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**HOUSE BILL NO. 849****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Transportation  
on February 4, 2010)

(Patrons Prior to Substitute—Delegates Morefield and Phillips [HB 1175])

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-800.2, relating to operation of certain vehicles on highways within localities embraced by the Southwest Regional Recreation Authority.*

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

**1. That the Code of Virginia is amended by adding a section numbered 46.2-800.2 as follows:**

*§ 46.2-800.2. Operation of off-road recreational vehicles in localities embraced by the Southwest Regional Recreation Authority.*

*A. The governing body of any county, city, or town embraced by the Southwest Regional Recreation Authority may by ordinance authorize the operation of any off-road recreational vehicles (i) on highways within its boundaries that have a maximum speed limit of no more than 25 miles per hour and (ii) for a distance of no more than five miles on any highway within its boundaries that has a maximum speed limit of more than 25 miles per hour. Any such ordinance shall define "off-road recreational vehicle." Any such operation shall be subject to the following conditions, and such additional restrictions and limitations as the county, city, or town by ordinance may impose:*

*1. Signs whose design, number, and location are approved by the Virginia Department of Transportation shall have been posted by the county, city, town, or Southwest Regional Recreation Authority warning motorists that off-road recreational vehicles may be operating on the highway;*

*2. Such off-road recreational vehicles shall be operated only during daylight hours;*

*3. Off-road recreational vehicle operators shall, when operating on the highway, obey all rules of the road applicable to other motor vehicles;*

*4. Riders of such off-road recreational vehicles shall wear helmets of a type approved by the Superintendent of State Police; and*

*5. Operators shall be licensed drivers or accompanied by a licensed driver who is either occupying the same vehicle or occupying another vehicle within a prudent distance; however, no person shall operate any off-road recreational vehicle as provided in this section if his driver's license, whether issued in the Commonwealth or in another jurisdiction, has been suspended or revoked.*

*B. The governing body of any county, city, or town that enacts any ordinance under subsection A shall notify in writing the Virginia State Police and all law-enforcement agencies within the county, city, or town of its action, together with a copy of such ordinance.*