

PROCEDURES FOR IMPLEMENTATION OF \$10 ANNUAL REGIONAL LICENSE
FEE

OCTOBER 31, 2007

These procedures are published by the Department of Motor Vehicles to outline the collection of the Annual License Fee, commonly referred to as the Regional Vehicle Registration Fee, imposed by the Northern Virginia Transportation Authority and the Hampton Roads Transportation Authority. The Department of Motor Vehicles has worked with the Authorities and/or their representatives and other appropriate entities to develop these procedures. As necessary, additional guidelines, policies and procedures will be published and posted to the HB3202 website at www.hb3202.virginia.gov and DMV's website at www.dmv.virginia.gov.

Definitions. The following words and phrases when used in these procedures shall, for the purpose of the procedures, have the following meanings.

“DMV” means the Department of Motor Vehicles

“Dealer” means “motor vehicle dealer” or “dealer” as defined in Va. Code §46.2-1500.

“Hampton Roads Transportation Authority” or “HRTA” means the political subdivision established pursuant to Va. Code § 33.1-391.7.

“HRTA Annual License Fee” means the \$10 annual license fee authorized and imposed by HRTA pursuant to Va. Code §46.2-755.1, on August 10, 2007, with an effective date of April 1, 2008.

“HRTA Fund” means a separate fund maintained by DMV to deposit revenues collected by DMV on behalf of the Hampton Roads Transportation Authority.

“Locality embraced by the HRTA” means any locality embraced by the Hampton Roads Transportation Authority pursuant to §33.1-391.7.

“Locality embraced by the NVTA” means any locality embraced by the Northern Virginia Transportation Authority pursuant to §15.2-4831.

“Northern Virginia Transportation Authority” or “NVTA” means the political subdivision established pursuant to Va. Code § 15.2-4830.

“NVTA Annual License Fee” means the \$10 annual license fee authorized and imposed by NVTA pursuant to Va. Code §46.2-755.1, and Resolution 01-08G, dated July 12, 2007, to be imposed effective January 1, 2008.

“NVTAFund” means a separate fund maintained by DMV to deposit revenues collected by DMV on behalf of the Northern Virginia Transportation Authority.

“Registration stop” means a DMV administrative action whereby DMV will make a notation on a vehicle record that indicates the registration of the vehicle shall not be reissued or renewed until the conditions warranting the stop have been satisfied and the stop has been removed.

“State titling” means titling of a motor vehicle in the Commonwealth of Virginia pursuant to Title 46.2 of the *Code of Virginia*.

“State registration” means registration of a motor vehicle in the Commonwealth of Virginia pursuant to Title 46.2 of the *Code of Virginia*.

“State Registration Fee” means the fee imposed pursuant to Title 46.2 of the *Code of Virginia* (Va. Code §§ 46.2-600 et. seq.) for the purpose of registering a vehicle in the Commonwealth of Virginia.

Authority.

Effective July 1, 2007, the Northern Virginia Transportation Authority was authorized by Va. Code §46.2-755.1 to charge an additional non-refundable annual license fee for each vehicle registered in any county or city that is embraced by the Authority, for such vehicles subject to state registration fees under Title 46.2. On July 12, 2007, the NVTAF formally adopted Resolution 01-08G, imposing the fee authorized pursuant to Va. Code 46.2-755.1, with an effective date of January 1, 2008. Pursuant to 2007 Acts of Assembly, CHAPTER 896, the Authority, the cities and counties embraced by the Authority, the Commissioner of the Department of Taxation, the Commissioner of the Department of Motor Vehicles, and other appropriate entities have determined that the Department of Motor Vehicles and/or its agents or designees shall, on behalf of the Authority, collect and provide for enforcement of the NVTAF Annual License Fee.

Effective July 1, 2007, the Hampton Roads Transportation Authority was authorized by Va. Code §46.2-755.1 to charge an additional non-refundable annual license fee for each vehicle registered in any county or city that is embraced by the Authority, for such vehicles subject to state registration fees under Title 46.2. On August 10, 2007, the HRTAF formally adopted, by resolution of the voting members, the fee authorized pursuant to Va. Code 46.2-755.1, with an effective date of April 1, 2008. Pursuant to 2007 Acts of Assembly, CHAPTER 896, the Authority, the cities and counties embraced by the Authority, the Commissioner of the Department of Taxation, the Commissioner of the Department of Motor Vehicles, and other appropriate entities have determined that the Department of Motor Vehicles and/or its agents or designees shall, on behalf of the Authority, collect and provide for enforcement of the HRTAF Annual License Fee.

I. NORTHERN VIRGINIA ANNUAL LICENSE FEE.

Effective January 1, 2008 and thereafter, the NVTA Annual License Fee shall be assessed and collected in accordance with the following procedures.

- A. First-Time Registrations in Virginia. For vehicles being registered in Virginia for the first time that will be garaged in a locality embraced by the NVTA, the NVTA Annual License Fee shall be remitted or submitted to DMV on behalf of the Authority at the time application is made for state titling and state registration. No application for state titling and/or state registration will be accepted or processed by DMV unless the NVTA Annual License Fee has been remitted or submitted along with all other applicable fees and taxes required for state titling and state registration.
1. For vehicle sales conducted by dealers, if the vehicle will be garaged in a locality embraced by the NVTA and the dealer submits the state titling and state registration transaction materials on behalf of its customer, the dealer shall include the NVTA Annual License Fee along with all other fees and taxes required by the Commonwealth for state titling and state registration. If the customer submits the state titling and state registration materials to DMV, the customer shall submit to DMV the NVTA Annual License Fee along with all other fees and taxes required by the Commonwealth for state titling and state registration.
 2. For vehicle sales not conducted by dealers, or other ownership transfers, the NVTA Annual License Fee shall be submitted at the time the application for state titling and state registration is submitted, along with all other fees and taxes required by the Commonwealth for state titling and registration, if the vehicle will be garaged in a locality embraced by the NVTA.
 3. For vehicles that are being moved from out-of-state or out-of-country into Virginia, and will be titled and registered in Virginia, the NVTA Annual License Fee shall be submitted at the time the application for state titling and registration is submitted, if the vehicle will be garaged in a locality embraced by the NVTA.
 4. In all of the above cases, the NVTA Annual License Fee will be prospectively assessed for one or two one-year periods, consistent with the state registration renewal period selected by the vehicle owner. If the state registration for a vehicle is cancelled prior to expiration of the registration period, or if the vehicle is relocated to a locality not embraced by the NVTA prior to expiration of the state registration period, no portion of the NVTA Annual License Fee will be refunded.
- B. Vehicles Currently Registered in Virginia. For vehicles currently registered in Virginia that are or will be garaged in a NVTA jurisdiction at the beginning of the

state registration period, the NVTA Annual License Fee will be assessed by DMV utilizing the state registration renewal notice and shall be remitted or submitted to DMV along with the State Registration Fee.

1. The NVTA Annual License Fee will be prospectively assessed for one or two one-year periods, consistent with the state registration renewal period selected by the vehicle owner. If the state registration for a vehicle is cancelled prior to expiration of the registration period, or if the vehicle is relocated to a locality not embraced by the Authority prior to expiration of the registration period, no portion of the NVTA Annual License Fee will be refunded.
2. Based on the NVTA resolution adopting the NVTA Annual License Fee with an effective date of January 1, 2008, the NVTA Annual License Fee will, for vehicles garaged in a locality embraced by the NVTA, be included on state registration renewal notices issued for registration periods expiring in January 2008, and thereafter.
3. Effective January 1, 2008 and thereafter, any vehicle registered in Virginia, which moves into and first becomes garaged in a locality embraced by the NVTA anytime after commencement of the vehicle's then-current state registration period, will be assessed the NVTA Annual License Fee for the next state registration period at the time of renewal.
4. If DMV records reflect, prior to issuance of the state registration renewal notice, that a vehicle is garaged in a locality embraced by the NVTA, DMV will assess the NVTA Annual License Fee for the vehicle by means of the state registration renewal notice.
5. If, a vehicle owner, NVTA, or a locality embraced by the NVTA first advises DMV that a vehicle is garaged in a locality embraced by the NVTA either (i) at the time the vehicle's registration renewal is submitted to DMV or (ii) after the vehicle's registration renewal notice has been issued but before the registration is renewed, DMV will assess the NVTA Annual License Fee for that same registration period and will collect the fee at the time the state registration fee is paid, if renewal is being made by internet, touch-tone/telephone, or in-person at a DMV Customer Service Center or DMV Select. However, if renewal is being made by mail, DMV, or its agent, will assess the NVTA Annual License Fee for that same registration period, by issuance of a bill.
6. If all fees assessed on the state registration renewal notice are not submitted, any funds submitted will first be applied to the state registration fee owed and any remainder will be applied to the NVTA Annual License Fee. DMV, or its agent, will invoice the vehicle owner for any shortage of fees owed.

7. If any sums owed remain unpaid more than 30 days after issuance of a bill pursuant to subsection (B)(5) above or issuance of a shortage invoice pursuant to subsection (B)(6) above, DMV will place a registration stop on the record of the vehicle for which unpaid sums are owed, and by doing so, will thereafter refuse to renew or reissue the State registration for that vehicle until the stop has been removed from the vehicle record. For any registration stop placed on a vehicle pursuant to these procedures, the stop shall be removed from the vehicle record when the vehicle owner submits all unpaid sums due for the state registration fee and NVTA Annual License Fee to DMV, as well as a \$10 processing fee.

C. **Applicable Vehicles.** The NVTA Annual License Fee shall apply to any vehicle garaged in a locality embraced by the NVTA if the vehicle is subject to a State Registration Fee under Title 46.2 with the exception of vehicles registered under the International Registration Plan.

II. HAMPTON ROADS ANNUAL LICENSE FEE

Effective April 1, 2008 and thereafter, the HRTA Annual License Fee shall be assessed and collected in accordance with the following procedures.

- A. **First-Time Registrations in Virginia.** For vehicles being registered in Virginia for the first time that will be garaged in a locality embraced by the HRTA, the HRTA Annual License Fee shall be remitted or submitted to DMV on behalf of the Authority at the time application is made for state titling and state registration. No application for state titling and/or state registration will be accepted or processed by DMV unless the HRTA Annual License Fee has been remitted or submitted along with all other applicable fees and taxes required for state titling and state registration.
 1. For vehicle sales conducted by dealers, if the vehicle will be garaged in a locality embraced by the HRTA and the dealer submits the state titling and state registration transaction materials on behalf of its customer, the dealer shall include the HRTA Annual License Fee along with all other fees and taxes required by the Commonwealth for state titling and state registration. If the customer submits the state titling and state registration materials to DMV, the customer shall submit to DMV the HRTA Annual License Fee along with all other fees and taxes required by the Commonwealth for state titling and state registration.
 2. For vehicle sales not conducted by dealers, or other ownership transfers, the HRTA Annual License Fee shall be submitted at the time the application for state titling and state registration is submitted, along with all other fees and taxes required by the Commonwealth for state titling and registration, if the vehicle will be garaged in a locality embraced by the HRTA.

3. For vehicles that are being moved from out-of-state or out-of-country into Virginia, and will be titled and registered in Virginia, the HRTA Annual License Fee shall be submitted at the time the application for state titling and registration is submitted, if the vehicle will be garaged in a locality embraced by the HRTA.
4. In all of the above cases, the HRTA Annual License Fee will be prospectively assessed for one or two one-year periods, consistent with the state registration renewal period selected by the vehicle owner. If the state registration for a vehicle is cancelled prior to expiration of the registration period, or if the vehicle is relocated to a locality not embraced by the HRTA prior to expiration of the state registration period, no portion of the HRTA Annual License Fee will be refunded.

B. Vehicles Currently Registered in Virginia. For vehicles currently registered in Virginia that are or will be garaged in a HRTA jurisdiction at the beginning of the state registration period, the HRTA Annual License Fee will be assessed by DMV utilizing the state registration renewal notice and shall be remitted or submitted to DMV along with the State Registration Fee.

1. The HRTA Annual License Fee will be prospectively assessed for one or two one-year periods, consistent with the state registration renewal period selected by the vehicle owner. If the state registration for a vehicle is cancelled prior to expiration of the registration period, or if the vehicle is relocated to a locality not embraced by the Authority prior to expiration of the registration period, no portion of the HRTA Annual License Fee will be refunded.
2. Based on the HRTA resolution adopting the HRTA Annual License Fee with an effective date of April 1, 2008, the HRTA Annual License Fee will, for vehicles garaged in a locality embraced by the HRTA, be included on state registration renewal notices issued for registration periods expiring in April 2008, and thereafter.
3. Effective April 1, 2008 and thereafter, any vehicle registered in Virginia, which moves into and first becomes garaged in a locality embraced by the HRTA anytime after commencement of the vehicle's then-current state registration period, will be assessed the HRTA Annual License Fee for the next state registration period at the time of renewal.
4. If DMV records reflect, prior to issuance of the state registration renewal notice, that a vehicle is garaged in a locality embraced by the HRTA, DMV will assess the HRTA Annual License Fee for the vehicle by means of the state registration renewal notice.

5. If, a vehicle owner, HRTA, or a locality embraced by the HRTA first advises DMV that a vehicle is garaged in a locality embraced by the HRTA either (i) at the time the vehicle's registration renewal is submitted to DMV or (ii) after the vehicle's registration renewal notice has been issued but before the registration is renewed, DMV will assess the HRTA Annual License Fee for that same registration period and will collect the fee at the time the state registration fee is paid, if renewal is being made by internet, touch-tone/telephone, or in-person at a DMV Customer Service Center or DMV Select. However, if renewal is being made by mail, DMV, or its agent, will assess the HRTA Annual License Fee for that same registration period, by issuance of a bill.
 6. If all fees assessed on the state registration renewal notice are not submitted, any funds submitted will first be applied to the state registration fee owed and any remainder will be applied to the HRTA Annual License Fee. DMV, or its agent, will invoice the vehicle owner for any shortage of fees owed.
 7. If any sums owed remain unpaid more than 30 days after issuance of a bill pursuant to subsection (B)(5) above or issuance of a shortage invoice pursuant to subsection (B)(6) above, DMV will place a registration stop on the record of the vehicle for which unpaid sums are owed, and by doing so, will thereafter refuse to renew or reissue the State registration for that vehicle until the stop has been removed from the vehicle record. For any registration stop placed on a vehicle pursuant to these procedures, the stop shall be removed from the vehicle record when the vehicle owner submits all unpaid sums due for the state registration fee and HRTA Annual License Fee to DMV, as well as a \$10 processing fee.
- C. Applicable Vehicles. The HRTA Annual License Fee shall apply to any vehicle garaged in a locality embraced by the HRTA if the vehicle is subject to a State Registration Fee under Title 46.2 with the exception of vehicles registered under the International Registration Plan.

III. ALLOCATION OF FUNDS.

The revenues from the NVTA and HRTA Annual License Fees will be collected by DMV and deposited into the NVTA Fund and HRTA Fund, respectively. The moneys in each of the Funds shall be used to first pay DMV for its direct costs of administering the Annual License Fee, and then shall be allocated and distributed on a monthly basis to the respective Authorities, as appropriate. DMV or its agent shall collect and provide to the NVTA and HRTA, information on revenue collection from each locality that will allow the NVTA and HRTA to allocate and distribute funds pursuant to §15.2-4838.1 and §33.1-391.15, respectively.

Any corrections for errors made in any distribution, or adjustments that are otherwise necessary, will be made in the distribution for the next month or for subsequent months.

Any funds remaining in the Fund at the end of the biennium will not revert to DMV's special fund or the Commonwealth's General Fund, but will remain in the Funds for future distribution to the NVTa and HRTA.