

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 128

An Act to amend and reenact § 46.2-1158.01 of the Code of Virginia, relating to exceptions to motor vehicle inspection requirement.

[H 507]

Approved March 1, 2016

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1158.01 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1158.01. Exceptions to motor vehicle inspection requirement.

A. The following shall be exempt from inspection as required by § 46.2-1157:

1. Four-wheel vehicles weighing less than 500 pounds and having less than 6 horsepower;

2. Boat, utility, or travel trailers that are not equipped with brakes;

3. Antique motor vehicles or antique trailers as defined in § 46.2-100 and licensed pursuant to § 46.2-730;

4. Any motor vehicle, trailer, or semitrailer that is outside the Commonwealth at the time its inspection expires when operated by the most direct route to the owner's or operator's place of residence or the owner's legal place of business in the Commonwealth;

5. A truck, tractor truck, trailer, or semitrailer for which the period fixed for inspection has expired while the vehicle was outside the Commonwealth (i) from a point outside the Commonwealth to the place where such vehicle is kept or garaged within the Commonwealth or (ii) to a destination within the Commonwealth where such vehicle will be (a) unloaded within 24 hours of entering the Commonwealth, (b) inspected within such 24-hour period, and (c) operated, after being unloaded, only to an inspection station or to the place where it is kept or garaged within the Commonwealth;

6. New motor vehicles, new trailers, or new semitrailers ~~may be~~ operated upon the highways of ~~Virginia~~ *the Commonwealth* for the purpose of delivery from the place of manufacture to the dealer's or distributor's designated place of business or between places of business if such manufacturer, dealer, or distributor has more than one place of business; ~~without being inspected~~; dealers or distributors may take delivery and operate upon the highways of ~~Virginia~~ *the Commonwealth* new motor vehicles, new trailers, or new semitrailers from another dealer or distributor provided a motor vehicle, trailer, or semitrailer shall not be considered new if driven upon the highways for any purpose other than the delivery of the vehicle;

7. New motor vehicles, new trailers, or new semitrailers bearing a manufacturer's license ~~may be~~ operated for test purposes by the manufacturer ~~without an inspection~~;

8. Motor vehicles, trailers, or semitrailers ~~may be~~ operated for test purposes by a certified inspector ~~without an inspection sticker~~ during the performance of an official inspection;

9. New motor vehicles, new trailers, or new semitrailers ~~may be~~ operated upon the highways of ~~Virginia~~ *the Commonwealth* over the most direct route to a location for installation of a permanent body ~~without being inspected~~;

10. Motor vehicles, trailers, or semitrailers purchased outside the Commonwealth ~~may be~~ driven to the purchaser's place of residence or the dealer's or distributor's designated place of business ~~without being inspected~~;

11. Prior to purchase from auto auctions ~~within the Commonwealth~~, motor vehicles, trailers, or semitrailers ~~may be~~ operated upon the highways not to exceed a five-mile radius of such auction by prospective purchasers only for the purpose of road testing ~~without being inspected~~; ~~and~~ motor vehicles, trailers, or semitrailers purchased from auto auctions ~~within the Commonwealth~~ also ~~may be~~ operated upon the highways from such auction to (i) *an official safety inspection station provided that (a) the inspection station is located between the auto auction and the purchaser's residence or place of business or within a five-mile radius of such residence or business and (b) the vehicle is taken to the inspection station on the same day the purchaser removes the vehicle from the auto auction* or (ii) the purchaser's place of residence or business ~~without being inspected~~;

12. Motor vehicles, trailers, or semitrailers, after the expiration of a period fixed for the inspection thereof, ~~may be~~ operated over the most direct route between the place where such vehicle is kept or garaged and an official inspection station for the purpose of having the same inspected pursuant to a prior appointment with such station;

13. Any vehicle for transporting well-drilling machinery and mobile equipment as defined in § 46.2-700;

14. Motor vehicles being towed in a legal manner as exempted under § 46.2-1150;

15. Logtrailers as exempted under § 46.2-1159;

16. Motor vehicles designed or altered and used exclusively for racing or other exhibition purposes

as exempted under § 46.2-1160;

17. Any tow dolly or converter gear as defined in § 46.2-1119;

18. A new motor vehicle, as defined in § 46.2-1500, that has been inspected in accordance with an inspection requirement of the manufacturer or distributor of the new motor vehicle by an employee who customarily performs such inspection on behalf of a motor vehicle dealer licensed pursuant to § 46.2-1508 ~~shall be deemed to have met the safety inspection requirements of the section without a separate safety inspection by an official inspection station.~~ Such inspection shall be deemed to be the first inspection for the purpose of § 46.2-1158, and an inspection approval sticker furnished by the Department of State Police at the uniform price paid by all official inspection stations to the Department of State Police for an inspection approval sticker may be affixed to the vehicle as required by § 46.2-1163;

19. Mopeds;

20. Low-speed vehicles; and

21. Vehicles exempt from registration pursuant to Article 6 (§ 46.2-662 et seq.) of Chapter 6.

B. The following shall be exempt from inspection as required by § 46.2-1157 provided (i) the commercial motor vehicle operates in interstate commerce; (ii) the commercial motor vehicle is found to meet the federal requirements for annual inspection through a self-inspection, a third-party inspection, a Commercial Vehicle Safety Alliance inspection, or a periodic inspection performed by any state with a program; (iii) the inspection has been determined by the Federal Motor Carrier Safety Administration to be comparable to or as effective as the requirements of 49 C.F.R. Part 396 § 396.3(a); and (iv) documentation of such determination as provided for in 49 C.F.R. Part 396 § 396.3(b) is available for review by law-enforcement officials to verify that the inspection is current:

1. Any commercial motor vehicle operating in interstate commerce that is subject to the Federal Motor Carrier Safety Regulations;

2. Any trailer or semitrailer being operated in interstate commerce that is subject to the Federal Motor Carrier Safety Regulations.