

Article II – Motor Vehicle License Fees

CHAPTER 62 – TRAFFIC AND VEHICLES

Sec. 62-36. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Domicile means the residence of an owner of a motor vehicle as of January 1 of the applicable year.

Motor vehicles shall be construed to include, whether owned or leased, motor vehicles and motorcycles as defined in Code of Virginia, § 46.2-100, except publicly owned motor vehicles and motor vehicles owned by volunteer fire companies or volunteer rescue squads.

(Ord. of 4-17-2007)

Sec. 62-37. – Imposed.

An annual motor vehicle license fee is levied and assessed upon all motor vehicles normally garaged, stored or parked within the county on January 1 of each year, and used upon the streets, roads and alleys of the county, or otherwise within the jurisdiction of the county on January 1 of each year. If it cannot be determined where such motor vehicle is normally garaged, stored or parked, the situs of such motor vehicle shall be the domicile of the owner. The revenue derived from the motor vehicle license fees shall be deposited by the treasurer in the general fund of the county.

(Ord. of 4-17-2007)

Sec. 62-38. – Amount.

(a) The motor vehicle license fee on each and every motor vehicle, except motorcycles, shall be \$35.00 per year.

(b) The motor vehicle license fee on every motorcycle shall be \$21.00 per year.

(Ord. of 4-17-2007; Ord. 04-10-2012)

Sec. 62-39. – License year and payment.

The license year under this article shall commence on January 1 and shall end on December 31. Payment of the motor vehicle license fee shall be due on December 5 of each year. Partial payments made on personal property taxes associated with a motor vehicle license fee shall first be applied towards this motor vehicle license fee.

(Ord. of 4-17-2007)

Sec. 62-40. – Exemptions and limitations.

(a) Nothing in this article shall be construed as requiring the payment of a motor vehicle license fee for any motor vehicle for which an exemption or limitation is provided by the laws of the commonwealth.

(b) The motor vehicle license fee imposed by this article shall not apply to the following:

(1) One motor vehicle, owned or leased, and used personally by any veteran who holds a current state motor vehicle registration card establishing that he has received a disabled veteran's exemption from the department of motor vehicles, and has been issued a disabled veteran's motor vehicle license

plate bearing the letters "DV."

(2) One motor vehicle, personally owned or leased by a member of the armed services of the United States on active duty. For the purposes of this article "the armed services of the United States" includes active duty service with the regular Armed Forces of the United States, or the National Guard, or other reserve component.

(3) Vehicles owned by a nonresident of the county and used exclusively for pleasure or personal transportation and not for hire or for the conduct of any business or occupation, other than as set forth in subsection (4) immediately following this subsection.

(4) Vehicles (i) owned by a nonresident and (ii) used for transporting into and within the county, for sale in person or by his/her employees, wood, meats, poultry, fruits, flowers, vegetables, milk, butter, cream, or eggs produced or grown by him/her, and not purchased by him/her for sale.

(5) A motor vehicle, trailer, or semi-trailer which is owned by an officer or employee of the commonwealth who is a nonresident of county, and who uses the vehicle in the performance of his duties for the commonwealth under an agreement for such use.

(6) A motor vehicle, trailer, or semi-trailer which is kept by a dealer or manufacturer for sale or for sales demonstration.

(7) A motor vehicle, trailer, or semi-trailer which is operated by a common carrier of persons or property operating between cities and towns in the commonwealth and not used for intracity transportation or between cities and towns on the one hand and points and places outside cities and towns on the

other and not in intracity transportation.

(8) A daily rental vehicle, as defined in Code of Virginia, § 58.1-2401, the rental of which is subject to the tax imposed by Code of Virginia, § 58.1-2402 A 4.

(9) One motor vehicle, owned or leased, and used personally by any former prisoner of war who holds a current state motor vehicle registration card establishing that he has received prisoner of war state license plates as prescribed in Code of Virginia, § 46.2-746.

(10) One motor vehicle, owned or leased, and used personally by any recipient of the Medal of Honor who holds a current state motor vehicles registration card establishing that he has received Medal of Honor state license plates as prescribed and limited in Code of Virginia, § 46.2-745.

(11) Antique motor vehicles, as defined in Code of Virginia, § 46.2-100, and registered and licensed by the state in accordance with Code of Virginia, § 46.2-730, shall be exempt from the payment of the license fee levied under this article, provided that other conditions prescribed herein are met.

In order to qualify for exemption hereunder, an antique motor vehicle registered and licensed under Code of Virginia, § 46.2-730, shall not be used for general transportation purposes, including, but not limited to, daily travel to and from the owner's place of employment, but shall only be used:

- a. For participation in club activities, exhibits, tours, parades and similar events; and
- b. On the highways of the commonwealth for the purpose of testing their operation, obtaining repairs or maintenance, transportation to and from events as described in

subsection a. of this subsection, and for occasional pleasure driving not exceeding 250 miles from the residence of the owner.

(Ord. of 4-17-2007)

Sec. 62-41. – Payment of personal property taxes prerequisite.

(a) No motor vehicle shall be licensed by the department of motor vehicles until such applicant for such license has paid all personal property taxes and the license fee assessed hereunder upon the motor vehicle to be licensed and until the department of motor vehicles has been provided satisfactory evidence by the county treasurer that any delinquent motor vehicle personal property taxes or license fees which have been properly assessed or are assessable against the applicant by the county have been paid.

(b) No motor vehicle license shall be issued by the department of motor vehicles to an owner of a motor vehicle as to which a fee is required to be paid pursuant to this article, qualified under the provisions hereof to a waiver of that fee, until the applicant for such license or registration from the department of motor vehicles has produced to the county treasurer satisfactory evidence that all personal property taxes upon the motor vehicle licensed have been paid and satisfactory evidence that any delinquent personal property taxes due, and which are associated with the vehicle which have been properly assessed or are assessable against the owner, have been paid.

(c) The county treasurer is hereby authorized to enter into an agreement with the commissioner of the department of motor vehicles whereby the commissioner will refuse to issue or renew any vehicle registration of any individual who owes to the county local motor vehicle license fees or delinquent tangible personal property tax or parking citations issued to a resident

of the county. Before being issued any vehicle registration or renewal of such license or registration by the commissioner, the individual shall first satisfy all local motor vehicle license fees and delinquent taxes or parking citations and present evidence satisfactory to the commissioner that all such local motor vehicle license fees and delinquent taxes or parking citations have been paid in full. The commissioner shall charge a reasonable fee to cover the costs of such enforcement action, and the treasurer shall add the cost of this fee to the delinquent motor vehicle license fee, tax bill or the amount of the parking citation. The treasurer seeking to collect delinquent taxes or parking citations through the withholding of registration or renewal thereof by the commissioner as provided for in this section shall notify the commissioner in the manner provided for in the agreement with the commissioner and supply to the commissioner information necessary to identify the debtor whose registration or renewal is to be denied. Any agreement entered into pursuant to the provisions of this section shall provide the debtor notice of the intent to deny renewal of registration at least 30 days prior to the expiration date of a current vehicle registration. For the purposes of this section, notice by first-class mail to the registrant's address as maintained in the records of the department of motor vehicles shall be deemed sufficient. In the case of parking violations, the commissioner shall only refuse to issue or renew the vehicle registration of any individual therefor pursuant to this section for the vehicle that incurred the parking violations. The provisions of this section shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

(Ord. of 4-17-2007)

Sec. 62-42. – Towns within the county.

Whenever a town within the county imposes fees like those

imposed in this article upon motor vehicles of owners residing in such town, the owner of a motor vehicle subject to such fee shall be entitled, upon displaying satisfactory evidence of the payment of such fee, to receive a credit on the fee imposed by the county to the extent of the fee paid to such town.

(Ord. of 4-17-2007)

Sec. 62-43. – Transfer of motor vehicle license fees; refunds.

The motor vehicle license fee shall not be transferable between persons or vehicles. There shall be no refund of the motor vehicle license fee imposed herein for vehicles sold or otherwise disposed of during the license year.

(Ord. of 4-17-2007)

Sec. 62-44. – Collection.

The county treasurer shall, after the due date for any motor vehicle license fee required by this article, collect such motor vehicle license fee in accordance with the provisions of Code of Virginia, § 58.1-3919, or any other applicable state law. Additionally, the county treasurer shall have the authority to take any action authorized by Code of Virginia, § 46.2-752.

(Ord. of 4-17-2007)

Secs. 62-45–62-75. – Reserved.