

VIRGINIA IN THE

CASE No. _____

_____ COURT

Name of Court

Address of Court

_____ V. _____

Plaintiff

Defendant

AFFIDAVIT FOR SERVICE OF PROCESS ON THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES – MOTOR VEHICLE ACCIDENT

I, the undersigned Affiant, state under oath that:

the above-named Defendant, [] whose last known address is

_____ ; or,

[] the Defendant's address is unknown (by me).

1. Plaintiff claims that the Defendant operated a motor vehicle in the Commonwealth of Virginia on or about _____ that was involved in an accident; and
Date
2. _____ is the return date on the attached [] warrant, [] motion for judgment or [] notice. See Virginia Code § 16.1-79 or § 16.1-81.
3. [] Upon information and belief, the Defendant is a nonresident, licensed by the Commonwealth to operate a vehicle; whose last known address is,

_____ ;

4. [] Upon information and belief, the Defendant is a non-resident of the Commonwealth of Virginia, not licensed by the Commonwealth to operate a vehicle, and Virginia Code § 8.01-313(2) applies; or,
5. [] The Defendant is a person whom the Plaintiff, after exercising due diligence, has been unable to locate, and Virginia Code § 8.01-293 applies.

Printed Name of the Affiant

Signature of the Affiant

VIRGINIA

CITY/COUNTY OF _____, TO-WIT:
Name of City/County

SUBSCRIBED AND SWORN BEFORE ME ON _____
Date

Notary Public

Virginia Registration No.

My Commission expires: _____
Date

[Seal]

Attachment(s) [warrant, motion for judgment or notice]



Service of Process Through DMV

Pursuant to the provisions of Va. Code § 8.01-308 through Va. Code § 8.01-313, service of process may be made on the Commissioner of DMV as an agent for a nonresident motor vehicle operator under certain circumstances identified in the statutes. If you meet the statutory requirements, you may serve the Commissioner by the following procedure:

- Provide a copy of the documents you wish to be served (i.e. the summons, complaint, warrant in debt, interrogatories, etc.) to DMV at the following address:
 - Virginia DMV
 - Attn: Customer Records Work Center
 - 2300 West Broad Street
 - Richmond, VA 23269
- You may send the documents to DMV by mail or have the documents personally served on DMV by the Sheriff for the City of Richmond or a private process server.
- Your documents must be accompanied by the required fee of \$28 per defendant.
- Checks may be made payable to "DMV" or "Commissioner of DMV."

Please be advised that DMV may not provide you with legal advice or guidance. If you have any questions regarding whether you may serve process through the Commissioner of DMV or what documents need to be served, you may wish to speak to an attorney.

For questions relating to the process for serving process through DMV as a statutory agent, please contact Customer Records/ Court Services at 804-367-6629.

Subpoenas

Subpoenas issued to DMV may be directed to either Commissioner Richard D. Holcomb, Virginia Department of Motor Vehicles, or Custodian of the Records, Virginia Department of Motor Vehicles.

Subpoenas should include identifying information for the subject of the records and the type of information that is needed (i.e. driver or vehicle transcript, title for vehicle, return receipt for notification of suspension, etc.)

You may submit a subpoena to DMV by either:

1. Mail:

DMV will accept and process a subpoena received in the mail. However, you may wish to seek legal guidance as to whether this method will be recognized as constituting proper service in a legal action. DMV is not able to provide legal advice in response to customer questions. Mail may be directed to:

- Customer Records Work Center, Room 514
- Virginia Department of Motor Vehicles
- PO Box 27412
- Richmond, VA 23269-0001

2. Fax:

DMV will accept and process a subpoena received by fax at (804) 367-0390. DMV requests that you also mail the original subpoena to the Customer Records Work Center after faxing a subpoena. You may wish to seek legal guidance as to whether this method will be recognized as constituting proper service in a legal action. DMV is not able to provide legal advice in response to customer questions.

3. In Person:

The subpoena may be served personally by a private processor or law enforcement agent to a representative of the Customer Records Work Center, **located at 2300 West Broad Street, Richmond, VA 23220.**

Wed Apr 11 2018 11:50:15 GMT-0400 (Eastern Daylight Time)