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HOUSE BILL NO. 1417

Offered January 22, 2026

A BILL to amend and reenact §§ 46.2-100, 46.2-821, and 46.2-833 of the Code of Virginia, relating to bicycle riders; traffic control device exceptions; liability.

Patron—Keys-Gamarra

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-100, 46.2-821, and 46.2-833 of the Code of Virginia are amended and reenacted 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" does not include an electric power-assisted bicycle unless expressly stated.

"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.

"Commission" means the State Corporation Commission.

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

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

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

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

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

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

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

74 "Driver's license" means any license, including a commercial driver's license as defined in the Virginia  
75 Commercial Driver's License Act (§ 46.2-341.1 et seq.) and a driver privilege card issued pursuant to  
76 § 46.2-328.3, issued under the laws of the Commonwealth authorizing the operation of a motor vehicle.

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

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

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

88 2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used  
89 exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of  
90 20 miles per hour; and

91 3. "Class three" 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 the speed of 28  
93 miles per hour.

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

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

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

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

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

107 "Financial responsibility" means the ability to respond in damages for liability thereafter incurred arising  
108 out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided for in  
109 § 46.2-472.

110 "Financial responsibility in the future" means the future ability to respond to damages for liability  
111 incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle in the amounts  
112 provided for in §§ 46.2-316 and 46.2-472.

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

116 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the  
117 Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and  
118 that has not been registered in the Commonwealth.

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

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

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

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

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

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

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

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

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

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

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

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

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

178 "Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than 150  
 179 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat  
 180 perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

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

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

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

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

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

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

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

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

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

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

240 "Passenger car" means every motor vehicle other than a motorcycle or autocycle designed and used  
241 primarily for the transportation of no more than 10 persons, including the driver.

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

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

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

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

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

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

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

274 "Residence district" means the territory contiguous to a highway, not comprising a business district, where  
275 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300  
276 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings,  
277 or consists of land or buildings in use for business purposes, or consists of territory zoned residential or  
278 territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

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

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

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

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

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

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

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

301 "Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway, and the  
302 adjacent property lines, intended for use by pedestrians.

303 "Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or  
304 runners, and supported in whole or in part by one or more skis, belts, or cleats.

305 "Special construction and forestry equipment" means any vehicle which is designed primarily for highway  
306 construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work

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

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

373 **§ 46.2-821. Vehicles before entering certain highways shall stop or yield right-of-way; exceptions.**

374 A. The driver of a vehicle approaching an intersection on a highway controlled by a stop sign shall,  
 375 immediately before entering such intersection, stop at a clearly marked stop line, or, in the absence of a stop  
 376 line, stop before entering the crosswalk on the near side of the intersection, or, in the absence of a marked  
 377 crosswalk, stop at the point nearest the intersecting roadway where the driver has a view of approaching  
 378 traffic on the intersecting roadway. Before proceeding, he shall yield the right-of-way to the driver of any  
 379 vehicle approaching on such other highway from either direction.

380 B. Where a "Yield Right-of-Way" sign is posted, the driver of a vehicle approaching or entering such  
 381 intersection shall slow down to a speed reasonable for the existing conditions, yield the right-of-way to the  
 382 driver of another vehicle approaching or entering such intersection from another direction, and, if required for  
 383 safety, shall stop at a clearly marked stop or yield line, or, in the absence of a stop or yield line, stop before  
 384 entering the crosswalk on the near side of the intersecting roadway where the driver has a view of  
 385 approaching traffic on the intersecting roadway, and shall yield the right-of-way to the driver of any vehicle  
 386 approaching on such other highway from either direction.

387 C. *Notwithstanding the provisions of this section and § 46.2-830, a bicycle rider approaching an*  
 388 *intersection on a highway controlled by a stop sign or where a "Yield Right-of-Way" sign is posted may*  
 389 *proceed through such intersection without stopping or slowing if the bicycle rider (i) is at least 16 years of*  
 390 *age or is accompanied by a person who is at least 16 years of age who is also riding a bicycle and who*  
 391 *precedes him through the intersection with no more than 10 feet of distance separating the bicycles and (ii)*  
 392 *yields the right-of-way to the driver of any vehicle lawfully within such intersection or approaching or*  
 393 *entering such intersection from another direction. Proceeding through an intersection as authorized in this*  
 394 *subsection without yielding as required in clause (ii) constitutes negligence per se if such action is the*  
 395 *proximate cause of a collision or vehicular accident.*

396 **§ 46.2-833. Traffic lights; penalty.**

397 A. Signals by traffic lights shall be as follows:

398 Steady red indicates that moving traffic shall stop and remain stopped as long as the red signal is shown,  
 399 except in the direction indicated by a steady green arrow.

400 Green indicates the traffic shall move in the direction of the signal and remain in motion as long as the  
 401 green signal is given, except that such traffic shall yield to other vehicles and pedestrians lawfully within the  
 402 intersection.

403 Steady amber indicates that a change is about to be made in the direction of the moving of traffic. When  
 404 the amber signal is shown, traffic which has not already entered the intersection, including the crosswalks,  
 405 shall stop if it is not reasonably safe to continue, but traffic which has already entered the intersection shall  
 406 continue to move until the intersection has been cleared.

407 Flashing circular red indicates that traffic shall stop before entering an intersection. Such traffic shall yield  
 408 the right-of-way to pedestrian and vehicular traffic lawfully within the intersection.

409 Flashing red arrow indicates that traffic shall stop before entering an intersection. After stopping, traffic  
 410 may cautiously enter the intersection to turn in the direction of the signal. Such traffic shall yield the right-of-  
 411 way to pedestrian and vehicular traffic lawfully within the intersection.

412 Flashing circular amber indicates that traffic may proceed through the intersection or past such signal with  
 413 reasonable care under the circumstances. Such traffic shall yield the right-of-way to pedestrian and vehicular  
 414 traffic lawfully within the intersection.

415 Flashing amber arrow indicates that traffic may turn in the direction of such signal with reasonable care  
 416 under the circumstances. Such traffic shall yield the right-of-way to pedestrian and vehicular traffic lawfully  
 417 within the intersection.

418 B. Notwithstanding any other provision of law, if a driver of a motorcycle or moped ~~or a bicycle rider~~  
 419 approaches an intersection that is controlled by a traffic light, the driver ~~or rider~~ may proceed through the  
 420 intersection on a steady red light only if the driver ~~or rider~~ (i) comes to a full and complete stop at the  
 421 intersection for two complete cycles of the traffic light or for two minutes, whichever is shorter, (ii) exercises  
 422 due care as provided by law, (iii) otherwise treats the traffic control device as a stop sign, (iv) determines that  
 423 it is safe to proceed, and (v) yields the right of way to the driver of any vehicle approaching on such other  
 424 highway from either direction.

425 *Notwithstanding any other provision of law, if a bicycle rider approaches an intersection that is*  
 426 *controlled by a traffic light, the rider may proceed through such intersection on a steady red light only if the*  
 427 *bicycle rider (a) is at least 16 years of age or is accompanied by a person who is at least 16 years of age who*  
 428 *is also riding a bicycle and who precedes him through the intersection with no more than 10 feet of distance*  
 429 *separating the bicycles and (b) yields the right-of-way to the driver of any vehicle lawfully within such*  
 430 *intersection or approaching or entering such intersection from another direction. Proceeding through an*

431 *intersection as authorized in this subsection without yielding as required in clause (b) constitutes negligence*  
432 *per se if such action is the proximate cause of a collision or vehicular accident.*

433 C. If the traffic lights controlling an intersection are out of service because of a power failure or other  
434 event that prevents the giving of signals by the traffic lights, the drivers of vehicles approaching such an  
435 intersection shall proceed as though such intersection were controlled by a stop sign on all approaches. The  
436 provisions of this subsection shall not apply to: intersections controlled by portable stop signs, intersections  
437 with law-enforcement officers or other authorized persons directing traffic, or intersections controlled by  
438 traffic lights displaying flashing red or flashing amber lights as provided in subsection A.

439 D. The driver of any motor vehicle may be detained or arrested for a violation of this section if the  
440 detaining law-enforcement officer is in uniform, displays his badge of authority, and (i) has observed the  
441 violation or (ii) has received a message by radio or other wireless telecommunication device from another  
442 law-enforcement officer who observed the violation. In the case of a person being detained or arrested based  
443 on a radio message, the message shall be sent immediately after the violation is observed, and the observing  
444 officer shall furnish the license number or other positive identification of the vehicle to the detaining officer.

445 Violation of any provision of this section shall constitute a traffic infraction punishable by a fine of no  
446 more than \$350.