

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 46.2-1304.1, relating to local*  
3 *ordinances regulating construction and parking of commercial motor vehicles used to transport*  
4 *municipal waste; towing of trespassing vehicles; penalty.*

5 [S 1318]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 46.2-1304.1 as follows:**9 *§ 46.2-1304.1. Localities may regulate construction and parking of commercial motor vehicles used*  
10 *to transport municipal solid waste; penalty.*11 *The governing body of any county, city, or town may by ordinance provide that:*12 *1. No commercial motor vehicle used to transport municipal solid waste shall be parked anywhere*  
13 *within the county, city, or town, except at locations zoned or otherwise authorized for such use by*  
14 *applicable ordinance, special exception, or variance;*15 *2. Any such commercial motor vehicle found parked at a nonauthorized location may be towed or*  
16 *removed from that location as provided in § 46.2-1231; and*17 *3. The cargo compartment of every commercial motor vehicle that is used to transport municipal*  
18 *solid waste shall be so constructed so as to prevent the escape of municipal solid waste therefrom. Such*  
19 *ordinances shall exclude from their provisions vehicles owned or operated by persons transporting*  
20 *municipal solid waste from their residences to a permitted transfer or disposal facility.*21 *No such ordinance shall impose, for any violation of any of its provisions, a penalty greater than*  
22 *provided for a traffic infraction as provided in § 46.2-113. Any such penalty shall be in addition to any*  
23 *vehicle towing and storage charges.*24 *For the purposes of this section, "municipal solid waste" shall have the meaning prescribed by the*  
25 *Virginia Waste Management Board by regulation (9VAC20-80-10).*26 *For the purposes of this section and local ordinances adopted under this section, "commercial motor*  
27 *vehicle" shall have the meaning prescribed in § 46.2-341.4.*

ENROLLED

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