

# VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

## CHAPTER 263

*An Act to amend and reenact §§ 46.2-921.1 and 46.2-1026 of the Code of Virginia, relating to public utility vehicles; yielding right-of-way or reducing speed.*

[H 955]

Approved March 9, 2018

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

**1. That §§ 46.2-921.1 and 46.2-1026 of the Code of Virginia are amended and reenacted as follows:**

**§ 46.2-921.1. Drivers to yield right-of-way or reduce speed when approaching stationary emergency vehicles or public utility vehicles on highways; penalties.**

A. The driver of any motor vehicle, upon approaching a stationary vehicle that is displaying a flashing, blinking, or alternating blue, red, or amber light or lights as provided in § 46.2-1022, 46.2-1023, or 46.2-1024 or, subdivision A 1 or A 2 of § 46.2-1025, or subsection B of § 46.2-1026 shall (i) on a highway having at least four lanes, at least two of which are intended for traffic proceeding as the approaching vehicle, proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to the stationary vehicle or (ii) if changing lanes would be unreasonable or unsafe, proceed with due caution and maintain a safe speed for highway conditions.

B. A violation of any provision of this section shall be punishable as a traffic infraction, except that a second or subsequent violation of any provision of this section, when such violation involved a vehicle with flashing, blinking, or alternating blue or red lights, shall be punishable as a Class 1 misdemeanor.

C. If the violation resulted in damage to property of another person, the court may, in addition, order the suspension of the driver's privilege to operate a motor vehicle for not more than one year. If the violation resulted in injury to another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for not more than two years. If the violation resulted in the death of another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for two years.

D. The provisions of this section shall not apply in highway work zones as defined in § 46.2-878.1.

**§ 46.2-1026. Flashing high-intensity amber warning lights.**

A. High-intensity flashing, blinking, or alternating amber warning lights visible for at least 500 feet, of types approved by the Superintendent, shall be used on any vehicle engaged in either escorting or towing over-dimensional materials, equipment, boats, or manufactured housing units by authority of a highway hauling permit issued pursuant to § 46.2-1139. Such lights shall be mounted on the top of the escort and tow vehicles and on the upper rear end of the over-dimensional vehicles or loads for maximum visibility, front and rear. However, any vehicles operating under a permit issued pursuant to § 46.2-1139 shall be deemed to be in compliance with the requirements of this ~~section~~ subsection if accompanied by escort vehicles.

The provisions of this ~~section~~ subsection shall apply only to vehicles or loads ~~which~~ that are either (i) more than ~~twelve~~ 12 feet wide or (ii) more than ~~seventy-five~~ 75 feet long.

B. Such amber warning lights may be used on any vehicle used by any public utility company for the purpose of repairing, installing, or maintaining electric or natural gas utility equipment or service.