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HOUSE BILL NO. 587

Offered January 14, 2026

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

Patron—Ballard

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-915.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-915.1. All-terrain vehicles and off-road motorcycles; penalty.

A. No all-terrain vehicle shall be operated:

1. On any public highway, or other public property, except (i) as authorized by proper authorities, (ii) to the extent necessary to cross a public highway by the most direct route, or (iii) by law-enforcement officers, firefighters, or emergency medical services personnel responding to emergencies;

2. By any person under the age of 16, except that (i) children between the ages of 12 and 16 may operate all-terrain vehicles powered by engines of no more than 90 cubic centimeters displacement and (ii) children less than 12 years old may operate all-terrain vehicles powered by engines of no more than 70 cubic centimeters displacement;

3. By any person unless he is wearing a protective helmet of a type approved by the Superintendent of State Police for use by motorcycle operators;

4. On another person's property without the written consent of the owner of the property or as explicitly authorized by law; or

5. With a passenger at any time, unless such all-terrain vehicle is designed and equipped to be operated with more than one rider.

B. Notwithstanding subsection A, all-terrain vehicles may be operated on the highways in Buchanan County and Tazewell County if the following conditions are met:

1. Such operation is approved by action of the Buchanan County Board of Supervisors for operation along the Pocahontas Trail on Bill Young Mountain and across Virginia Route 635 in Buchanan County and approved by action of the Tazewell County Board of Supervisors for operation along the Pocahontas Trail in and between the Town of Pocahontas and Boissevain; across Virginia Routes 644, 663, 659, 627, 734, and 747; within the corporate limits of the Town of Pocahontas in Tazewell County; and across property of the Virginia Department of Corrections in Tazewell County, provided that permission is granted for such operation pursuant to § 2.2-1150;

2. Signs, whose design, number, and location are approved by the Virginia Department of Transportation, have been posted warning motorists that all-terrain vehicles may be operating on the highway;

3. Such all-terrain vehicles are operated during daylight hours on the highway for no more than one mile between one off-road trail and another;

4. Signs required by this subsection are purchased and installed by the person or club requesting the Board of Supervisors' approval for such over-the-road operation of all-terrain vehicles;

5. All-terrain vehicles operators shall, when operating on the highway, obey all rules of the road applicable to other motor vehicles;

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

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

No provision of this subsection shall be construed to require all-terrain vehicles operated on a highway as provided in this subsection to comply with lighting requirements contained in this title.

C. *Notwithstanding subsection A, all-terrain vehicles may be operated on designated highways in Giles County and Pulaski County if operation is approved by action of the Board of Supervisors of the respective locality for operation on designated highways in such county. Such localities may, by ordinance, designate such designated highways for such operation after (i) considering the speed, volume, and character of motor vehicle traffic using such highways and (ii) determining that all-terrain vehicle operation on such highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in § 33.2-354. No highway shall be designated for use by all-terrain vehicles if such all-terrain vehicle operations will impede the safe and efficient flow of motor vehicle traffic. Such localities shall post signs, whose design, number, and location are approved by the Department of Transportation, warning motorists that all-terrain vehicles may be operating on the designated highway.*

All-terrain vehicles operated on such designated highways pursuant to this subsection shall only be operated during daylight hours. Operators of such all-terrain vehicles shall (a) obey all rules of the road

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applicable to other motor vehicles, (b) wear approved helmets, and (c) operate such all-terrain vehicles at speeds of no more than 25 miles per hour. No provision of this subsection shall be construed to require all-terrain vehicles operated on a highway as provided in this subsection to comply with lighting requirements contained in this title.

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

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

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

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

1. To any all-terrain vehicle being used in conjunction with farming activities; or

2. To members of the household or employees of the owner or lessee of private property on which the all-terrain vehicle is operated.

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

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