

LICENSES

**Chapter 55.1**

**LICENSES**

**§ 55.1-1 Purpose**

**ARTICLE I  
Vehicles**

- §55.1-2 Requirements**
- §55.1-3 Exemptions**
- §55.1-4 License Issued Free of Charge**
- §55.1-5 Fees**
- §55.1-6 Proration of Annual Fees**
- §55.1-7 Due Date**
- §55.1-8 Penalties for Late Payment**
- §55.1-9 Fees in Addition to Taxes**
- §55.1-10 Issuance and Attachment of Sticker**
- §55.1-11 Enforcement and Fines**
- §55.1-12 Replacement Sticker**
- §55.1-13 Records to be Kept**
- §55.1-14 Disposition of Revenue**

**ARTICLE II**

**Cross Jurisdictional Enforcement of Vehicle Licenses**

- §55.1-15 Failure to display license generally**
- §55.1-16 Exemptions**
- §55.1-17 Violation**

**[HISTORY: Adopted by the Council of the Town of Middleburg: Art. I, 3-8-1990; Article I rescinded in its entirety 10-23-14 and a new Article I adopted in its stead. Other amendments noted where applicable. Article II adopted 12-13-01; Amended 10-23-14]**

**§ 55.1-1 Purpose**

It is the policy of the Town Council of the Town of Middleburg to ensure that residents follow the regulations associated with motor vehicles within the Town limits, as allowed under Virginia Code Section 46.2-752. The purpose of this Chapter is to identify said regulations related to the payment of vehicle license fees and the issuance and display of the associated vehicle stickers.

LICENSES  
**ARTICLE I**  
**Vehicles**

**§ 55.1-2 Requirements**

A Town motor vehicle license, also known as a vehicle sticker, shall be required for all motor vehicles, trailers and semi-trailers normally garaged, stored or parked within the Town limits. "Normally garaged" shall mean if the vehicle is garaged in the Town limits for fifteen or more days per month. In the event it cannot be determined where a motor vehicle, trailer or semi-trailer is normally garaged, stored or parked, the situs of the vehicle shall be the domicile of the owner or leasee. In the event the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile.

**§ 55.1-3 Exemptions**

No such Town motor vehicle license shall be imposed on any motor vehicle, trailer or semi-trailer when:

1. A similar fee is imposed by the county, city or town wherein the vehicle is normally garaged, stored or parked;
2. The vehicle is owned by a non-resident of the Town and is used exclusively for pleasure or personal transportation and not for hire or for conduct of any business or occupation other than that set forth in Sub-section 3 below.
3. The vehicle is (i) owned by a nonresident and (ii) used for transporting into and within the Town, for sale in person or by his employees, wood, meats, poultry, fruits, flowers, vegetables, milk, butter, cream or eggs produced or grown by him and not purchased by him for sale;
4. The motor vehicle, trailer or semi-trailer is owned by an officer or employee of the Commonwealth of Virginia who is a non-resident of the Town and who uses the vehicle in the performance of his duties for the Commonwealth under an agreement for such use;
5. The motor vehicle, trailer or semi-trailer is kept by a dealer or manufacturer for sale or for sales demonstration;
6. The motor vehicle, trailer or semi-trailer is operated by a common carrier of persons or property operating between cities and towns in the Commonwealth and is not in intracity transportation or between cities and towns on the one hand and points and places outside of cities and towns on the other and not in intracity transportation;

## LICENSES

7. The motor vehicle, trailer or semi-trailer is inoperable and unlicensed pursuant to Virginia Code Section 46.2-734, as may be amended.
8. The vehicle is owned 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 license plate as prescribed in Virginia Code Section 46.2-739, as may be amended. This exemption shall apply to only one motor vehicle owned by said individual.
9. The motor vehicle, trailer or semi-trailer is used as a daily rental vehicle as defined in Virginia Code Section 58.1-1735, as may be amended, the rental of which is subject to the tax imposed in Virginia Code Section 58.1-1736, as may be amended.

**§ 55.1-4 License Issued Free of Charge**

Notwithstanding the provisions of this Article, the license required by this Article shall be issued free of charge for the following:

1. Vehicles owned by the Middleburg Volunteer Fire Department, including volunteer rescue squads;
2. Vehicles owned by active members of volunteer rescue squads or volunteer fire departments. Applications for such licenses shall be submitted to the Town Treasurer with written evidence of their active status. No more than one license shall be issued to said member free of charge.

**§ 55.1-5 Fees**

- A. The annual fee for a license required under this Article shall be twenty-five dollars (\$25) for automobiles, trucks, and semi-trailers and fifteen dollars (\$15) for motorcycles.
- B. In the event a vehicle is purchased to replace a vehicle for which a license was purchased for the same license year, upon presentation of said sticker or a portion thereof, the owner shall be entitled to purchase a duplicate sticker for the replacement vehicle, the fee for which shall be one dollar (\$1).

**§ 55.1-6 Proration of Annual Fee**

In the event a vehicle is purchased after June 1 but prior to the sale of vehicle stickers for the new year and said vehicle is not a replacement vehicle as addressed in Section 55.1-5(B) of this Article, the license fee for said vehicle shall be twelve dollars and fifty cents (\$12.50). At such time as that vehicle sticker shall expire, the annual fee shall be as identified in Section 55.1-5(A) of this Article.

## LICENSES

**§ 55.1-7 Due Date**

- A. Vehicle license fees shall be payable on or before November 15 of each year.
- B. In the case of a new resident of the Town who is from another community in the Commonwealth of Virginia and said new resident has purchased a local vehicle license in his former community, the new resident will not be required to purchase a vehicle license in the Town of Middleburg until the expiration of the date of the local license issued by the community from which he moved.
- C. In the case of a new resident who has moved to the Town from another state, the new resident shall purchase the Town vehicle license as required under this Article within ten (10) days of becoming a new resident of the Town.
- D. If a vehicle is acquired after the due date in any year, the fee shall be due within ten (10) days of the date of purchase.
- E. In the case of a motor vehicle, trailer or semi-trailer owned or leased by an individual who has served outside of the United States in the armed services of the United States, the fee shall be due within ninety (90) days of the date the member is no longer serving outside of the United States. For the purposes of this section, “the armed services of the United States” shall include active duty service with the regular Armed Forces of the United States or the National Guard or another reserve component.

**§ 55.1-8 Penalties for Late Payment**

If the vehicle license fee is not paid when due, a penalty of ten dollars (\$10) will be added to such fee, which shall be collected at the same time the Town license is issued. Payment of such penalty shall not bar a prosecution for violation of any provision of this Article.

**§ 55.1-9 Fees in Addition to Taxes**

All of the license fees imposed by this Article shall be in addition to property taxes and business and occupation license taxes for which the owner of any vehicle may be liable.

## LICENSES

**§ 55.1-10 Issuance and Attachment of Sticker**

- A. Upon payment of the vehicle license fee required by this Article, the owner of a motor vehicle, trailer and semi-trailer thereof shall be given a license sticker, which shall be attached to the licensed vehicle by placing it on the inside of the windshield not more than one-fourth of an inch to the left or right of and no higher than the Virginia Inspection Sticker by November 15th or ten days after purchase of sticker if purchased mid-year.
- B. Upon payment of the vehicle license fee required by this Article, the owner of a motorcycle shall be given a license sticker, which shall be attached if possible to the motorcycle in a location where it is visible. If attachment is not possible, said sticker shall be kept in the possession of the operator of said motorcycle.

**§ 55.1-11 Enforcement and Fines**

If any vehicle required to be licensed under this Article is found without a current sticker attached thereto as required by this Article, the owner thereof shall be deemed guilty of a violation of this Article and subject to a citation as identified in Town Code Chapter 89. Violations of this Article by the registered owner of the vehicle shall not be discharged by payment of a fine except upon presentation of satisfactory evidence that the required license has been obtained.

**§ 55.1-12 Replacement Sticker**

If a sticker issued under this Article is lost, a duplicate sticker shall be applied for and the same shall be furnished upon payment of a fee of one dollar (\$1).

**§ 55.1-13 Records to be Kept**

The Town Treasurer shall keep a record of all licenses issued pursuant to this Article.

**§ 55.1-14 Disposition of Revenue**

All license fees collected pursuant to this Article shall be paid into the Town treasury and applied to general town purposes.

## LICENSES

**ARTICLE II****Cross Jurisdictional Enforcement of Vehicle Licenses****§ 55.1-15 Failure to display license generally [Adopted 12-13-01, amended 10-23-14]**

Any owner or operator of a motor vehicle who is required to display a valid local motor vehicle license for that vehicle by any jurisdiction participating in the Northern Virginia Compact for Local Motor Vehicle License Enforcement shall display such licenses at all times that such vehicle is operated or parked in the Town of Middleburg.

**§ 55.1-16 Exemptions [Adopted 12-13-01; amended 10-23-14]**

Any vehicle exempt in all of the participating jurisdictions party to the Northern Virginia Compact for Local Motor Vehicle License Enforcement, from imposition of the license tax or fee pursuant to Section 46.2-755(A) of the Code of Virginia of 1950, as amended, shall be exempt from the provisions of Section 55.1-15.

**§ 55.1-17 Violation [Adopted 12-13-01; amended 10-23-14]**

- A. A violation of Section 55.1-15 shall constitute a Class 4 misdemeanor, punishable as set forth below. Unless otherwise provided herein, any person who violates any of the provisions of this article shall be fined not more than one hundred dollars (\$100) for each offense.
- (1) When the operator is the owner of the vehicle, such violation shall be discharged by payment of the requisite fine and presentation of satisfactory evidence that the required license has been obtained.
  - (2) When the operator is not the owner of the vehicle, the violation shall be discharged by payment of the fine.
- B. Any police officer, deputy sheriff or other county law enforcement officer is authorized to issue citations, summonses, parking tickets, or uniform traffic summonses to residents of the town for violations of this article.