § 23.1-502 and (ii) are enrolled in educational programs  
343 whose primary purpose is not to provide religious training or theological education shall be eligible to receive  
344 such scholarships.

345 The State Council of Higher Education for Virginia shall review and approve plans for each participating  
346 institution for the implementation of these scholarship programs. These plans shall include, but need not be  
347 limited to, criteria for the awarding of the scholarships and procedures for determining the recipients.

348 The provisions of subdivisions B 1 and 2 of § 46.2-725 shall not apply to license plates issued under this  
349 section for any institution of higher education in the Commonwealth. The provisions of subdivision B 1 of  
350 § 46.2-725 shall not apply to license plates issued under this section for any institution of higher education  
351 located outside Virginia.

352 *C. The Department is authorized to release personal information related to special license plates issued*  
353 *pursuant to this section to requesting institutions only in accordance with the provisions of subdivision B 35*  
354 *of § 46.2-208.*

355 **2. That the provisions of the first enactment of this act shall become effective on January 1, 2027.**

356 **3. That the Commissioner of the Department of Motor Vehicles (the Department) may charge, in**  
357 **addition to fees paid pursuant to subdivision B 35 of § 46.2-208 of the Code of Virginia, as amended by**  
358 **this act, a one-time processing fee of \$10,000 from each participating institution in order to recover the**  
359 **initial costs incurred by the Department in implementing the provisions of this act.**