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## SENATE BILL NO. 370

Offered January 8, 2020

Prefiled January 6, 2020

A BILL to amend and reenact §§ 46.2-1158 and 46.2-1158.01 of the Code of Virginia, relating to motor vehicle safety inspection; new motor vehicle.

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Patron—Bell

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Referred to Committee on Transportation

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

**1. That §§ 46.2-1158 and 46.2-1158.01 of the Code of Virginia are amended and reenacted as follows:**

**§ 46.2-1158. Frequency of inspection; scope of inspection.**

Motor vehicles, trailers, and semitrailers required to be inspected pursuant to the provisions of § 46.2-1157 shall be reinspected within 12 months of the month of the first inspection and at least once every 12 months thereafter. *However, any new motor vehicle, as defined in § 46.2-1500, shall not be required to be reinspected within 24 months of the first inspection so long as the vehicle has not been driven more than 15,000 miles.*

Each inspection shall be a complete inspection. A reinspection of a rejected vehicle by the same station during the period of validity of the rejection sticker on such vehicle, however, need only include an inspection of the item or items previously found defective unless there is found an obvious defect that would warrant further rejection of the vehicle.

A rejection sticker shall be valid for 15 calendar days beyond the day of issuance. A complete inspection shall be performed on any vehicle bearing an expired rejection sticker.

The completion of the conversion process for a converted electric vehicle shall invalidate any inspection of such vehicle conducted in accordance with this section prior to the conversion. Following the initial inspection of a converted electric vehicle, as required under § 46.2-602.3 and the provisions of this chapter, such vehicle shall be reinspected in accordance with this section.

**§ 46.2-1158.01. Exceptions to motor vehicle inspection requirement.**

A. The following shall be exempt from inspection as required by § 46.2-1157:

1. Four-wheel vehicles weighing less than 500 pounds and having less than 6 horsepower;

2. Boat, utility, or travel trailers that are not equipped with brakes;

3. Antique motor vehicles or antique trailers as defined in § 46.2-100 and licensed pursuant to § 46.2-730;

4. Any motor vehicle, trailer, or semitrailer that is outside the Commonwealth at the time its inspection expires when operated by the most direct route to the owner's or operator's place of residence or the owner's legal place of business in the Commonwealth;

5. A truck, tractor truck, trailer, or semitrailer for which the period fixed for inspection has expired while the vehicle was outside the Commonwealth (i) from a point outside the Commonwealth to the place where such vehicle is kept or garaged within the Commonwealth or (ii) to a destination within the Commonwealth where such vehicle will be (a) unloaded within 24 hours of entering the Commonwealth, (b) inspected within such 24-hour period, and (c) operated, after being unloaded, only to an inspection station or to the place where it is kept or garaged within the Commonwealth;

6. New motor vehicles, new trailers, or new semitrailers operated upon the highways of the Commonwealth for the purpose of delivery from the place of manufacture to the dealer's or distributor's designated place of business or between places of business if such manufacturer, dealer, or distributor has more than one place of business; dealers or distributors may take delivery and operate upon the highways of the Commonwealth new motor vehicles, new trailers, or new semitrailers from another dealer or distributor provided a motor vehicle, trailer, or semitrailer shall not be considered new if driven upon the highways for any purpose other than the delivery of the vehicle;

7. New motor vehicles, new trailers, or new semitrailers bearing a manufacturer's license operated for test purposes by the manufacturer;

8. Motor vehicles, trailers, or semitrailers operated for test purposes by a certified inspector during the performance of an official inspection;

9. New motor vehicles, new trailers, or new semitrailers operated upon the highways of the Commonwealth over the most direct route to a location for installation of a permanent body;

10. Motor vehicles, trailers, or semitrailers purchased outside the Commonwealth driven to the purchaser's place of residence or the dealer's or distributor's designated place of business;

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SB370

59 11. Prior to purchase from auto auctions, motor vehicles, trailers, or semitrailers operated upon the  
60 highways not to exceed a 10-mile radius of such auction by prospective purchasers only for the purpose  
61 of road testing and motor vehicles, trailers, or semitrailers purchased from auto auctions operated upon  
62 the highways from such auction to (i) an official safety inspection station provided that (a) the  
63 inspection station is located between the auto auction and the purchaser's residence or place of business  
64 or within a 10-mile radius of such residence or business and (b) the vehicle is taken to the inspection  
65 station on the same day the purchaser removes the vehicle from the auto auction or (ii) the purchaser's  
66 place of residence or business;

67 12. Motor vehicles, trailers, or semitrailers, after the expiration of a period fixed for the inspection  
68 thereof, (i) operated over the most direct route between the place where such vehicle is kept or garaged  
69 and an official inspection station or (ii) parked on a highway and that have been submitted for a motor  
70 vehicle safety inspection to an official inspection station, for the purpose of having the same inspected  
71 pursuant to a prior appointment with such station;

72 13. Any vehicle for transporting well-drilling machinery and mobile equipment as defined in  
73 § 46.2-700;

74 14. Motor vehicles being towed in a legal manner as exempted under § 46.2-1150;

75 15. Logtrailers as exempted under § 46.2-1159;

76 16. Motor vehicles designed or altered and used exclusively for racing or other exhibition purposes  
77 as exempted under § 46.2-1160;

78 17. Any tow dolly or converter gear as defined in § 46.2-1119;

79 18. A new motor vehicle, as defined in § 46.2-1500, that has been inspected in accordance with an  
80 inspection requirement of the manufacturer or distributor of the new motor vehicle by an employee who  
81 customarily performs such inspection on behalf of a motor vehicle dealer licensed pursuant to §  
82 46.2-1508. Such inspection shall be deemed to be the first inspection for the purpose of § 46.2-1158;  
83 and ~~an~~ *shall be valid for a period of 24 months.* An inspection approval sticker furnished by the  
84 Department of State Police at the uniform price paid by all official inspection stations to the Department  
85 of State Police for an inspection approval sticker may be affixed to the vehicle as required by  
86 § 46.2-1163;

87 19. Mopeds;

88 20. Low-speed vehicles;

89 21. Vehicles exempt from registration pursuant to Article 6 (§ 46.2-662 et seq.) of Chapter 6; and

90 22. Military surplus motor vehicles as defined in § 46.2-100 and licensed pursuant to § 46.2-730.1.

91 B. The following shall be exempt from inspection as required by § 46.2-1157 provided that (i) the  
92 commercial motor vehicle operates in interstate commerce; (ii) the commercial motor vehicle is found to  
93 meet the federal requirements for annual inspection through a self-inspection, a third-party inspection, a  
94 Commercial Vehicle Safety Alliance inspection, or a periodic inspection performed by any state with a  
95 program; (iii) the inspection has been determined by the Federal Motor Carrier Safety Administration to  
96 be comparable to or as effective as the requirements of 49 C.F.R. § 396.3(a); and (iv) documentation of  
97 such determination as provided for in 49 C.F.R. § 396.3(b) is available for review by law-enforcement  
98 officials to verify that the inspection is current:

99 1. Any commercial motor vehicle operating in interstate commerce that is subject to the Federal  
100 Motor Carrier Safety Regulations;

101 2. Any trailer or semitrailer being operated in interstate commerce that is subject to the Federal  
102 Motor Carrier Safety Regulations.