

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-1110 of the Code of Virginia, relating to height of vehicles;*
3 *penalty.*

4 [H 5061]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-1110 of the Code of Virginia is amended and reenacted as follows:**

8 § 46.2-1110. Height of vehicles; damage to overhead obstruction; penalty.

9 No loaded or unloaded vehicle shall exceed a height of 13 feet, six inches.

10 Nothing contained in this section shall require either the public authorities or railroad companies to
11 provide vertical clearances of overhead bridges or structures in excess of 12 feet, six inches, or to make
12 any changes in the vertical clearances of existing overhead bridges or structures crossing highways. The
13 driver or owner of vehicles on highways shall be held financially responsible for any damage to
14 overhead bridges or structures that results from collisions therewith.

15 The driver or owner of any vehicle colliding with an overhead bridge or structure shall immediately
16 notify, either in person or by telephone, a law-enforcement officer or the public authority or railroad
17 company, owning or maintaining such overhead bridge or structure of the fact of such collision, and his
18 name, address, driver's license number, and the registration number of his vehicle. Failure to give such
19 notice immediately, either in person or by telephone, shall constitute a Class 1 misdemeanor.

20 On any highway over which there is a bridge or structure having a vertical clearance of less than 14
21 feet, the Commonwealth Transportation Commissioner shall have at least two signs erected setting forth
22 the height of the bridge or structure. Such signs shall be located at least 1,500 feet ahead of the bridge
23 or structure.

24 The Virginia Department of Transportation may install and use overheight vehicle optical detection
25 systems to identify vehicles that exceed the overhead clearance of the westbound tunnel of the Hampton
26 Roads Bridge Tunnel on Interstate Route 64. When the optical system sensor located closest to the
27 westbound tunnel entrance is used in identifying such vehicles, the system shall be installed at the
28 specified height as determined by measurement standards that have been certified by the Commissioner
29 of the Virginia Department of Agriculture and Consumer Services, and are traceable to national
30 standards of measurement. Such identification by such system shall, for all purposes of law, be
31 equivalent to having measured the height of the vehicle with a tape measure or other measuring device.

32 Any person who drives or attempts to drive any vehicle or combination of vehicles into or through
33 any tunnel when the height of such vehicle, any vehicle in a combination of vehicles, or any load on
34 any such vehicle exceeds that permitted for such tunnel, shall be guilty of a ~~Class 3~~ misdemeanor and,
35 in addition, shall be assessed three driver demerit points. *In addition, the driver of any such vehicle*
36 *shall be fined \$1,000, of which \$1,000 shall be a mandatory minimum. For subsequent offenses, the*
37 *owner of any such vehicle shall be fined \$2,500, of which \$2,500 shall be a mandatory minimum.*

38 *A violation of this section shall be deemed for all purposes a moving violation.*

ENROLLED

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