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**HOUSE BILL NO. 445**

Offered January 8, 2020

Prefiled January 3, 2020

A *BILL to amend and reenact §§ 46.2-1004, 46.2-1012, 46.2-1020, and 46.2-2099.50 of the Code of Virginia, relating to light units; candlepower to lumens.*

Patron—Robinson

Referred to Committee on Transportation

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

**1. That §§ 46.2-1004, 46.2-1012, 46.2-1020, and 46.2-2099.50 of the Code of Virginia are amended and reenacted as follows:**

**§ 46.2-1004. Trademark or name and instructions required.**

Each device or other equipment mentioned in § 46.2-1002 and offered for sale in the Commonwealth shall bear a trademark or name or be identified in keeping with the Superintendent's regulations and shall be accompanied by printed instructions as to the proper mounting, use, and ~~candlepower~~ lumens of any bulbs to be used therewith and any particular methods of mounting or adjustments necessary to meet the requirements of this title and any regulation of the Superintendent.

**§ 46.2-1012. Headlights, auxiliary headlights, tail lights, brake lights, auxiliary lights, and illumination of license plates on motorcycles or autocycles.**

Every motorcycle or autocycle shall be equipped with at least one headlight which shall be of a type that has been approved by the Superintendent and shall be capable of projecting sufficient light to the front of such motorcycle or autocycle to render discernible a person or object at a distance of 200 feet. However, the lights shall not project a glaring or dazzling light to persons approaching such motorcycles or autocycles. In addition, each motorcycle or autocycle may be equipped with not more than two auxiliary headlights of a type approved by the Superintendent except as otherwise provided in this section.

Motorcycles or autocycles may be equipped with means of modulating the high beam of their headlights between high and low beam at a rate of 200 to 280 flashes per minute. Such headlights shall not be so modulated during periods when headlights would ordinarily be required to be lighted under § 46.2-1030.

Notwithstanding § 46.2-1002, motorcycles or autocycles may be equipped with standard bulb running lights or light-emitting diode (LED) pods or strips as auxiliary lighting. Such lighting shall be (i) either red or amber in color, (ii) directed toward the ground in such a manner that no part of the beam will strike the level of the surface on which the motorcycle or autocycle stands at a distance of more than 10 feet from the vehicle, and (iii) designed for vehicular use. Such lighting shall not (a) project a beam of light of an intensity greater than ~~25 candlepower~~ 314.25 lumens or its equivalent from a single lamp or bulb; (b) be blinking, flashing, oscillating, or rotating; or (c) be attached to the wheels of the motorcycle or autocycle.

Every motorcycle or autocycle registered in the Commonwealth and operated on the highways of the Commonwealth shall be equipped with at least one brake light of a type approved by the Superintendent. Motorcycles or autocycles may be equipped with one or more auxiliary brake lights of a type approved by the Superintendent. The Superintendent may by regulation prescribe or limit the size, number, location, and configuration of such auxiliary brake lights.

Every motorcycle or autocycle shall carry at the rear at least one or more red lights plainly visible in clear weather from a distance of 500 feet to the rear of such vehicle. Such tail lights shall be constructed and so mounted in their relation to the rear license plate as to illuminate the license plate with a white light so that the same may be read from a distance of 50 feet to the rear of such vehicle. Alternatively, a separate white light shall be so mounted as to illuminate the rear license plate from a distance of 50 feet to the rear of such vehicle. Any such tail lights or special white light shall be of a type approved by the Superintendent.

Motorcycles or autocycles may be equipped with a means of varying the brightness of the vehicle's brake light upon application of the vehicle's brakes.

**§ 46.2-1020. Other permissible lights.**

Any motor vehicle may be equipped with fog lights, not more than two of which can be illuminated at any time, one or two auxiliary driving lights if so equipped by the manufacturer, two daytime running lights, two side lights of not more than ~~six candlepower~~ 75.42 lumens, an interior light or lights of not more than ~~15 candlepower~~ 188.55 lumens each, and signal lights.

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59 The provision of this section limiting interior lights to no more than ~~15 candlepower~~ *188.55 lumens*  
60 shall not apply to (i) alternating, blinking, or flashing colored emergency lights mounted inside  
61 law-enforcement motor vehicles which may otherwise legally be equipped with such colored emergency  
62 lights, or (ii) flashing shielded red or red and white lights, authorized under § 46.2-1024, mounted inside  
63 vehicles owned or used by (a) members of volunteer fire companies or volunteer emergency medical  
64 services agencies, (b) professional firefighters, or (c) police chaplains. A vehicle equipped with lighting  
65 devices as authorized in this section shall be operated by a police chaplain only if he has successfully  
66 completed a course of training in the safe operation of a motor vehicle under emergency conditions and  
67 a certificate attesting to such successful completion, signed by the course instructor, is carried at all  
68 times in the vehicle when operated by the police chaplain to whom the certificate applies.

69 Unless such lighting device (i) is both covered and unlit or (ii) has a clear lens, any reflector in such  
70 lighting device is clear, and such lighting device is unlit, no motor vehicle that is equipped with any  
71 lighting device other than lights required or permitted in this article, required or approved by the  
72 Superintendent, or required by the federal Department of Transportation shall be operated on any  
73 highway in the Commonwealth. Nothing in this section shall permit any vehicle, not otherwise  
74 authorized, to be equipped with colored emergency lights, whether blinking or steady-burning.

75 **§ 46.2-2099.50. Requirements for TNC partner vehicles; trade dress issued by transportation**  
76 **network company.**

77 A. A TNC partner vehicle shall:

- 78 1. Be a personal vehicle;
- 79 2. Have a seating capacity of no more than eight persons, including the driver;
- 80 3. Be validly titled and registered in the Commonwealth or in another state;
- 81 4. Not have been issued a certificate of title, either in Virginia or in any other state, branding the  
82 vehicle as salvage, nonrepairable, rebuilt, or any equivalent classification;
- 83 5. Have a valid Virginia safety inspection or an annual inspection conducted in another state for  
84 which the Department of State Police has determined that such motor vehicle safety inspection standards  
85 adequately ensure public safety and carry proof of that inspection on or in the vehicle; and
- 86 6. Be covered under a TNC insurance policy meeting the requirements of § 46.2-2099.51 or  
87 46.2-2099.52, as applicable.

88 No TNC partner shall operate a TNC partner vehicle unless that vehicle meets the requirements of  
89 this subsection.

90 B. Before authorizing a vehicle to be used as a TNC partner vehicle, a transportation network  
91 company shall confirm that the vehicle meets the requirements of subsection A and shall provide each  
92 TNC partner with proof of any TNC insurance policy maintained by the transportation network  
93 company.

94 For each TNC partner vehicle it authorizes, a transportation network company shall issue trade dress  
95 to the TNC partner associated with that vehicle. The trade dress shall be sufficient to identify the  
96 transportation network company or digital platform with which the vehicle is affiliated and shall be  
97 displayed in a manner that complies with Virginia law. The trade dress shall be of such size, shape, and  
98 color as to be readily identifiable during daylight hours from a distance of 50 feet while the vehicle is  
99 not in motion and shall be reflective, illuminated, or otherwise patently visible in darkness. The trade  
100 dress may take the form of a removable device that meets the identification and visibility requirements  
101 of this subsection.

102 Notwithstanding any other provision of this title, a TNC partner vehicle may be equipped with no  
103 more than two removable, illuminated, interior, TNC-issued, trade dress devices that assist passengers in  
104 identifying and communicating with TNC partners. Such devices may use a single steady-burning color  
105 while the TNC partner is logged in to a transportation network company's associated digital platform  
106 and may change to a different steady-burning color once the TNC partner accepts a request to transport  
107 a passenger and is within 0.4 miles of such passenger. The illuminated display on each such device shall  
108 not (i) exceed ~~five candlepower~~ *62.85 lumens*; (ii) exceed 20 square inches; (iii) utilize red, blue, or  
109 amber lights; (iv) project a glaring or dazzling light; or (v) attach to the windshield.

110 The transportation network company shall submit to the Department proof that the transportation  
111 network company has established the trade dress required under this subsection by filing with the  
112 Department an illustration or photograph of the trade dress. Any TNC that issues an illuminated  
113 removable interior trade dress device for use in the Commonwealth shall file with the Department the  
114 specifications of such device, including the default color.

115 A TNC partner shall keep the trade dress issued under this subsection visible at all times while the  
116 vehicle is being operated as a TNC partner vehicle.

117 No person shall operate a vehicle bearing trade dress issued under this subsection without the  
118 authorization of the transportation network company issuing the trade dress.