

2008 SESSION

INTRODUCED

081806508

HOUSE BILL NO. 1027

Offered January 9, 2008

Prefiled January 8, 2008

A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation of parking of certain vehicles in certain counties.

Patron—Frederick

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1222.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1222.1. Regulation or prohibition of parking of certain vehicles in certain counties.

A. Any county operating under the urban county executive form of government or the county manager plan of government, any adjacent county operating under the county executive form of government, and any town within any county operating under the urban county executive form of government may by ordinance regulate or prohibit the parking on any public highway in such county or town of any or all of the following: (i) watercraft; (ii) boat trailers; (iii) motor homes, as defined in § 46.2-100; and (iv) camping trailers, as defined in § 46.2-100.

B. In addition to commercial vehicles defined in § 46.2-1224, any such county or town may also, by ordinance, regulate or prohibit the parking on any public highway in any residence district as defined in § 46.2-100 any or all of the following: (i) any trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle; (ii) any vehicle with three or more axles; (iii) any vehicle that has a gross vehicle weight rating of 12,000 or more pounds; (iv) any vehicle designed to transport 16 or more passengers including the driver; and (v) any vehicle of any size that is being used in the transportation of hazardous materials as defined in § 46.2-341.4; and (vi) any commercial vehicle located within a property owners' association as defined in § 55-509 whose declaration or rules duly adopted pursuant thereto expressly restrict the parking of commercial vehicles within such development. The provisions of any such ordinance shall not apply to (i) any commercial vehicle when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power.

For purposes of clause (vi) of this subsection, "commercial vehicle" means any vehicle that:

1. Displays license plates issued for "Equipment," "Farm Vehicle," "For Hire," "Taxi," "Tow Truck," "Tractor," "Trailer," or of other such commercial nature;
2. Displays commercial lettering on it; or
3. Is of such a nature that the vehicle was primarily designed or modified for any commercial use.

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