

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-1030 of the Code of Virginia, relating to general illumination lights*  
3 *on motorcycles.*

4 [S 25]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-1030 of the Code of Virginia is amended and reenacted as follows:**8 **§ 46.2-1030. When lights to be lighted; number of lights to be lighted at any time; use of**  
9 **warning lights.**

10 A. Every vehicle in operation on a highway in the Commonwealth shall display lighted headlights  
11 and illuminating devices as required by this article (i) from sunset to sunrise; (ii) during any other time  
12 when, because of rain, smoke, fog, snow, sleet, insufficient light, or other unfavorable atmospheric  
13 conditions, visibility is reduced to a degree whereby persons or vehicles on the highway are not clearly  
14 discernible at a distance of 500 feet; and (iii) whenever windshield wipers are in use as a result of fog,  
15 rain, sleet, or snow. The provisions of this subsection, however, shall not apply to instances when  
16 windshield wipers are used intermittently in misting rain, sleet, or snow.

17 B. Not more than four lights used to provide general illumination ahead of the vehicle, including at  
18 least two headlights and any other combination of fog lights or other auxiliary lights approved by the  
19 Superintendent, shall be lighted at any time. However, ~~this limitation~~ *motorcycles may be equipped with*  
20 *and use not more than five approved lights in order to provide general illumination ahead of the*  
21 *motorcycle. These limitations* shall not preclude the display of warning lights authorized in §§ 46.2-1020  
22 through 46.2-1027, or other lights as may be authorized by the Superintendent.

23 C. Vehicles equipped with warning lights authorized in §§ 46.2-1020 through 46.2-1027 shall display  
24 lighted warning lights as authorized in such sections at all times when responding to emergency calls,  
25 towing disabled vehicles, or constructing, repairing, and maintaining public highways or utilities on or  
26 along public highways, except that amber lights on vehicles designed with a ramp on wheels and a  
27 hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks," need  
28 not be lit while the vehicle is in motion unless it is actually towing a vehicle.

29 D. The failure to display lighted headlights and illuminating devices under the conditions set forth in  
30 clause (iii) of subsection A ~~of this section~~ shall not constitute negligence per se, nor shall violation of  
31 clause (iii) of subsection A ~~of this section~~ constitute a defense to any claim for personal injury or  
32 recovery of medical expenses for injuries sustained in a motor vehicle accident.

33 E. No demerit points shall be assessed for failure to display lighted headlights and illuminating  
34 devices during periods of fog, rain, sleet, or snow in violation of clause (iii) of subsection A ~~of this~~  
35 ~~section.~~

36 F. No citation for a violation of clause (iii) of subsection A ~~of this section~~ shall be issued unless the  
37 officer issuing such citation has cause to stop or arrest the driver of such motor vehicle for the violation  
38 of some other provision of this Code or local ordinance relating to the operation, ownership, or  
39 maintenance of a motor vehicle or any criminal statute.

ENROLLED

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