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1 **HOUSE BILL NO. 587**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 46.2-915.1 of the Code of Virginia, relating to all-terrain vehicles; operation*
5 *on highways in certain localities.*

6 Patron—Ballard

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 46.2-915.1 of the Code of Virginia is amended and reenacted as follows:**10 **§ 46.2-915.1. All-terrain vehicles and off-road motorcycles; penalty.**

11 A. No all-terrain vehicle shall be operated:

12 1. On any public highway, or other public property, except (i) as authorized by proper authorities, (ii) to
13 the extent necessary to cross a public highway by the most direct route, or (iii) by law-enforcement officers,
14 firefighters, or emergency medical services personnel responding to emergencies;15 2. By any person under the age of 16, except that (i) children between the ages of 12 and 16 may operate
16 all-terrain vehicles powered by engines of no more than 90 cubic centimeters displacement and (ii) children
17 less than 12 years old may operate all-terrain vehicles powered by engines of no more than 70 cubic
18 centimeters displacement;19 3. By any person unless he is wearing a protective helmet of a type approved by the Superintendent of
20 State Police for use by motorcycle operators;21 4. On another person's property without the written consent of the owner of the property or as explicitly
22 authorized by law; or23 5. With a passenger at any time, unless such all-terrain vehicle is designed and equipped to be operated
24 with more than one rider.25 B. Notwithstanding subsection A, all-terrain vehicles may be operated on the highways in Buchanan
26 County and Tazewell County if the following conditions are met:27 1. Such operation is approved by action of the Buchanan County Board of Supervisors for operation along
28 the Pocahontas Trail on Bill Young Mountain and across Virginia Route 635 in Buchanan County and
29 approved by action of the Tazewell County Board of Supervisors for operation along the Pocahontas Trail in
30 and between the Town of Pocahontas and Boissevain; across Virginia Routes 644, 663, 659, 627, 734, and
31 747; within the corporate limits of the Town of Pocahontas in Tazewell County; and across property of the
32 Virginia Department of Corrections in Tazewell County, provided that permission is granted for such
33 operation pursuant to § 2.2-1150;34 2. Signs, whose design, number, and location are approved by the Virginia Department of Transportation,
35 have been posted warning motorists that all-terrain vehicles may be operating on the highway;36 3. Such all-terrain vehicles are operated during daylight hours on the highway for no more than one mile
37 between one off-road trail and another;38 4. Signs required by this subsection are purchased and installed by the person or club requesting the Board
39 of Supervisors' approval for such over-the-road operation of all-terrain vehicles;40 5. All-terrain vehicles operators shall, when operating on the highway, obey all rules of the road
41 applicable to other motor vehicles;

42 6. Riders of such all-terrain vehicles shall wear approved helmets; and

43 7. Such all-terrain vehicles shall operate at speeds of no more than 25 miles per hour.

44 No provision of this subsection shall be construed to require all-terrain vehicles operated on a highway as
45 provided in this subsection to comply with lighting requirements contained in this title.46 C. Notwithstanding subsection A, all-terrain vehicles may be operated on designated highways in Giles
47 County and Pulaski County if operation is approved by action of the Board of Supervisors of the respective
48 locality for operation on designated highways in such county. Such localities may, by ordinance, designate
49 such designated highways for such operation after (i) considering the speed, volume, and character of motor
50 vehicle traffic using such highways and (ii) determining that all-terrain vehicle operation on such highways
51 is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide
52 Pedestrian Policy provided for in § 33.2-354. No highway shall be designated for use by all-terrain vehicles
53 if such all-terrain vehicle operations will impede the safe and efficient flow of motor vehicle traffic. Such
54 localities shall post signs, whose design, number, and location are approved by the Department of
55 Transportation, warning motorists that all-terrain vehicles may be operating on the designated highway.
5657 All-terrain vehicles operated on such designated highways pursuant to this subsection shall only be
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59 *operated during daylight hours. Operators of such all-terrain vehicles shall (a) obey all rules of the road*
60 *applicable to other motor vehicles, (b) wear approved helmets, and (c) operate such all-terrain vehicles at*
61 *speeds of no more than 25 miles per hour. No provision of this subsection shall be construed to require all-*
62 *terrain vehicles operated on a highway as provided in this subsection to comply with lighting requirements*
63 *contained in this title.*

64 *D.* Any retailer selling any all-terrain vehicle shall affix thereto, or verify that there is affixed thereto, a
65 decal or sticker, approved by the Superintendent of State Police, which clearly and completely states the
66 prohibition contained in subsection A.

67 *D- E.* A violation of this section shall not constitute negligence, be considered in mitigation of damages of
68 whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the
69 recovery of damages arising out of the operation, ownership, or maintenance of an all-terrain vehicle or
70 off-road motorcycle, nor shall anything in this section change any existing law, rule, or procedure pertaining
71 to any such civil action, nor shall this section bar any claim which otherwise exists.

72 *E. F.* Violation of any provision of this section shall be punishable by a civil penalty of not more than
73 \$500.

74 *F. G.* The provisions of this section shall not apply:

- 75 1. To any all-terrain vehicle being used in conjunction with farming activities; or
- 76 2. To members of the household or employees of the owner or lessee of private property on which the all-
77 terrain vehicle is operated.

78 *G. H.* The governing body of any city may by ordinance provide for the lawful seizure, impounding, and
79 disposition of an unlawfully operated all-terrain vehicle or off-road motorcycle operated on a highway or
80 sidewalk within the boundaries of such city.

81 *H. I.* For the purposes of this section, "all-terrain vehicle" and "off-road motorcycle" shall have the
82 meanings ascribed in § 46.2-100.