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HOUSE BILL NO. 1047

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 6, 2024)

(Patron Prior to Substitute—Delegate Batten)

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

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, *except that new motor vehicles, as defined in § 46.2-1500, that have a registered gross weight not in excess of 10,000 pounds and are inspected pursuant to subdivision A 18 of § 46.2-1158.01 shall be reinspected within 24 months of the month of the first inspection and at least once every 12 months thereafter.*

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, during which time the operator of the vehicle shall not be charged for a violation of vehicle equipment requirements set forth in Article 3 (§ 46.2-1010 et seq.) through Article 9 (§ 46.2-1066 et seq.) for such vehicle. 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;

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

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

73 13. Any vehicle for transporting well-drilling machinery and mobile equipment as defined in
74 § 46.2-700;

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

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

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

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

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

88 19. Mopeds;

89 20. Low-speed vehicles;

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

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

92 B. The following shall be exempt from inspection as required by § 46.2-1157, provided that (i) the
93 commercial motor vehicle operates in interstate commerce; (ii) the commercial motor vehicle has been
94 inspected in accordance with the federal requirements for annual inspection by complying with the
95 periodic inspection requirements in 49 C.F.R. § 396.17; (iii) the inspection has been determined by the
96 Federal Motor Carrier Safety Administration to be comparable to or as effective as the requirements of
97 49 C.F.R. § 396.3(a); and (iv) documentation of such determination as provided for in 49 C.F.R.
98 § 396.3(b) is available for review by law-enforcement 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.

103 **2. That the provisions of this act shall become effective on July 1, 2025.**