

24101780D

SENATE BILL NO. 198

Offered January 10, 2024

Prefiled January 8, 2024

A BILL to amend and reenact § 46.2-100 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-730.2, relating to license plates; collector motor vehicles; penalty.

Patron—Diggs; Delegate: Green

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-100 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-730.2 as follows:

§ 46.2-100. Definitions.

As used in this title, unless the context requires a different meaning:

"All-terrain vehicle" means a motor vehicle having three or more wheels that is powered by a motor and is manufactured for off-highway use. "All-terrain vehicle" does not include four-wheeled vehicles commonly known as "go-carts" that have low centers of gravity and are typically used in racing on relatively level surfaces, nor does the term include any riding lawn mower.

"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Antique trailer" means every trailer or semitrailer, as defined in this section, that was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Autocycle" means a three-wheeled motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride and is manufactured to comply with federal safety requirements for motorcycles. Except as otherwise provided, an autocycle shall not be deemed to be a motorcycle.

"Automobile transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles on their power unit, designed and used exclusively for the transportation of motor vehicles or used to transport cargo or general freight on a backhaul pursuant to the provisions of 49 U.S.C. § 31111(a)(1).

"Bicycle" means a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children's bicycles, except a toy vehicle intended for use by young children. For purposes of Chapter 8 (§ 46.2-800 et seq.), a bicycle shall be a vehicle while operated on the highway.

"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds.

"Business district" means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.

"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.

"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection, where all vehicles pass to the right of the island. Circular intersections include roundabouts, rotaries, and traffic circles.

"Collector" means a person who owns three or more vehicles and who collects, purchases, acquires, trades, or disposes of such vehicles, or parts thereof, for his own use in order to preserve, restore, and maintain such vehicles for hobby or historical purposes.

"Collector motor vehicle" means a motor vehicle owned by a collector that is used primarily in shows, parades, charitable functions, and historical exhibitions for display, maintenance, and preservation and is not used primarily for transportation.

"Commission" means the State Corporation Commission.

"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.

59 "Converted electric vehicle" means any motor vehicle, other than a motorcycle or autocycle, that has been
60 modified subsequent to its manufacture to replace an internal combustion engine with an electric propulsion
61 system. Such vehicles shall retain their original vehicle identification number, line-make, and model year. A
62 converted electric vehicle shall not be deemed a "reconstructed vehicle" as defined in this section unless it
63 has been materially altered from its original construction by the removal, addition, or substitution of new or
64 used essential parts other than those required for the conversion to electric propulsion.

65 "Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral
66 lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs,
67 from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere
68 distinctly indicated for pedestrian crossing by lines or other markings on the surface.

69 "Decal" means a device to be attached to a license plate that validates the license plate for a predetermined
70 registration period.

71 "Department" means the Department of Motor Vehicles of the Commonwealth.

72 "Disabled parking license plate" means a license plate that displays the international symbol of access in
73 the same size as the numbers and letters on the plate and in a color that contrasts with the background.

74 "Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand; (ii) is
75 blind; or (iii) is permanently and totally disabled as certified by the U.S. Department of Veterans Affairs. A
76 veteran shall be considered blind if he has a permanent impairment of both eyes to the following extent:
77 central visual acuity of 20/200 or less in the better eye, with corrective lenses, or central visual acuity of more
78 than 20/200, if there is a field defect in which the peripheral field has contracted to such an extent that the
79 widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye.

80 "Driver's license" means any license, including a commercial driver's license as defined in the Virginia
81 Commercial Driver's License Act (§ 46.2-341.1 et seq.) and a driver privilege card issued pursuant to § 46.2-
82 328.3, issued under the laws of the Commonwealth authorizing the operation of a motor vehicle.

83 "Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device that
84 is designed to transport only one person and powered by an electric propulsion system that limits the device's
85 maximum speed to 15 miles per hour or less. For purposes of Chapter 8 (§ 46.2-800 et seq.), an electric
86 personal assistive mobility device shall be a vehicle when operated on a highway.

87 "Electric power-assisted bicycle" means a vehicle that travels on not more than three wheels in contact
88 with the ground and is equipped with (i) pedals that allow propulsion by human power, (ii) a seat for the use
89 of the rider, and (iii) an electric motor with an input of no more than 750 watts. Electric power-assisted
90 bicycles shall be classified as follows:

91 1. "Class one" means an electric power-assisted bicycle equipped with a motor that provides assistance
92 only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20
93 miles per hour;

94 2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used
95 exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of
96 20 miles per hour; and

97 3. "Class three" means an electric power-assisted bicycle equipped with a motor that provides assistance
98 only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28
99 miles per hour.

100 For the purposes of Chapter 8 (§ 46.2-800 et seq.), an electric power-assisted bicycle shall be a vehicle
101 when operated on a highway.

102 "Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of which
103 will tend to conceal the identity of a vehicle.

104 "Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural
105 implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery and
106 implements, including self-propelled mowers designed and used for mowing lawns.

107 "Farm utility vehicle" means a vehicle that is powered by a motor and is designed for off-road use and is
108 used as a farm, agricultural, or horticultural service vehicle, generally having four or more wheels, bench
109 seating for the operator and a passenger, a steering wheel for control, and a cargo bed. "Farm utility vehicle"
110 does not include pickup or panel trucks, golf carts, low-speed vehicles, or riding lawn mowers.

111 "Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq. and all
112 administrative regulations and policies adopted pursuant thereto.

113 "Financial responsibility" means the ability to respond in damages for liability thereafter incurred arising
114 out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided for in §
115 46.2-472.

116 "Foreign market vehicle" means any motor vehicle originally manufactured outside the United States,
117 which was not manufactured in accordance with 49 U.S.C. § 30101 et seq. and the policies and regulations
118 adopted pursuant to that Act, and for which a Virginia title or registration is sought.

119 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the

120 Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and
 121 that has not been registered in the Commonwealth.

122 "Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their
 123 equipment on a golf course.

124 "Governing body" means the board of supervisors of a county, council of a city, or council of a town, as
 125 context may require.

126 "Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load thereon.

127 "Highway" means the entire width between the boundary lines of every way or place open to the use of
 128 the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for
 129 law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private
 130 streets that have been specifically designated "highways" by an ordinance adopted by the governing body of
 131 the county, city, or town in which such private roads or streets are located and (ii) the entire width between
 132 the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased,
 133 or controlled by the United States government and located in the Commonwealth.

134 "Intersection" means (i) the area embraced within the prolongation or connection of the lateral curblines
 135 or, if none, then the lateral boundary lines of the roadways of two highways that join one another at, or
 136 approximately at, right angles, or the area within which vehicles traveling on different highways joining at
 137 any other angle may come in conflict; (ii) where a highway includes two roadways 30 feet or more apart, then
 138 every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a
 139 separate intersection, in the event such intersecting highway also includes two roadways 30 feet or more
 140 apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; or
 141 (iii) for purposes only of authorizing installation of traffic-control devices, every crossing of a highway or
 142 street at grade by a pedestrian crosswalk.

143 "Lane-use control signal" means a signal face displaying indications to permit or prohibit the use of
 144 specific lanes of a roadway or to indicate the impending prohibition of such use.

145 "Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make arrests for
 146 violations of this title or local ordinances authorized by law. For the purposes of access to law-enforcement
 147 databases regarding motor vehicle registration and ownership only, "law-enforcement officer" also includes
 148 city and county commissioners of the revenue and treasurers, together with their duly designated deputies and
 149 employees, when such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753, and 46.2-
 150 754 and local ordinances enacted thereunder.

151 "License plate" means a device containing letters, numerals, or a combination of both, attached to a motor
 152 vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the Department.

153 "Light" means a device for producing illumination or the illumination produced by the device.

154 "Low-speed vehicle" means any four-wheeled electrically powered or gas-powered vehicle, except a
 155 motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf
 156 cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is
 157 manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, §
 158 571.500.

159 "Manufactured home" means a structure subject to federal regulation, transportable in one or more
 160 sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length,
 161 or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed
 162 to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and
 163 includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured
 164 home" does not include a park model recreational vehicle, which is a vehicle that is (i) designed and marketed
 165 as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to
 166 real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels; and (iv)
 167 certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5
 168 Park Model Recreational Vehicle Standard.

169 "Military surplus motor vehicle" means a multipurpose or tactical vehicle that was manufactured by or
 170 under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale
 171 to civilians. "Military surplus motor vehicle" does not include specialized mobile equipment as defined in §
 172 46.2-700, trailers, or semitrailers.

173 "Moped" means every vehicle that travels on not more than three wheels in contact with the ground that
 174 (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to
 175 the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b)
 176 has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by
 177 human power; and (iv) is not operated at speeds in excess of 35 miles per hour. "Moped" does not include an
 178 electric power-assisted bicycle or a motorized skateboard or scooter. For purposes of this title, a moped shall
 179 be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-
 180 800 et seq.), a moped shall be a vehicle while operated on a highway.

181 "Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than 150

182 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat
183 perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

184 "Motor home" means every private motor vehicle with a normal seating capacity of not more than 10
185 persons, including the driver, designed primarily for use as living quarters for human beings.

186 "Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for self-
187 propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to
188 be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial
189 space shall be considered a part of a motor vehicle. Except as otherwise provided, for the purposes of this
190 title, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-
191 assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be deemed not to
192 be a motor vehicle.

193 "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with
194 the ground and is capable of traveling at speeds in excess of 35 miles per hour. "Motorcycle" does not include
195 any "autocycle," "electric personal assistive mobility device," "electric power-assisted bicycle," "farm
196 tractor," "golf cart," "moped," "motorized skateboard or scooter," "utility vehicle," or "wheelchair or
197 wheelchair conveyance" as defined in this section.

198 "Motorized skateboard or scooter" means every vehicle, regardless of the number of its wheels in contact
199 with the ground, that (i) is designed to allow an operator to sit or stand, (ii) has no manufacturer-issued
200 vehicle identification number, (iii) is powered in whole or in part by an electric motor, (iv) weighs less than
201 100 pounds, and (v) has a speed of no more than 20 miles per hour on a paved level surface when powered
202 solely by the electric motor. "Motorized skateboard or scooter" includes vehicles with or without handlebars
203 but does not include electric personal assistive mobility devices or electric power-assisted bicycles.

204 "Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any foreign
205 corporation that is authorized to do business in the Commonwealth by the State Corporation Commission
206 shall be a resident of the Commonwealth for the purpose of this title; in the case of corporations incorporated
207 in the Commonwealth but doing business outside the Commonwealth, only such principal place of business
208 or branches located within the Commonwealth shall be dealt with as residents of the Commonwealth; (ii) a
209 person who becomes engaged in a gainful occupation in the Commonwealth for a period exceeding 60 days
210 shall be a resident for the purposes of this title except for the purposes of Chapter 3 (§ 46.2-300 et seq.); (iii)
211 a person, other than (a) a nonresident student as defined in this section or (b) a person who is serving a full-
212 time church service or proselyting mission of not more than 36 months and who is not gainfully employed,
213 who has actually resided in the Commonwealth for a period of six months, whether employed or not, or who
214 has registered a motor vehicle, listing an address in the Commonwealth in the application for registration,
215 shall be deemed a resident for the purposes of this title, except for the purposes of the Virginia Commercial
216 Driver's License Act (§ 46.2-341.1 et seq.).

217 "Nonresident student" means every nonresident person who is enrolled as a full-time student in an
218 accredited institution of learning in the Commonwealth and who is not gainfully employed.

219 "Off-road motorcycle" means every motorcycle designed exclusively for off-road use by an individual
220 rider with not more than two wheels in contact with the ground. Except as otherwise provided in this chapter,
221 for the purposes of this chapter off-road motorcycles shall be deemed to be "motorcycles."

222 "Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for
223 compensation," and "business of transporting persons or property" mean any owner or operator of any motor
224 vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or receives
225 compensation for the service, directly or indirectly; but these terms do not mean a "truck lessor" as defined in
226 this section and do not include persons or businesses that receive compensation for delivering a product that
227 they themselves sell or produce, where a separate charge is made for delivery of the product or the cost of
228 delivery is included in the sale price of the product, but where the person or business does not derive all or a
229 substantial portion of its income from the transportation of persons or property except as part of a sales
230 transaction.

231 "Operator" or "driver" means every person who either (i) drives or is in actual physical control of a motor
232 vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a motor vehicle.

233 "Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of an
234 agreement for its conditional sale or lease with the right of purchase on performance of the conditions stated
235 in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a
236 mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be
237 the owner for the purpose of this title. In all such instances when the rent paid by the lessee includes charges
238 for services of any nature or when the lease does not provide that title shall pass to the lessee on payment of
239 the rent stipulated, the lessor shall be regarded as the owner of the vehicle, and the vehicle shall be subject to
240 such requirements of this title as are applicable to vehicles operated for compensation. A "truck lessor" as
241 defined in this section shall be regarded as the owner, and his vehicles shall be subject to such requirements
242 of this title as are applicable to vehicles of private carriers.

243 "Passenger car" means every motor vehicle other than a motorcycle or autocycle designed and used

244 primarily for the transportation of no more than 10 persons, including the driver.

245 "Payment device" means any credit card as defined in 15 U.S.C. § 1602 (k) or any "accepted card or other
246 means of access" set forth in 15 U.S.C. § 1693a (1). For the purposes of this title, this definition shall also
247 include a card that enables a person to pay for transactions through the use of value stored on the card itself.

248 "Personal delivery device" means a powered device operated primarily on sidewalks and crosswalks and
249 intended primarily for the transport of property on public rights-of-way that does not exceed 500 pounds,
250 excluding cargo, and is capable of navigating with or without the active control or monitoring of a natural
251 person. Notwithstanding any other provision of law, a personal delivery device shall not be considered a
252 motor vehicle or a vehicle.

253 "Personal delivery device operator" means an entity or its agent that exercises direct physical control or
254 monitoring over the navigation system and operation of a personal delivery device. For the purposes of this
255 definition, "agent" means a person not less than 16 years of age charged by an entity with the responsibility of
256 navigating and operating a personal delivery device. "Personal delivery device operator" does not include (i)
257 an entity or person who requests the services of a personal delivery device to transport property or (ii) an
258 entity or person who only arranges for and dispatches the requested services of a personal delivery device.

259 "Pickup or panel truck" means (i) every motor vehicle designed for the transportation of property and
260 having a registered gross weight of 7,500 pounds or less or (ii) every motor vehicle registered for personal
261 use, designed to transport property on its own structure independent of any other vehicle, and having a
262 registered gross weight in excess of 7,500 pounds but not in excess of 10,000 pounds.

263 "Private road or driveway" means every way in private ownership and used for vehicular travel by the
264 owner and those having express or implied permission from the owner, but not by other persons.

265 "Reconstructed vehicle" means every vehicle of a type required to be registered under this title materially
266 altered from its original construction by the removal, addition, or substitution of new or used essential parts.
267 Such vehicles, at the discretion of the Department, shall retain their original vehicle identification number,
268 line-make, and model year. Except as otherwise provided in this title, this definition shall not include a
269 "converted electric vehicle" as defined in this section.

270 "Replica vehicle" means every vehicle of a type required to be registered under this title not fully
271 constructed by a licensed manufacturer but either constructed or assembled from components. Such
272 components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The kit
273 may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or a
274 combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model, or
275 type as produced by a licensed manufacturer or manufacturer no longer in business and is not a reconstructed
276 or specially constructed vehicle as herein defined.

277 "Residence district" means the territory contiguous to a highway, not comprising a business district, where
278 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300
279 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings,
280 or consists of land or buildings in use for business purposes, or consists of territory zoned residential or
281 territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

282 "Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or
283 restoration except through reapplication after the expiration of the period of revocation.

284 "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel,
285 exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or
286 barriers or an unpaved area.

287 "Safety zone" means the area officially set apart within a roadway for the exclusive use of pedestrians and
288 that is protected or is so marked or indicated by plainly visible signs.

289 "School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial bus,
290 which is: (i) designed and used primarily for the transportation of pupils to and from public, private or
291 religious schools, or used for the transportation of individuals with mental or physical disabilities to and from
292 a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a specified size
293 on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A yellow school bus
294 may have a white roof provided such vehicle is painted in accordance with regulations promulgated by the
295 Department of Education.

296 "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor
297 vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

298 "Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by an
299 open space or barrier and is located either within the highway right-of-way or within a separate right-of-way.
300 Shared-use paths may also be used by pedestrians, skaters, users of wheel chairs or wheel chair conveyances,
301 joggers, and other nonmotorized users and personal delivery devices.

302 "Shoulder" means that part of a highway between the portion regularly traveled by vehicular traffic and
303 the lateral curbline or ditch.

304 "Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway, and the

305 adjacent property lines, intended for use by pedestrians.
306 "Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or
307 runners, and supported in whole or in part by one or more skis, belts, or cleats.
308 "Special construction and forestry equipment" means any vehicle which is designed primarily for highway
309 construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work
310 and which is not designed for the transportation of persons or property on a public highway.
311 "Specially constructed vehicle" means any vehicle that was not originally constructed under a distinctive
312 name, make, model, or type by a generally recognized manufacturer of vehicles and not a reconstructed
313 vehicle as herein defined.
314 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter
315 configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and below
316 the rearmost axle of the power unit.
317 "Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.
318 "Suspend" or "suspension" means that the document or privilege suspended has been temporarily
319 withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the end of
320 the period of suspension.
321 "Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of
322 a hoist or other mechanical apparatus and (ii) having a manufacturer's gross vehicle weight rating of at least
323 10,000 pounds. "Tow truck" also includes vehicles designed with a ramp on wheels and a hydraulic lift with a
324 capacity to haul or tow another vehicle, commonly referred to as "rollback." "Tow truck" does not include
325 any "automobile or watercraft transporter," "stinger-steered automobile or watercraft transporter," or "tractor
326 truck" as those terms are defined in this section.
327 "Towing and recovery operator" means a person engaged in the business of (i) removing disabled
328 vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii)
329 restoring to the highway or other location where they either can be operated or removed to other locations for
330 repair or safekeeping vehicles that have come to rest in places where they cannot be operated.
331 "Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-issued vehicle
332 identification number that is designed or used to carry any person or persons, on any number of wheels,
333 bearings, glides, blades, runners, or a cushion of air. "Toy vehicle" does not include electric personal assistive
334 mobility devices, electric power-assisted bicycles, mopeds, motorized skateboards or scooters, or
335 motorcycles, nor does it include any nonmotorized or nonpropellant-driven devices such as bicycles, roller
336 skates, or skateboards.
337 "Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and
338 not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.
339 "Traffic control device" means a sign, signal, marking, or other device used to regulate, warn, or guide
340 traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility,
341 or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private
342 road open to public travel, by authority of the private owner or private official having jurisdiction.
343 "Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a
344 felony nor a misdemeanor.
345 "Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the
346 forward movement of a single line of vehicles.
347 "Trailer" means every vehicle without motive power designed for carrying property or passengers wholly
348 on its own structure and for being drawn by a motor vehicle, including manufactured homes.
349 "Truck" means every motor vehicle designed to transport property on its own structure independent of any
350 other vehicle and having a registered gross weight in excess of 7,500 pounds. "Truck" does not include any
351 pickup or panel truck.
352 "Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is
353 the subject of a bona fide written lease for a term of one year or more to another person, provided that: (i)
354 neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor
355 vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or
356 semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed
357 in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the
358 lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit
359 of the lessor, is filed with the Commissioner.
360 "Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor, and
361 (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not
362 include riding lawn mowers.
363 "Vehicle" means every device in, on or by which any person or property is or may be transported or
364 drawn on a highway, except personal delivery devices and devices moved by human power or used
365 exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.), bicycles, electric

366 personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and
 367 mopeds shall be vehicles while operated on a highway.

368 "Watercraft transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or
 369 combinations that transport watercraft on their power unit, designed and used exclusively for the
 370 transportation of watercraft.

371 "Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used to
 372 provide mobility for persons who, by reason of physical disability, are otherwise unable to move about as
 373 pedestrians. "Wheel chair or wheel chair conveyance" includes both three-wheeled and four-wheeled devices.
 374 So long as it is operated only as provided in § 46.2-677, a self-propelled wheel chair or self-propelled wheel
 375 chair conveyance shall not be considered a motor vehicle.

376 **§ 46.2-730.2. License plates for collector motor vehicles; fee.**

377 *A. On receipt of an application and evidence that the applicant owns or has regular use of another*
 378 *passenger car, autocycle, or motorcycle, and owns at least a total of three collector motor vehicles, the*
 379 *Commissioner shall issue appropriately designed license plates to owners of collector motor vehicles. These*
 380 *license plates shall be valid so long as title to the vehicle is vested in the applicant. The fee for the*
 381 *registration card and license plates of any of these vehicles shall be a one-time fee of \$50.*

382 *B. Notwithstanding the provisions of §§ 46.2-711 and 46.2-715, collector motor vehicles may display*
 383 *single license plates.*

384 *C. Collector motor vehicles registered with license plates issued or authorized for use under this section*
 385 *shall not be used for general transportation purposes, including daily travel to and from the owner's place of*
 386 *employment, but shall only be used:*

387 *1. For participation in shows, parades, charitable functions, and historical exhibitions for display,*
 388 *maintenance, and preservation;*

389 *2. On the highways of the Commonwealth for the purpose of testing their operation or selling the vehicle,*
 390 *obtaining repairs or maintenance, transportation to and from events as described in subdivision 1, and for*
 391 *occasional pleasure driving not exceeding 250 miles from the residence of the owner; and*

392 *3. To carry or transport passengers and personal effects.*

393 *The registration card issued to a collector motor vehicle registered pursuant to subsections A and B shall*
 394 *indicate such vehicle is for limited use.*

395 *D. Owners of collector motor vehicles applying for registration pursuant to this section shall submit to the*
 396 *Department, in the manner prescribed by the Department, certifications that such vehicles are capable of*
 397 *being safely operated on the highways of the Commonwealth.*

398 *Pursuant to § 46.2-1000, the Department shall suspend the registration of any vehicle registered with*
 399 *license plates issued under this section that the Department or the Department of State Police determines is*
 400 *not properly equipped or otherwise unsafe to operate. Any law-enforcement officer shall take possession of*
 401 *the license plates, registration card, and decals, if any, of any vehicle or trailer registered with license plates*
 402 *issued under this section when he observes any defect in such vehicle as set forth in § 46.2-1000.*

403 *E. Any owner of a collector motor vehicle registered with license plates pursuant to this section who is*
 404 *convicted of a violation of this section is guilty of a Class 4 misdemeanor. Upon receiving a record of*
 405 *conviction of a violation of this section, the Department shall revoke and not reinstate the owner's privilege*
 406 *to register the vehicle operated in violation of this section with license plates issued or authorized for use*
 407 *pursuant to this section for a period of five years from the date of conviction.*

408 *F. No collector motor vehicle shall be registered as an antique vehicle pursuant to § 46.2-730 or as a*
 409 *military surplus motor vehicle pursuant to § 46.2-730.1.*