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HOUSE BILL NO. 2326

Offered January 13, 2017

A BILL to amend and reenact §§ 46.2-100 and 46.2-711 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-602.5, relating to titling and registration of specially constructed vehicles for general transportation purposes.

Patron—Edmunds

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-100 and 46.2-711 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-602.5 as follows:

§ 46.2-100. Definitions.

As used in this title, unless the context requires a different meaning:

"All-terrain vehicle" means a motor vehicle having three or more wheels that is powered by a motor and is manufactured for off-highway use. "All-terrain vehicle" does not include four-wheeled vehicles commonly known as "go-carts" that have low centers of gravity and are typically used in racing on relatively level surfaces, nor does the term include any riding lawn mower.

"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Antique trailer" means every trailer or semitrailer, as defined in this section, that was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Autocycle" means a three-wheeled motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride and is manufactured to comply with federal safety requirements for motorcycles. Except as otherwise provided, an autocycle shall not be deemed to be a motorcycle.

"Automobile or watercraft transporters" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles or watercraft on their power unit, designed and used exclusively for the transportation of motor vehicles or watercraft.

"Bicycle" means a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children's bicycles, except a toy vehicle intended for use by young children. For purposes of Chapter 8 (§ 46.2-800 et seq.), a bicycle shall be a vehicle while operated on the highway.

"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, and mopeds.

"Business district" means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.

"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.

"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection, where all vehicles pass to the right of the island. Circular intersections include roundabouts, rotaries, and traffic circles.

"Commission" means the State Corporation Commission.

"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.

"Converted electric vehicle" means any motor vehicle, other than a motorcycle or autocycle, that has been modified subsequent to its manufacture to replace an internal combustion engine with an electric propulsion system. Such vehicles shall retain their original vehicle identification number, line-make, and model year. A converted electric vehicle shall not be deemed a "reconstructed vehicle" as defined in this

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59 section unless it has been materially altered from its original construction by the removal, addition, or
60 substitution of new or used essential parts other than those required for the conversion to electric
61 propulsion.

62 "Crosswalk" means that part of a roadway at an intersection included within the connections of the
63 lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the
64 absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an
65 intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the
66 surface.

67 "Decal" means a device to be attached to a license plate that validates the license plate for a
68 predetermined registration period.

69 "Department" means the Department of Motor Vehicles of the Commonwealth.

70 "Disabled parking license plate" means a license plate that displays the international symbol of access
71 in the same size as the numbers and letters on the plate and in a color that contrasts with the
72 background.

73 "Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand;
74 (ii) is blind; or (iii) is permanently and totally disabled as certified by the U.S. Department of Veterans
75 Affairs. A veteran shall be considered blind if he has a permanent impairment of both eyes to the
76 following extent: central visual acuity of 20/200 or less in the better eye, with corrective lenses, or
77 central visual acuity of more than 20/200, if there is a field defect in which the peripheral field has
78 contracted to such an extent that the widest diameter of visual field subtends an angular distance no
79 greater than 20 degrees in the better eye.

80 "Driver's license" means any license, including a commercial driver's license as defined in the
81 Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), issued under the laws of the
82 Commonwealth authorizing the operation of a motor vehicle.

83 "Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device
84 that is designed to transport only one person and powered by an electric propulsion system that limits
85 the device's maximum speed to 15 miles per hour or less. For purposes of Chapter 8 (§ 46.2-800 et
86 seq.), an electric personal assistive mobility device shall be a vehicle when operated on a highway.

87 "Electric power-assisted bicycle" means a vehicle that travels on not more than three wheels in
88 contact with the ground and is equipped with (i) pedals that allow propulsion by human power and (ii)
89 an electric motor with an input of no more than 1,000 watts that reduces the pedal effort required of the
90 rider. For the purposes of Chapter 8 (§ 46.2-800 et seq.), an electric power-assisted bicycle shall be a
91 vehicle when operated on a highway.

92 "Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of
93 which will tend to conceal the identity of a vehicle.

94 "Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural
95 implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery
96 and implements, including self-propelled mowers designed and used for mowing lawns.

97 "Farm utility vehicle" means a vehicle that is powered by a motor and is designed for off-road use
98 and is used as a farm, agricultural, or horticultural service vehicle, generally having four or more
99 wheels, bench seating for the operator and a passenger, a steering wheel for control, and a cargo bed.

100 "Farm utility vehicle" does not include pickup or panel trucks, golf carts, low-speed vehicles, or riding
101 lawn mowers.

102 "Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq. and all
103 administrative regulations and policies adopted pursuant thereto.

104 "Financial responsibility" means the ability to respond in damages for liability thereafter incurred
105 arising out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided
106 for in § 46.2-472.

107 "Foreign market vehicle" means any motor vehicle originally manufactured outside the United States,
108 which was not manufactured in accordance with 49 U.S.C. § 30101 et seq. and the policies and
109 regulations adopted pursuant to that Act, and for which a Virginia title or registration is sought.

110 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the
111 Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer
112 and that has not been registered in the Commonwealth.

113 "Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their
114 equipment on a golf course.

115 "Governing body" means the board of supervisors of a county, council of a city, or council of a
116 town, as context may require.

117 "Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load
118 thereon.

119 "Highway" means the entire width between the boundary lines of every way or place open to the use
120 of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys,

and, for law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by an ordinance adopted by the governing body of the county, city, or town in which such private roads or streets are located and (ii) the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

"Intersection" means (i) the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; (ii) where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection, in the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; or (iii) for purposes only of authorizing installation of traffic-control devices, every crossing of a highway or street at grade by a pedestrian crosswalk.

"Lane-use control signal" means a signal face displaying indications to permit or prohibit the use of specific lanes of a roadway or to indicate the impending prohibition of such use.

"Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make arrests for violations of this title or local ordinances authorized by law. For the purposes of access to law-enforcement databases regarding motor vehicle registration and ownership only, "law-enforcement officer" also includes city and county commissioners of the revenue and treasurers, together with their duly designated deputies and employees, when such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753, and 46.2-754 and local ordinances enacted thereunder.

"License plate" means a device containing letters, numerals, or a combination of both, attached to a motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the Department.

"Light" means a device for producing illumination or the illumination produced by the device.

"Low-speed vehicle" means any four-wheeled electrically powered or gas-powered vehicle, except a motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, § 571.500.

"Manufactured home" means a structure subject to federal regulation, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

"Moped" means every vehicle that travels on not more than three wheels in contact with the ground that (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b) has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by human power; and (iv) is not operated at speeds in excess of 35 miles per hour. For purposes of this title, a moped shall be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.), a moped shall be a vehicle while operated on a highway.

"Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than 150 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

"Motor home" means every private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as living quarters for human beings.

"Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Except as otherwise provided, for the purposes of this title, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped shall be deemed not to be a motor vehicle.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground and is capable of traveling at speeds in excess of 35 miles per hour. "Motorcycle" does not include any "autocycle," "electric personal assistive mobility device," "electric power-assisted bicycle," "farm tractor," "golf cart," "moped," "motorized skateboard or foot-scooter," "utility vehicle," or

182 "wheelchair or wheelchair conveyance" as defined in this section.

183 "Motorized skateboard or foot-scooter" means every vehicle, regardless of the number of its wheels
184 in contact with the ground, that (i) has no seat, but is designed to be stood upon by the operator, (ii) has
185 no manufacturer-issued vehicle identification number, and (iii) is powered by an electric motor having
186 an input of no more than 1,000 watts or a gasoline engine that displaces less than 36 cubic centimeters.
187 "Motorized skateboard or foot-scooter" includes vehicles with or without handlebars but does not include
188 "electric personal assistive mobility devices."

189 "Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any
190 foreign corporation that is authorized to do business in the Commonwealth by the State Corporation
191 Commission shall be a resident of the Commonwealth for the purpose of this title; in the case of
192 corporations incorporated in the Commonwealth but doing business outside the Commonwealth, only
193 such principal place of business or branches located within the Commonwealth shall be dealt with as
194 residents of the Commonwealth; (ii) a person who becomes engaged in a gainful occupation in the
195 Commonwealth for a period exceeding 60 days shall be a resident for the purposes of this title except
196 for the purposes of Chapter 3 (§ 46.2-300 et seq.); (iii) a person, other than (a) a nonresident student as
197 defined in this section or (b) a person who is serving a full-time church service or proselyting mission
198 of not more than 36 months and who is not gainfully employed, who has actually resided in the
199 Commonwealth for a period of six months, whether employed or not, or who has registered a motor
200 vehicle, listing an address in the Commonwealth in the application for registration, shall be deemed a
201 resident for the purposes of this title, except for the purposes of the Virginia Commercial Driver's
202 License Act (§ 46.2-341.1 et seq.).

203 "Nonresident student" means every nonresident person who is enrolled as a full-time student in an
204 accredited institution of learning in the Commonwealth and who is not gainfully employed.

205 "Off-road motorcycle" means every motorcycle designed exclusively for off-road use by an individual
206 rider with not more than two wheels in contact with the ground. Except as otherwise provided in this
207 chapter, for the purposes of this chapter off-road motorcycles shall be deemed to be "motorcycles."

208 "Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for
209 compensation," and "business of transporting persons or property" mean any owner or operator of any
210 motor vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or
211 receives compensation for the service, directly or indirectly; but these terms do not mean a "truck
212 lessor" as defined in this section and do not include persons or businesses that receive compensation for
213 delivering a product that they themselves sell or produce, where a separate charge is made for delivery
214 of the product or the cost of delivery is included in the sale price of the product, but where the person
215 or business does not derive all or a substantial portion of its income from the transportation of persons
216 or property except as part of a sales transaction.

217 "Operator" or "driver" means every person who either (i) drives or is in actual physical control of a
218 motor vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a
219 motor vehicle.

220 "Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of
221 an agreement for its conditional sale or lease with the right of purchase on performance of the
222 conditions stated in the agreement and with an immediate right of possession vested in the conditional
223 vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or
224 lessee or mortgagor shall be the owner for the purpose of this title. In all such instances when the rent
225 paid by the lessee includes charges for services of any nature or when the lease does not provide that
226 title shall pass to the lessee on payment of the rent stipulated, the lessor shall be regarded as the owner
227 of the vehicle, and the vehicle shall be subject to such requirements of this title as are applicable to
228 vehicles operated for compensation. A "truck lessor" as defined in this section shall be regarded as the
229 owner, and his vehicles shall be subject to such requirements of this title as are applicable to vehicles of
230 private carriers.

231 "Passenger car" means every motor vehicle other than a motorcycle or autocycle designed and used
232 primarily for the transportation of no more than 10 persons, including the driver.

233 "Payment device" means any credit card as defined in 15 U.S.C. § 1602 (k) or any "accepted card or
234 other means of access" set forth in 15 U.S.C. § 1693a (1). For the purposes of this title, this definition
235 shall also include a card that enables a person to pay for transactions through the use of value stored on
236 the card itself.

237 "Pickup or panel truck" means (i) every motor vehicle designed for the transportation of property and
238 having a registered gross weight of 7,500 pounds or less or (ii) every motor vehicle registered for
239 personal use, designed to transport property on its own structure independent of any other vehicle, and
240 having a registered gross weight in excess of 7,500 pounds but not in excess of 10,000 pounds.

241 "Private road or driveway" means every way in private ownership and used for vehicular travel by
242 the owner and those having express or implied permission from the owner, but not by other persons.

243 "Reconstructed vehicle" means every vehicle of a type required to be registered under this title

materially altered from its original construction by the removal, addition, or substitution of new or used essential parts. Such vehicles, at the discretion of the Department, shall retain their original vehicle identification number, line-make, and model year. Except as otherwise provided in this title, this definition shall not include a "converted electric vehicle" as defined in this section.

"Replica vehicle" means every vehicle of a type required to be registered under this title not fully constructed by a licensed manufacturer but either constructed or assembled from components. Such components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The kit may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or a combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model, or type as produced by a licensed manufacturer or manufacturer no longer in business and is not a reconstructed or specially constructed vehicle as herein defined.

"Residence district" means the territory contiguous to a highway, not comprising a business district, where 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

"Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or restoration except through reapplication after the expiration of the period of revocation.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or an unpaved area.

"Safety zone" means the area officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by plainly visible signs.

"School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private or religious schools, or used for the transportation of the mentally or physically handicapped to and from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A yellow school bus may have a white roof provided such vehicle is painted in accordance with regulations promulgated by the Department of Education.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and is located either within the highway right-of-way or within a separate right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chairs or wheel chair conveyances, joggers, and other nonmotorized users.

"Shoulder" means that part of a highway between the portion regularly traveled by vehicular traffic and the lateral curblin or ditch.

"Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

"Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or runners, and supported in whole or in part by one or more skis, belts, or cleats.

"Special construction and forestry equipment" means any vehicle which is designed primarily for highway construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work and which is not designed for the transportation of persons or property on a public highway.

"Specially constructed vehicle" means any vehicle that ~~was not originally~~ is constructed ~~under a from~~ new or used parts, a combination of new and used parts, or a kit that is not a replica or reconstructed vehicle and that does not resemble a vehicle of distinctive name, make, model, or type as produced by a generally recognized manufacturer of vehicles and not a reconstructed vehicle as herein defined. If constructed from a kit, the vehicle may be identified by a distinctive name, make, model, or type as designated by the manufacturer of the kit. For purposes of registration only, "specially constructed vehicle" does not include any vehicle designed exclusively for off-road use, such as any vehicle commonly referred to as a dune buggy or sand rail.

"Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and below the rearmost axle of the power unit.

"Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

"Suspend" or "suspension" means that the document or privilege suspended has been temporarily

305 withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the
306 end of the period of suspension.

307 "Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another vehicle by
308 means of a hoist or other mechanical apparatus and (ii) having a manufacturer's gross vehicle weight
309 rating of at least 10,000 pounds. "Tow truck" also includes vehicles designed with a ramp on wheels
310 and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks."
311 "Tow truck" does not include any "automobile or watercraft transporter," "stinger-steered automobile or
312 watercraft transporter," or "tractor truck" as those terms are defined in this section.

313 "Towing and recovery operator" means a person engaged in the business of (i) removing disabled
314 vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii)
315 restoring to the highway or other location where they either can be operated or removed to other
316 locations for repair or safekeeping vehicles that have come to rest in places where they cannot be
317 operated.

318 "Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-issued
319 vehicle identification number that is designed or used to carry any person or persons, on any number of
320 wheels, bearings, glides, blades, runners, or a cushion of air. "Toy vehicle" does not include electric
321 personal assistive mobility devices, electric power-assisted bicycles, mopeds, or motorcycles, nor does it
322 include any nonmotorized or nonpropellant-driven devices such as bicycles, roller skates, or skateboards.

323 "Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles
324 and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached
325 thereto.

326 "Traffic control device" means a sign, signal, marking, or other device used to regulate, warn, or
327 guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel,
328 pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or
329 in the case of a private road open to public travel, by authority of the private owner or private official
330 having jurisdiction.

331 "Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a
332 felony nor a misdemeanor.

333 "Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the
334 forward movement of a single line of vehicles.

335 "Trailer" means every vehicle without motive power designed for carrying property or passengers
336 wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

337 "Truck" means every motor vehicle designed to transport property on its own structure independent
338 of any other vehicle and having a registered gross weight in excess of 7,500 pounds. "Truck" does not
339 include any pickup or panel truck.

340 "Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer
341 that is the subject of a bona fide written lease for a term of one year or more to another person,
342 provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted
343 common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the
344 leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the
345 lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased
346 motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor;
347 and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

348 "Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor,
349 and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle"
350 does not include riding lawn mowers.

351 "Vehicle" means every device in, on or by which any person or property is or may be transported or
352 drawn on a highway, except devices moved by human power or used exclusively on stationary rails or
353 tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.), bicycles, electric personal assistive mobility
354 devices, electric power-assisted bicycles, and mopeds shall be vehicles while operated on a highway.

355 "Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used
356 to provide mobility for persons who, by reason of physical disability, are otherwise unable to move
357 about as pedestrians. "Wheel chair or wheel chair conveyance" includes both three-wheeled and
358 four-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-propelled wheel
359 chair or self-propelled wheel chair conveyance shall not be considered a motor vehicle.

360 **§ 46.2-602.5. Titling and registration of specially constructed vehicles for general transportation.**

361 A. Upon receipt of an application and such evidence of ownership as required by the Commissioner
362 pursuant to § 46.2-625, the Department shall issue a certificate of title for a specially constructed
363 vehicle. The Department shall assign each such vehicle a vehicle identification number subject to the
364 requirements and fees set forth in § 46.2-1072.1.

365 B. 1. No specially constructed vehicle shall be registered or operated on the highways of the
366 Commonwealth for general transportation purposes until the owner submits to the Department (i)

certification by a licensed Virginia safety inspector that the vehicle is equipped with proper brakes, lights, horn or warning device, turn signals, safety glass if required by law, mirror, muffler, windshield wiper if a permanent windshield is attached, and steering gear adequate to ensure the safe movement of the vehicle and (ii) proof that the vehicle has passed a Virginia safety inspection subsequent to the certification.

2. Certification required by subdivision 1 shall be on a form approved by the Commissioner and the Superintendent and shall state that the safety inspector has verified the presence of equipment required by subdivision 1. Such safety inspector may charge a fee not to exceed \$40 to complete such certification, which shall be in addition to any fee imposed pursuant to § 46.2-1167 for the completion of a Virginia safety inspection. The completion of such certification by a safety inspector shall not impose any liability on the safety inspector for the quality of the construction of the specially constructed vehicle. However, nothing in this subdivision shall be construed to relieve a safety inspector of any liability that may be imposed pursuant to Article 21 (§ 46.2-1157 et seq.) of Chapter 10 or any regulation promulgated pursuant to § 46.2-1165 relating to motor vehicle safety inspections.

3. When necessary and upon application, the Department shall issue temporary trip permits in accordance with § 46.2-651 for the purpose of transporting the specially constructed vehicle to and from an official Virginia safety inspection station.

C. Any vehicle registered under this section shall be subject to motor vehicle safety inspections as required by Article 21 (§ 46.2-1157 et seq.) of Chapter 10 and emissions inspections as required by Article 22 (§ 46.2-1176 et seq.) of Chapter 10. Such vehicles shall meet such safety and emission requirements as established for the year of construction of the vehicle.

D. Registration under this section shall permit operation of such vehicle on highways only within the Commonwealth. Each application for registration of a specially constructed vehicle shall include an acknowledgment that the vehicle owner understands that the vehicle may be used for intrastate operation only and that the vehicle owner may be subject to citation by law enforcement if such vehicle is operated outside of the Commonwealth.

E. Specially constructed vehicles registered pursuant to this section shall display license plates as provided in subsection E of § 46.2-711.

§ 46.2-711. Furnishing number and design of plates; displaying on vehicles required.

A. The Department shall furnish one license plate for every registered moped, motorcycle, autocycle, tractor truck, semitrailer, or trailer, and two license plates for every other registered motor vehicle, except to licensed motor vehicle dealers and persons delivering unladen vehicles who shall be furnished one license plate. The license plates for trailers, semitrailers, commercial vehicles, and trucks, other than license plates for dealers, may be of such design as to prevent removal without mutilating some part of the indicia forming a part of the license plate, when secured to the bracket.

B. The Department shall issue appropriately designated license plates for:

1. Passenger-carrying vehicles for rent or hire for the transportation of passengers for private trips, other than TNC partner vehicles as defined in § 46.2-2000 and emergency medical services vehicles pursuant to clause (iii) of § 46.2-649.1:1;

2. Taxicabs;

3. Passenger-carrying vehicles operated by common carriers or restricted common carriers;

4. Property-carrying motor vehicles to applicants who operate as private carriers only;

5. Applicants, other than TNC partners as defined in § 46.2-2000 and emergency medical services vehicles pursuant to clause (iii) of § 46.2-649.1:1, who operate motor vehicles as carriers for rent or hire;

6. Vehicles operated by nonemergency medical transportation carriers as defined in § 46.2-2000; and

7. Trailers and semitrailers.

C. The Department shall issue appropriately designated license plates for motor vehicles held for rental as defined in § 58.1-1735.

D. The Department shall issue appropriately designated license plates for low-speed vehicles.

E. The Department shall issue appropriately designated license plates for specially constructed vehicles registered pursuant to § 46.2-602.5.

F. No vehicles shall be operated on the highways in the Commonwealth without displaying the license plates required by this chapter. The provisions of this subsection shall not apply to vehicles used to collect and deliver the United States mail to the extent that their rear license plates may be covered by the "CAUTION, FREQUENT STOPS, U.S. MAIL" sign when the vehicle is engaged in the collection and delivery of the United States mail.

G. Pickup or panel trucks are exempt from the provisions of subsection B with reference to displaying for-hire license plates when operated as a carrier for rent or hire. However, this exemption shall not apply to pickup or panel trucks subject to regulation under Chapter 21 (§ 46.2-2100 et seq.).