

1 SENATE BILL NO. 237

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee on Transportation

4 on _____)

5 (Patron Prior to Substitute--Senator McPike)

6 A BILL to amend and reenact § 46.2-773, as it shall become effective, of the Code of Virginia, relating to
7 Department of Motor Vehicles; mileage-based user fee program; protection of data.

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

9 **1. That § 46.2-773, as it shall become effective, of the Code of Virginia is amended and reenacted as**
10 **follows:**

11 **§ 46.2-773. (Effective July 1, 2022; for contingent expiration, see Acts 2020, cc. 1230 and**
12 **1275) Mileage-based user fee program.**

13 A. There is hereby established a mileage-based user fee program. The program shall be a voluntary
14 program that allows owners of vehicles subject to the highway use fee pursuant to § 46.2-772 to pay a
15 mileage-based fee in lieu of the highway use fee. No owner of a motor vehicle registered in the
16 Commonwealth shall be required to participate in the program established pursuant to this section.

17 B. In any year that an owner pays the fee set forth in this section, such owner shall not be subject
18 to the fee set forth in § 46.2-772 for the same vehicle. In no case shall the fees paid pursuant to this section
19 during a 12-month period exceed the annual highway use fee that would have otherwise been paid.

20 C. The fee schedule for the mileage-based user fee program shall be calculated by dividing the
21 amount of the highway use fee as determined pursuant to subsection B of § 46.2-772 by the average
22 number of miles traveled by a passenger vehicle in the Commonwealth to determine a fee per mile driven.

23 D. The Department shall establish procedures for the collection of the fees set forth in this section.
24 Such procedures may limit the total number of participants during the first four years of the program.

