

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 269

An Act to amend and reenact § 46.2-1063 of the Code of Virginia and to repeal §§ 46.2-746.6, 46.2-746.9, 46.2-746.12, 46.2-747, 46.2-748, 46.2-749.10, and 46.2-749.69:1 of the Code of Virginia and to repeal § 1 of Chapter 776 of the Acts of Assembly of 2010, relating to special license plates; removal.

[S 1136]

Approved March 18, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1063 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1063. Alteration of suspension system; bumper height limits; raising body above frame rail.

No person shall drive on a public highway any motor vehicle registered as a passenger motor vehicle if it has been modified by alteration of its altitude from the ground to the extent that its bumpers, measured to any point on the lower edge of the main horizontal bumper bar, exclusive of any bumper guards, are not within the range of fourteen inches to twenty-two inches above the ground. Notwithstanding the foregoing provisions of this section, the range of bumper heights for motor vehicles bearing street rod license plates issued pursuant to § 46.2-747 shall be nine to twenty-two inches.

No vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground, expose the fuel tank to damage from collision, or cause the wheels to come in contact with the body under normal operation. No part of the original suspension system of a motor vehicle shall be disconnected to defeat the safe operation of its suspension system. However, nothing contained in this section shall prevent the installation of heavy duty equipment, including shock absorbers and overload springs. Nothing contained in this section shall prohibit the driving on a public highway of a motor vehicle with normal wear to the suspension system if such normal wear does not adversely affect the control of the vehicle.

No person shall drive on a public highway any motor vehicle registered as a truck if it has been modified by alteration of its altitude from the ground to the extent that its bumpers, measured to any point on the lower edge of the main horizontal bumper bar, exclusive of any bumper guards, do not fall within the limits specified herein for its gross vehicle weight rating category. The front bumper height of trucks whose gross vehicle weight ratings are 4,500 pounds or less shall be no less than 14 inches and no more than 28 inches, and their rear bumper height shall be no less than 14 inches and no more than 28 inches. The front bumper height of trucks whose gross vehicle weight ratings are 4,501 pounds to 7,500 pounds shall be no less than 14 inches and no more than 29 inches, and their rear bumper height shall be no less than 14 inches and no more than 30 inches. The front bumper height of trucks whose gross vehicle weight ratings are 7,501 pounds to 15,000 pounds shall be no less than 14 inches and no more than 30 inches, and their rear bumper height shall be no less than 14 inches and no more than 31 inches. Bumper height limitations contained in this section shall not apply to trucks with gross vehicle weight ratings in excess of 15,000 pounds. For the purpose of this section, "truck" includes pickup and panel trucks, and "gross vehicle weight ratings" means manufacturer's gross vehicle weight ratings established for that vehicle as indicated by a number, plate, sticker, decal, or other device affixed to the vehicle by its manufacturer.

In the absence of bumpers, and in cases where bumper heights have been lowered, height measurements under the foregoing provisions of this section shall be made to the bottom of the frame rail. However, if bumper heights have been raised, height measurements under the foregoing provisions of this section shall be made to the bottom of the main horizontal bumper bar.

No vehicle shall be operated on a public highway if it has been modified by any means so as to raise its body more than three inches, in addition to any manufacturer's spacers and bushings, above the vehicle's frame rail or manufacturer's attachment points on the frame rail.

This section shall not apply to specially designed or modified motor vehicles when driven off the public highways in races and similar events. Such motor vehicles may be lawfully towed on the highways of the Commonwealth.

2. That §§ 46.2-746.6, 46.2-746.9, 46.2-746.12, 46.2-747, 46.2-748, 46.2-749.10, and 46.2-749.69:1 of the Code of Virginia are repealed and that § 1 of Chapter 776 of the Acts of Assembly of 2010 is repealed.

3. That notwithstanding any other provision of the law, the range of bumper heights for any street rod bearing a street rod license plate issued pursuant to § 46.2-747 of the Code of Virginia, as it was in effect on June 30, 2021, shall be nine to 22 inches. For purposes of this enactment, "street rod" means a modernized passenger motor vehicle either manufactured prior to 1949 or designed

or manufactured to resemble a vehicle manufactured prior to 1949.

4. That all active registrations issued prior to July 1, 2021, pursuant to § 1 of Chapter 776 of the Acts of Assembly of 2010 shall remain valid and may be renewed pursuant to the provisions of this act. Nothing herein shall be construed to be a reauthorization of such special license plates. The annual fee for renewal shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Community Nutrition Fund, established within the Department of Accounts. These funds shall be paid annually to the Virginia Department of Health, Division of Community Nutrition. In addition, all revenue previously collected under § 1 of Chapter 776 of the Acts of Assembly of 2010 that remains unshared shall be dispensed to the Virginia Department of Health, Division of Community Nutrition. The remainder of each annual fee for renewal shall be paid to, and received by, the Commissioner of the Department of Motor Vehicles and paid by the Commissioner into the state treasury and set aside as a special fund to be used to meet the necessary expenses incurred by the Department of Motor Vehicles.