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HOUSE BILL NO. 269

Offered January 14, 2026

A BILL to amend and reenact §§ 15.2-1720, 46.2-100, 46.2-600, 46.2-613, 46.2-629, 46.2-662, 46.2-694, as it is currently effective and as it may become effective, 46.2-705, 46.2-711, 46.2-714, 46.2-715, 46.2-720, 46.2-721, 46.2-904.1, 46.2-906.1, and 46.2-914 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 10 of Title 46.2 an article numbered 24, consisting of sections numbered 46.2-1193 through 46.2-1198, relating to motorized mobility vehicles; civil penalties.

Patron—Reid

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1720, 46.2-100, 46.2-600, 46.2-613, 46.2-629, 46.2-662, 46.2-694, as it is currently effective and as it may become effective, 46.2-705, 46.2-711, 46.2-714, 46.2-715, 46.2-720, 46.2-721, 46.2-904.1, 46.2-906.1, and 46.2-914 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 10 of Title 46.2 an article numbered 24, consisting of sections numbered 46.2-1193 through 46.2-1198, as follows:

§ 15.2-1720. Localities authorized to license certain bicycles, electric power-assisted bicycles, mopeds, and electric personal assistive mobility devices; disposition of unclaimed bicycles, electric power-assisted bicycles, mopeds, and electric personal assistive mobility devices.

A. As used in this section, the terms "bicycle," "Class B motorized mobility vehicle," "electric personal assistive mobility device," "electric power-assisted bicycle," and "moped" mean the same as those terms are defined in § 46.2-100.

B. Any locality may, by ordinance, (i) ~~provide for the public sale or donation to a charitable organization of any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped that has been in the possession of the police or sheriff's department, unclaimed, for more than thirty days;~~ (ii) require every resident owner of a bicycle, electric power-assisted bicycle, electric personal assistive mobility device, or moped to obtain a license therefor and a license plate, tag, or adhesive license decal of such design and material as the ordinance may prescribe, to be substantially attached to the bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped; ~~(iii)~~ (ii) prescribe the license fee, the license application forms and the license form; and ~~(iv)~~ (iii) prescribe penalties for operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on public roads or streets within the locality without an attached license plate, tag, or adhesive decal. The ordinance shall require the license plates, tags, or adhesive decals to be provided by and at the cost of the locality. Any locality may provide that the license plates, tags, or adhesive decals shall be valid for the life of the bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to which they are attached or for such other period as it may prescribe and may prescribe such fee therefor as it may deem reasonable. When any town license is required as provided for herein, the license shall be in lieu of any license required by any county ordinance. Any ordinance adopted pursuant to this subsection shall ensure that the requirements for electric personal assistive mobility devices, electric power-assisted bicycles, or mopeds that are also Class B motorized mobility vehicles do not conflict with any requirements established or adopted for Class B motorized mobility vehicles pursuant to Title 46.2.

C. Any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped found and delivered to the police or sheriff's department by a private person that thereafter remains unclaimed for ~~thirty~~ 30 days after the final date of publication as required herein may be given to the finder; however, the location and description of the bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped shall be published at least once a week for two successive weeks in a newspaper of general circulation within the locality. In addition, if there is a license, tag, or adhesive license decal affixed to the bicycle, electric personal assistive mobility device, or electric power-assisted bicycle, or moped, the record owner shall be notified directly. Any locality may, by ordinance, provide for the public sale or donation to a charitable organization of any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped that has been in the possession of the police or sheriff's department, unclaimed, for more than thirty days.

§ 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

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surfaces, nor does the term include any riding lawn mower. *For purposes of this title, an "all-terrain vehicle" shall be considered a motorcycle when operated on any highway unless such operation is authorized pursuant to this title.*

"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.

"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.

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

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

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

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

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

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

"Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

185 "Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make arrests for
186 violations of this title or local ordinances authorized by law. For the purposes of access to law-enforcement
187 databases regarding motor vehicle registration and ownership only, "law-enforcement officer" also includes
188 city and county commissioners of the revenue and treasurers, together with their duly designated deputies and
189 employees, when such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753, and
190 46.2-754 and local ordinances enacted thereunder.

191 "License plate" means a device containing letters, numerals, or a combination of both, attached to a ~~motor~~
192 vehicle *required to be registered pursuant to this title*, trailer, or semitrailer to indicate that the vehicle,
193 *trailer, or semitrailer* is properly registered with the Department.

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

195 "Low-speed vehicle" means any four-wheeled electrically powered or gas-powered vehicle, except a
196 motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf
197 cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is
198 manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, §
199 571.500.

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

210 "Military surplus motor vehicle" means a multipurpose or tactical vehicle that was manufactured by or
211 under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale
212 to civilians. "Military surplus motor vehicle" does not include specialized mobile equipment as defined in
213 § 46.2-700, trailers, or semitrailers.

214 "Moped" means every vehicle that travels on not more than three wheels in contact with the ground that
215 (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to
216 the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b)
217 has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by
218 human power; and (iv) is not operated at speeds in excess of 35 miles per hour. "Moped" does not include an
219 electric power-assisted bicycle or a motorized skateboard or scooter. For purposes of this title, a moped shall
220 be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8
221 (§ 46.2-800 et seq.), a moped shall be a vehicle while operated on a highway.

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

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

227 "Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for
228 self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained
229 primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or
230 commercial space shall be considered a part of a motor vehicle. Except as otherwise provided, for the
231 purposes of this title, any device herein defined as a bicycle, electric personal assistive mobility device,
232 electric power-assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be
233 deemed not to be a motor vehicle, *unless such device is a Class B motorized mobility vehicle, as defined in*
234 *this section*.

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

240 "Motorized mobility vehicle" means any vehicle with not more than three wheels in contact with the
241 ground that is powered in whole or in part by an electric motor or internal combustion device and is
242 designed to transport one or more persons. "Motorized mobility vehicles" shall be classified as follows:

243 1. "Class A" means any motorized mobility vehicle capable of traveling at speeds of no more than 25
244 miles per hour.

2. "Class B" means any motorized mobility vehicle capable of traveling at speeds in excess of 25 miles per hour and no more than 35 miles per hour.

For purposes of this title, a motorized mobility vehicle shall be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.), a motorized mobility vehicle shall be a vehicle while operated on a highway.

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

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

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

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

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

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

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

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

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

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

"Personal delivery device operator" means an entity or its agent that exercises direct physical control or

307 monitoring over the navigation system and operation of a personal delivery device. For the purposes of this
308 definition, "agent" means a person not less than 16 years of age charged by an entity with the responsibility of
309 navigating and operating a personal delivery device. "Personal delivery device operator" does not include (i)
310 an entity or person who requests the services of a personal delivery device to transport property or (ii) an
311 entity or person who only arranges for and dispatches the requested services of a personal delivery device.

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

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

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

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

330 "Residence district" means the territory contiguous to a highway, not comprising a business district, where
331 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300
332 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings,
333 or consists of land or buildings in use for business purposes, or consists of territory zoned residential or
334 territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

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

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

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

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

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

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

355 "Shoulder" means that part of a highway between the portion regularly traveled by vehicular traffic and
356 the lateral curblineline or ditch.

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

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

361 "Special construction and forestry equipment" means any vehicle which is designed primarily for highway
362 construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work
363 and which is not designed for the transportation of persons or property on a public highway.

364 "Specially constructed vehicle" means any vehicle that was not originally constructed under a distinctive
365 name, make, model, or type by a generally recognized manufacturer of vehicles and not a reconstructed
366 vehicle as herein defined.

367 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter
368 configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and below

the rearmost axle of the power unit.

"Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

"Suspend" or "suspension" means that the document or privilege suspended has been temporarily withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the end of the period of suspension.

"Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer's gross vehicle weight rating of at least 10,000 pounds. "Tow truck" also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks." "Tow truck" does not include any "automobile or watercraft transporter," "stinger-steered automobile or watercraft transporter," or "tractor truck" as those terms are defined in this section.

"Towing and recovery operator" means a person engaged in the business of (i) removing disabled vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii) restoring to the highway or other location where they either can be operated or removed to other locations for repair or safekeeping vehicles that have come to rest in places where they cannot be operated.

"Toy vehicle" means any motorized or propellant-driven device (i) *with a maximum speed of no more than five miles per hour*, (ii) that has no manufacturer-issued vehicle identification number, and (iii) that is designed or used to carry any person or persons, on any number of wheels, bearings, glides, blades, runners, or a cushion of air. "Toy vehicle" does not include electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, motorized skateboards or scooters, or motorcycles, nor does it include any nonmotorized or nonpropellant-driven devices such as bicycles, roller skates, or skateboards.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

"Traffic control device" means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

"Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a felony nor a misdemeanor.

"Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

"Truck" means every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds. "Truck" does not include any pickup or panel truck.

"Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is the subject of a bona fide written lease for a term of one year or more to another person, provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

"Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include riding lawn mowers.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except personal delivery devices and devices moved by human power or used exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.), bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds shall be vehicles while operated on a highway.

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

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

§ 46.2-600. Owner to secure registration and certificate of title or certificate of ownership.

Except as otherwise provided, for the purposes of this chapter, a moped and a Class B motorized mobility

vehicle shall be deemed a motor vehicle.

Except as otherwise provided in this chapter every person who owns a motor vehicle, trailer or semitrailer, or his authorized attorney-in-fact, shall, before it is operated on any highway in the Commonwealth, register with the Department and obtain from the Department the registration card and certificate of title for the vehicle. Individuals applying for registration shall provide the Department with the residence address of the owner of the vehicle being registered. A business applying for registration shall provide the Department with the street address of the owner or lessee of the vehicle being registered.

At the option of the applicant for registration, the address shown on the title and registration card may be either a post office box or the business or residence address of the applicant.

Unless he has previously applied for registration and a certificate of title or he is exempted under §§ 46.2-619, 46.2-626.1, 46.2-631, and 46.2-1206, every person residing in the Commonwealth who owns a motor vehicle, trailer, or semitrailer, or his duly authorized attorney-in-fact, shall, within 30 days of the purchase or transfer, apply to the Department for a certificate of ownership.

Nothing in this chapter shall be construed to require titling or registration in the Commonwealth of any farm tractor or special construction and forestry equipment, as defined in § 46.2-100.

Notwithstanding the foregoing provisions of this section, provided such vehicle is registered and titled elsewhere in the United States, nothing in this chapter shall be construed to require titling or registration in the Commonwealth of any vehicle located in the Commonwealth if that vehicle is registered to a non-Virginia resident active duty military service member, activated reserve or national guard member, mobilized reserve or national guard member living in the Commonwealth, or person who is serving a full-time church service or proselyting mission of not more than 36 months and who is not gainfully employed.

§ 46.2-613. Infractions relating to registration, licensing, and certificates of title; penalties.

A. No person shall:

1. Operate, park, or permit the operation or parking of a motor vehicle, trailer, or semitrailer owned, leased, or otherwise controlled by him on a highway unless (i) it is registered, (ii) a certificate of title therefor has been issued, and (iii) it has displayed on it the license plate or plates and decal or decals, if any, assigned to it by the Department for the current registration period, subject to the exemptions mentioned in Article 5 (§ 46.2-655 et seq.) and Article 6 (§ 46.2-662 et seq.). The provisions of this subdivision shall apply to the registration, licensing, and titling of (i) mopeds on or after July 1, 2014, and (ii) *Class B motorized mobility vehicles on or after July 1, 2026.*

2. Possess or use any registration card, license plate, or decal to which he is not entitled or knowingly permit the use of any registration card, license plate, or decal by anyone not entitled to it.

3. Willfully and intentionally violate the limitations imposed under §§ 46.2-665, 46.2-666, and 46.2-670 while operating an unregistered vehicle pursuant to the agricultural and horticultural exemptions allowed under those sections. A first violation of this subdivision shall constitute a traffic infraction punishable by a fine of not more than \$250, and a second or subsequent violation of this subdivision shall constitute a traffic infraction punishable by a fine of \$250.

B. For any summons issued for a violation of this section, the court may, in its discretion, dismiss the summons, where proof of compliance with this section is provided to the court on or before the court date.

§ 46.2-629. Odometer reading to be reported on certificate of title, application, or power of attorney.

A. Every owner or transferor of any motor vehicle, including a dealer, shall, at the time of transfer of ownership of any motor vehicle by him, record on the certificate of title, if one is currently issued on the vehicle in the Commonwealth, and on any application for certificate of title the reading on the odometer or similar device plus any known additional distance traveled not shown by the odometer or similar device of the motor vehicle at the time of transfer. If, however, a transferor gives his power of attorney to a dealer or other person for the purpose of assigning the transferor's interest in a motor vehicle, the transferor shall conspicuously record on the power of attorney the reading on the odometer or similar device at the time of the assignment. The owner or transferor of a motor vehicle may electronically provide, in a form and format prescribed by the Commissioner, the reading on the odometer or similar device at the time of transfer if a paper certificate of title was not issued by the Department in accordance with § 46.2-603.1 and electronic provision of odometer readings is permitted under the Federal Odometer Act (49 U.S.C. § 32701 et seq.) or any federal regulations promulgated thereunder.

B. The Department shall not issue to any transferee any new certificate of title to a motor vehicle unless subsection A has been complied with.

C. It shall be unlawful for any person knowingly to record an incorrect odometer or similar device reading plus any known additional distance not shown by the odometer or similar device on any certificate of title or application for a title, or on any power of attorney as described in subsection A.

D. Notwithstanding other provisions of this section, an owner or transferor, including a dealer, of any of the following types of motor vehicles need not disclose the vehicle's odometer reading:

1. Vehicles having gross vehicle weight ratings of more than 16,000 pounds;

2. Vehicles manufactured in or before the 2010 model year that are transferred at least 10 years after January 1 of the calendar year corresponding to its designated model year and were previously exempt from

recording an odometer reading on the certificate of title in another state, provided that the Department shall brand the titles of all such vehicles to indicate this exemption; and

3. Vehicles manufactured in or after the 2011 model year that are transferred at least 20 years after January 1 of the calendar year corresponding to its designated model year and were previously exempt from recording an odometer reading on the certificate of title in another state, provided that the Department shall brand the titles of all such vehicles to indicate this exemption.

E. Violation of this section shall constitute a Class 1 misdemeanor.

F. The provisions of subsections A and B shall not apply to transfers under § 46.2-633.

G. This section shall not apply to transfers or application for certificates of title of all-terrain vehicles, *Class B motorized mobility vehicles*, mopeds, or off-road motorcycles as defined in § 46.2-100.

§ 46.2-662. Temporary exemption for new resident operating vehicle registered in another state or country.

A. A resident owner of any passenger car, pickup or panel truck, *Class B motorized mobility vehicle*, moped, autocycle, or motorcycle, other than those provided for in § 46.2-652, that has been duly registered for the current calendar year in another state or country and that at all times when operated in the Commonwealth displays the license plate or plates issued for the vehicle in the other state or country, may operate or permit the operation of the passenger car, pickup or panel truck, *Class B motorized mobility vehicle*, moped, autocycle, or motorcycle within or partly within the Commonwealth for the first 30 days of his residency in the Commonwealth without registering the passenger car, pickup or panel truck, *Class B motorized mobility vehicle*, moped, autocycle, or motorcycle or paying any fees to the Commonwealth.

B. In addition to any penalty authorized under this title, any locality may adopt an ordinance imposing a penalty of up to \$250 upon the resident owner of any motor vehicle that, following the end of the 30-day period provided in subsection A, is required to be registered in Virginia but has not been so registered. The locality may impose the penalty upon the resident owner annually for as long as the motor vehicle remains unregistered in Virginia. The ordinance shall set forth a reasonable method for assessing and collecting the penalty, whether by civil, criminal, or administrative process, and shall identify the employees or agents of the locality who are to execute such assessment and collection.

§ 46.2-694. (Contingent expiration date) Fees for vehicles designed and used for transportation of passengers; weights used for computing fees; burden of proof.

A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the transportation of passengers on the highways in the Commonwealth are:

1. a. Twenty-three dollars for each private passenger car if the passenger car weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under this subdivision shall apply to a private passenger car that weighs 4,000 pounds or less and is used as a TNC partner vehicle as defined in § 46.2-2000.

b. Thirty-three dollars for each motor home if the motor home weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

2. a. Twenty-eight dollars for each private passenger car that weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under this subdivision shall apply to a private passenger car that weighs more than 4,000 pounds and is used as a TNC partner vehicle as defined in § 46.2-2000.

b. Thirty-eight dollars for each motor home if the motor home weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a motorcycle with a normal seating capacity of more than 10 adults, including the driver, if the private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

5. Twenty-three dollars for each trailer or semitrailer designed for use as living quarters for human beings.

6. Thirteen dollars plus \$0.30 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7 on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

7. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this

subsection. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of the foregoing fee of \$0.70 per 100 pounds, a motor carrier of passengers, operating two or more vehicles both within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation Board of the U.S. Department of Transportation, Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the filing of such application, in such form as the Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than \$33. For the purpose of determining such apportioned registration fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth shall be subject to inclusion in determining the apportionment provided for herein.

8. Thirteen dollars plus \$0.80 per 100 pounds or major fraction thereof for each motor vehicle, trailer or semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation of passengers. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in § 46.2-2000.

9. Twenty-three dollars for a taxicab or other vehicle which is kept for rent or hire operated with a chauffeur for the transportation of passengers, and which operates or should operate under permits issued by the Department as required by law. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in § 46.2-2000.

10. Fourteen dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of \$3 which shall be distributed as provided in § 46.2-1191.

10a. Twelve dollars for a moped, to be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

10b. Fourteen dollars for an autocycle.

10c. *Not to exceed \$14 for a Class B motorized mobility vehicle, in an amount set by the Department based on the vehicle's relative road impact, to be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.*

11. Twenty-three dollars for a bus used exclusively for transportation to and from church school, for the purpose of religious instruction, or church, for the purpose of divine worship. If the empty weight of the vehicle exceeds 4,000 pounds, the fee shall be \$28.

12. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for other passenger-carrying vehicles.

13. An additional fee of \$4.25 per year shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle under subdivisions 1 through 12. All funds collected from \$4 of the \$4.25 fee shall be paid into the state treasury and shall be set aside as a special fund to be used only for emergency medical services purposes. The moneys in the special emergency medical services fund shall be distributed as follows:

a. Two percent shall be distributed to the State Department of Health to provide funding to the Virginia Association of Volunteer Rescue Squads to be used solely for the purpose of conducting volunteer recruitment, retention, and training activities;

b. Thirty percent shall be distributed to the State Department of Health to support (i) emergency medical services training programs (excluding advanced life support classes); (ii) advanced life support training; (iii) recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer emergency medical services personnel only, including public awareness campaigns, technical assistance programs, and similar activities); (iv) emergency medical services system development, initiatives, and priorities based on needs identified by the State Emergency Medical Services Advisory Board; (v) local, regional, and statewide performance contracts for emergency medical services to meet the objectives stipulated in § 32.1-111.3; (vi) technology and radio communication enhancements; and (vii) improved emergency preparedness and response. Any funds set aside for distribution under this provision and remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

c. Thirty-two percent shall be distributed to the Rescue Squad Assistance Fund;

d. Ten percent shall be available to the State Department of Health's Office of Emergency Medical Services for use in emergency medical services; and

e. Twenty-six percent shall be returned by the Comptroller to the locality wherein such vehicle is

registered, to provide funding for training of volunteer or salaried emergency medical services personnel of nonprofit emergency medical services agencies that hold a valid license issued by the Commissioner of Health and for the purchase of necessary equipment and supplies for use in such locality for emergency medical services provided by nonprofit emergency medical services agencies that hold a valid license issued by the Commissioner of Health.

All revenues generated by the remaining \$0.25 of the \$4.25 fee approved by the 2008 Session of the General Assembly shall be deposited into the Rescue Squad Assistance Fund and used only to pay for the costs associated with the certification and recertification training of emergency medical services personnel.

The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each local governing body shall report annually to the Board of Health on the use of the funds returned to it pursuant to this section. In any case in which the local governing body grants the funds to a regional emergency medical services council to be distributed to the nonprofit emergency medical services agency that holds a valid license issued by the Commissioner of Health, the local governing body shall remain responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the funds returned to the locality pursuant to this section for that year has not been received from a local governing body, any funds due to that local governing body for the next fiscal year shall be retained until such time as the report has been submitted to the Board.

B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of months in the registration period for such motor vehicles, trailers, and semitrailers.

C. The manufacturer's shipping weight or scale weight shall be used for computing all fees required by this section to be based upon the weight of the vehicle.

D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner or to his authorized agent.

§ 46.2-694. (Contingent effective date) Fees for vehicles designed and used for transportation of passengers; weights used for computing fees; burden of proof.

A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the transportation of passengers on the highways in the Commonwealth are:

1. Twenty-three dollars for each private passenger car or motor home if the passenger car or motor home weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under this subdivision shall apply to a private passenger car or motor home that weighs 4,000 pounds or less and is used as a TNC partner vehicle as defined in § 46.2-2000.

2. Twenty-eight dollars for each private passenger car or motor home that weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur; however, the fee provided under this subdivision shall apply to a private passenger car or motor home that weighs more than 4,000 pounds and is used as a TNC partner vehicle as defined in § 46.2-2000.

3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a motorcycle with a normal seating capacity of more than 10 adults, including the driver, if the private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less than \$23 if the vehicle weighs 4,000 pounds or less or \$28 if the vehicle weighs more than 4,000 pounds.

5. Twenty-three dollars for each trailer or semitrailer designed for use as living quarters for human beings.

6. Thirteen dollars plus \$0.30 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7 on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

7. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this subsection. An additional \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of the foregoing fee of \$0.70 per 100 pounds, a motor carrier of passengers, operating two or more vehicles both within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation Board of the U.S. Department of Transportation, Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the filing of such application, in such form as the

Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than \$33. For the purpose of determining such apportioned registration fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth shall be subject to inclusion in determining the apportionment provided for herein.

8. Thirteen dollars plus \$0.80 per 100 pounds or major fraction thereof for each motor vehicle, trailer or semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation of passengers. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in § 46.2-2000.

9. Twenty-three dollars for a taxicab or other vehicle which is kept for rent or hire operated with a chauffeur for the transportation of passengers, and which operates or should operate under permits issued by the Department as required by law. An additional fee of \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subdivision does not apply to vehicles used as common carriers or as TNC partner vehicles as defined in § 46.2-2000.

10. Eighteen dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of \$3, which shall be distributed as provided in § 46.2-1191.

10a. Fourteen dollars for a moped, to be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

10b. Eighteen dollars for an autocycle.

10c. *Not to exceed \$14 for a Class B motorized mobility vehicle, in an amount set by the Department based on the vehicle's relative road impact, to be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.*

11. Twenty-three dollars for a bus used exclusively for transportation to and from church school, for the purpose of religious instruction, or church, for the purpose of divine worship. If the empty weight of the vehicle exceeds 4,000 pounds, the fee shall be \$28.

12. Thirteen dollars plus \$0.70 per 100 pounds or major fraction thereof for other passenger-carrying vehicles.

13. An additional fee of \$4.25 per year shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle under subdivisions 1 through 12. All funds collected from \$4 of the \$4.25 fee shall be paid into the state treasury and shall be set aside as a special fund to be used only for emergency medical services purposes. The moneys in the special emergency medical services fund shall be distributed as follows:

a. Two percent shall be distributed to the State Department of Health to provide funding to the Virginia Association of Volunteer Rescue Squads to be used solely for the purpose of conducting volunteer recruitment, retention and training activities;

b. Thirty percent shall be distributed to the State Department of Health to support (i) emergency medical services training programs (excluding advanced life support classes); (ii) advanced life support training; (iii) recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer emergency medical services personnel only, including public awareness campaigns, technical assistance programs, and similar activities); (iv) emergency medical services system development, initiatives, and priorities based on needs identified by the State Emergency Medical Services Advisory Board; (v) local, regional, and statewide performance contracts for emergency medical services to meet the objectives stipulated in § 32.1-111.3; (vi) technology and radio communication enhancements; and (vii) improved emergency preparedness and response. Any funds set aside for distribution under this provision and remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

c. Thirty-two percent shall be distributed to the Rescue Squad Assistance Fund;

d. Ten percent shall be available to the State Department of Health's Office of Emergency Medical Services for use in emergency medical services; and

e. Twenty-six percent shall be returned by the Comptroller to the locality wherein such vehicle is registered, to provide funding for training of volunteer or salaried emergency medical services personnel of nonprofit emergency medical services agencies that hold a valid license issued by the Commissioner of Health and for the purchase of necessary equipment and supplies for use in such locality for emergency medical services provided by nonprofit or volunteer emergency medical services agencies that hold a valid license issued by the Commissioner of Health.

All revenues generated by the remaining \$0.25 of the \$4.25 fee approved by the 2008 Session of the General Assembly shall be deposited into the Rescue Squad Assistance Fund and used only to pay for the costs associated with the certification and recertification training of emergency medical services personnel.

The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each local governing body shall report annually to the Board of Health on the use of the funds returned to it pursuant to this section. In any case in which the local governing body grants the funds to a regional emergency medical services council to be distributed to the emergency medical services agency that holds a valid license issued by the Commissioner of Health, the local governing body shall remain responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the funds returned to the locality pursuant to this section for that year has not been received from a local governing body, any funds due to that local governing body for the next fiscal year shall be retained until such time as the report has been submitted to the Board.

B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of months in the registration period for such motor vehicles, trailers, and semitrailers.

C. The manufacturer's shipping weight or scale weight shall be used for computing all fees required by this section to be based upon the weight of the vehicle.

D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner or to his authorized agent.

§ 46.2-705. Definitions.

For the purposes of this article, the following terms shall have the meanings respectively ascribed to them in this section:

"Motor vehicle" means a vehicle capable of self-propulsion ~~which~~ *that* is either (i) required to be titled and licensed and for which a license fee is required to be paid by its owner; or (ii) owned by or assigned to a motor vehicle manufacturer, distributor, or dealer licensed in the Commonwealth. For the purposes of this article, "motor vehicle" does not include *"a Class A motorized mobility vehicle or moped"* ~~as defined in § 46.2-100, unless such moped is a Class B motorized mobility vehicle.~~

"Insured motor vehicle" means a motor vehicle as to which there is bodily injury liability insurance and property damage liability insurance, both in the amounts specified in § 46.2-472, issued by an insurance carrier authorized to do business in the Commonwealth, or as to which a bond has been given or cash or securities delivered in lieu of the insurance; or as to which the owner has qualified as a self-insurer in accordance with the provisions of § 46.2-368.

"Uninsured motor vehicle" means a motor vehicle as to which there is no such bodily injury liability insurance and property damage liability insurance, or no such bond has been given or cash or securities delivered in lieu thereof, or the owner of which has not so qualified as a self-insurer.

§ 46.2-711. Furnishing number and design of plates; displaying on vehicles required.

A. The Department shall furnish one license plate for every registered moped, motorcycle, autocycle, *Class B motorized mobility vehicle*, tractor truck, semitrailer, or trailer, and two license plates for every other registered motor vehicle, except to licensed motor vehicle dealers and persons delivering unladen vehicles who shall be furnished one license plate. The license plates for trailers, semitrailers, commercial vehicles, and trucks, other than license plates for dealers, may be of such design as to prevent removal without mutilating some part of the indicia forming a part of the license plate, when secured to the bracket.

B. The Department shall issue appropriately designated license plates for:

1. Passenger-carrying vehicles for rent or hire for the transportation of passengers for private trips, other than TNC partner vehicles as defined in § 46.2-2000 and emergency medical services vehicles pursuant to clause (iii) of § 46.2-649.1:1;

2. Taxicabs;

3. Passenger-carrying vehicles operated by common carriers or restricted common carriers;

4. Property-carrying motor vehicles registered pursuant to § 46.2-697 except pickup or panel trucks as defined in § 46.2-100;

5. Applicants, other than TNC partners as defined in § 46.2-2000 and emergency medical services vehicles pursuant to clause (iii) of § 46.2-649.1:1, who operate motor vehicles as passenger carriers for rent or hire;

6. Vehicles operated by nonemergency medical transportation carriers as defined in § 46.2-2000; and

7. Trailers and semitrailers.

C. The Department shall issue appropriately designated license plates for motor vehicles held for rental as defined in § 58.1-1735.

D. The Department shall issue appropriately designated license plates for low-speed vehicles.

803 E. The Department shall issue appropriately designated license plates for military surplus motor vehicles
804 registered pursuant to § 46.2-730.1.

805 F. No vehicles shall be operated on the highways in the Commonwealth without displaying the license
806 plates required by this chapter. The provisions of this subsection shall not apply to vehicles used to collect
807 and deliver the United States mail to the extent that their rear license plates may be covered by the
808 "CAUTION, FREQUENT STOPS, U.S. MAIL" sign when the vehicle is engaged in the collection and
809 delivery of the United States mail.

810 G. For any summons issued for a violation of this section, the court may, in its discretion, dismiss the
811 summons, where proof of compliance with this section is provided to the court on or before the court date.

812 **§ 46.2-714. Permanent license plates.**

813 Notwithstanding the provisions of §§ 46.2-711 and 46.2-712 the Department may, in its discretion, issue a
814 type of license plate suitable for permanent use on motor vehicles, trailers, semitrailers, and motorcycles,
815 together with decals, unless decals are not required under § 46.2-712, to be attached to the license plates to
816 indicate the registration period for which such vehicles have been properly licensed. The design of the license
817 plates and decals, when required, shall be determined by the Commissioner.

818 Every permanent license plate and decal, when required, shall be returned to the Department whenever the
819 owner of a vehicle disposes of it by sale or otherwise and when not actually in use on a motor vehicle, except
820 dealer's plates temporarily not in use. The person in whose name the license plate is registered may apply,
821 during the registration period for which it is issued, for the return thereof if the license plate is intended to be
822 used on a subsequently acquired motor vehicle.

823 Every permanent license plate and decal, when issued, shall be returned to the Department whenever the
824 owner of a vehicle elects to garage the vehicle and discontinue the use of it on the highway. The person in
825 whose name the license plate is registered may apply, during the registration period for which it is issued, for
826 the return thereof if the vehicle is to be returned to use on the highway.

827 For the purposes of this section, the term "motor vehicle" does not include a "Class A motorized mobility
828 vehicle or moped" as defined in § 46.2-100, unless such moped is a Class B motorized mobility vehicle.

829 **§ 46.2-715. Display of license plates.**

830 License plates assigned to a motor vehicle, other than a moped, motorcycle, autocycle, *Class B motorized*
831 *mobility vehicle*, tractor truck, trailer, or semitrailer, or to persons licensed as motor vehicle dealers or
832 transporters of unladen vehicles, shall be attached to the front and the rear of the vehicle. The license plate
833 assigned to a moped, motorcycle, autocycle, *Class B motorized mobility vehicle*, trailer, or semitrailer shall be
834 attached to the rear of the vehicle. The license plate assigned to a tractor truck shall be attached to the front of
835 the vehicle. The license plates issued to licensed motor vehicle dealers and to persons licensed as transporters
836 of unladen vehicles shall consist of one plate for each set issued and shall be attached to the rear of the
837 vehicle to which it is assigned.

838 For any summons issued for a violation of this section, the court may, in its discretion, dismiss the
839 summons, where proof of compliance with this section is provided to the court on or before the court date.

840 **§ 46.2-720. Use of license plates from another vehicle in certain circumstances.**

841 The owner of a motor vehicle to which license plates have been assigned by the Department may remove
842 the license plates from the motor vehicle and use them on another motor vehicle owned by a person operating
843 a garage or owned by a motor vehicle dealer provided such use does not extend for more than five days and
844 provided the use is limited to the time during which the first motor vehicle is being repaired or while the
845 second motor vehicle is loaned to him for demonstration, as provided by § 46.2-719.

846 For the purposes of this section, the term "motor vehicle" does not include a "Class A motorized mobility
847 vehicle or moped" as defined in § 46.2-100, unless such moped is a Class B motorized mobility vehicle.

848 **§ 46.2-721. Application of liability insurance policy to vehicle carrying plates from insured vehicle.**

849 The policy of liability insurance issued to the owner of a motor vehicle and covering the operation thereof
850 shall extend to and be the primary insurance applicable to his operation of a motor vehicle on which he has
851 placed license tags from another motor vehicle as provided in § 46.2-720.

852 For the purposes of this section, the term "motor vehicle" does not include a "Class A motorized mobility
853 vehicle or moped" as defined in § 46.2-100, unless such moped is a Class B motorized mobility vehicle.

854 **§ 46.2-904.1. Electric power-assisted bicycles.**

855 A. Except as otherwise provided in this section, an electric power-assisted bicycle or an operator of an
856 electric power-assisted bicycle shall be afforded all the rights and privileges, and be subject to all of the
857 duties, of a bicycle or the operator of a bicycle. An electric power-assisted bicycle is a vehicle to the same
858 extent as is a bicycle.

859 B. An electric power-assisted bicycle or person operating an electric power-assisted bicycle is not subject
860 to the provisions of this Code relating to requirements for driver's licenses, registration, certificates of title,
861 financial responsibility, off-highway motorcycles, and license plates, *unless such electric power-assisted*
862 *bicycle is a Class B motorized mobility vehicle.*

863 C. 1. On and after January 1, 2021, manufacturers and distributors of electric power-assisted bicycles shall
864 permanently affix a label, in a prominent location, to each electric power-assisted bicycle that they

manufacture or distribute. The label shall contain the classification number, top assisted speed, and motor wattage of the electric power-assisted bicycle and shall be printed in Arial font in at least nine-point type. *Such label may be in addition to or in combination with the label required pursuant to § 46.2-1195.*

2. An electric power-assisted bicycle shall comply with equipment and manufacturing requirements for bicycles adopted by the U.S. Consumer Product Safety Commission, 16 C.F.R. Part 1512.

3. All class three electric power-assisted bicycles shall be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour.

D. No person shall tamper with or modify an electric power-assisted bicycle so as to change the motor-powered speed capability or engagement of an electric power-assisted bicycle, unless the label required by subdivision C 1 is replaced after modification.

E. An electric power-assisted bicycle shall operate in a manner such that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

F. Except as set forth in this subsection, an electric power-assisted bicycle may be ridden in places where bicycles are allowed, including streets, highways, roads, shoulders, bicycle lanes, and bicycle or shared-use paths.

1. Following notice and a public hearing, a locality or state agency having jurisdiction over a bicycle or shared-use path may prohibit the operation of class one or class two electric power-assisted bicycles on such path, if it finds that such a restriction is necessary for public safety or compliance with other laws.

2. A locality or state agency having jurisdiction over a bicycle or shared-use path may prohibit the operation of class three electric power-assisted bicycles on such path.

3. A locality or state agency having jurisdiction over a trail may regulate the use of electric power-assisted bicycles on such trail. For purposes of this subdivision, "trail" means a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials.

G. Each (i) operator and passenger of a class three electric power-assisted bicycle and (ii) minor operator or passenger on a class one or two electric power-assisted bicycle shall wear a properly fitted and fastened bicycle helmet that meets the current standards provided by either the U.S. Consumer Product Safety Commission or the American Society for Testing and Materials International. Failure to wear a helmet 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 a class three electric power-assisted bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action, nor shall this section bar any claim that otherwise exists.

§ 46.2-906.1. Helmets required for riders of Class A motorized mobility vehicles; local ordinances may require riders of bicycles, electric personal assistive mobility devices, and electric power-assisted bicycles to wear helmets.

A. Every minor shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard whenever riding or being carried on a Class A motorized mobility vehicle on any highway, sidewalk, or public bicycle path. Operators and riders of Class B motorized mobility vehicles shall be subject to the requirements of § 46.2-1198. Nothing in this subsection shall be construed to authorize a Class A motorized mobility vehicle to operate on a sidewalk or public bicycle path if such operation is prohibited by other law.

B. The governing body of any county, city or town may, by ordinance, provide that every person 14 years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard whenever riding or being carried on a bicycle, an electric personal assistive mobility device, a toy vehicle, or an electric power-assisted bicycle on any highway as defined in § 46.2-100, sidewalk, or public bicycle path.

C. Violation of any such ordinance adopted pursuant to subsection B shall be punishable by a fine of \$25. However, such fine shall be suspended (i) for first-time violators and (ii) for violators who, subsequent to the violation but prior to imposition of the fine, purchase helmets of the type required by the ordinance.

D. Violation of this section or any such ordinance adopted pursuant to this section shall not constitute negligence, or assumption of risk, 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 of any bicycle, electric personal assistive mobility device, toy vehicle, or electric power-assisted bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

§ 46.2-914. Limitations on operation of mopeds.

A. No moped shall be driven on any highway or public vehicular area faster than 35 miles per hour. Any person who operates a moped faster than 35 miles per hour shall be deemed, for all the purposes of this title, to be operating a motorcycle.

B. No moped shall be driven on any highway by any person under the age of 16, and every person driving a moped shall carry with him a government-issued form of photo identification that includes his name,

address, and date of birth. However, the operation of any moped that is also a Class B motorized mobility vehicle shall be subject to the provisions of Article 24 (§ 46.2-1193 et seq.) of Chapter 10.

C. Operation of mopeds is prohibited on any Interstate Highway System component.

Violation of any provision of this section shall constitute a traffic infraction punishable by a fine of no more than \$50.

Article 24.

Motorized Mobility Vehicles.

§ 46.2-1193. Authority of the Department of Motor Vehicles and the Commissioner.

A. The Department shall control, supervise, and regulate the sale and licensure of Class B motorized mobility vehicles. The Department may require any person engaged in the business of selling Class B motorized mobility vehicles to register with the Department.

B. Enforcement of statutes and Department regulations shall be not only by the Department but also by any other law-enforcement officer.

C. The Department may do all things necessary to carry out the purposes of this article, including entering into contracts for administrative and other operational support for motorized mobility vehicle safety training centers, as defined in § 46.2-1197.

D. Any civil penalty collected by the Department under the provisions of this article, other than § 46.2-1198, shall be paid into the state treasury and set aside as a special fund to meet the expenses of the Department in exercising the responsibilities of this article.

§ 46.2-1194. Emissions and safety standards.

A. The Superintendent of State Police shall prescribe, by regulation, equipment standards for Class B motorized mobility vehicles. Such standards shall include (i) functional breaks on front and rear wheels, (ii) lights on the front and rear of the vehicle, (iii) reflectors, (iv) audible signaling devices, (v) manufacturer-rated tire load capacity, and (vi) compliance with any applicable federal motor vehicle safety standards.

B. Any motorized mobility vehicle sold in the Commonwealth shall comply with all state and federal safety and emissions standards. Any person offering such vehicles for sale shall certify compliance with such standards upon the sale of any such vehicle, as required pursuant to § 46.2-1195.

§ 46.2-1195. Classification and labeling of motorized mobility vehicles; civil penalty.

A. The manufacturer or distributor of any motorized mobility vehicle shall permanently affix a water resistant label on every motorized mobility vehicle sold in the Commonwealth. Such label shall (i) be attached to the side of the motorized mobility vehicle that faces the operator and shall be clearly visible to the operator and (ii) identify the motorized mobility vehicle's class, maximum speed in miles per hour, and weight in pounds.

B. Any Class B motorized mobility vehicle sold in the Commonwealth shall have a manufacturer-issued vehicle identification number visible on such vehicle or permanently affixed to such vehicle.

C. No manufacturer or distributor shall sell, offer for sale, or advertise a vehicle capable of speeds exceeding 35 miles per hour as a motorized mobility vehicle. The Commissioner may order any manufacturer or distributor in violation of this subsection to cease the sale of any misclassified vehicles and issue a corrective notice to all affected purchasers identifying the proper classification and applicable legal requirements for operation.

D. Any person in violation of this section is subject to a civil penalty of \$2,500 per violation, enforceable by the Commissioner. A second or subsequent violation of subsection C within any 12-month period is subject to a civil penalty of up to \$5,000 per violation, enforceable by the Commissioner. The Commissioner may also prohibit, temporarily or permanently, any person who has committed a second or subsequent violation of subsection C within a 12-month period from selling Class B motorized mobility vehicles.

§ 46.2-1196. Manufacturers and retailer responsibilities.

A. No person shall sell a Class B motorized mobility vehicle to a minor. The seller of a motorized mobility vehicle shall, prior to completing any sale of a class B motorized mobility vehicle to a consumer:

1. Obtain the signature of the purchaser on the point-of-sale acknowledgement form developed by the Department pursuant to this article;

2. Clearly identify on such acknowledgement form the vehicle's classification as a Class B motorized mobility vehicle, the legal responsibilities associated with such classification, and the penalties for misuse or misrepresentation of such vehicle; and

3. Verify and record the motorized mobility vehicle safety training course completion number issued pursuant to § 46.2-1197 of (i) the purchaser or (ii) if the purchaser is the parent or legal guardian of the intended operator, the intended operator.

B. The seller of a motorized mobility vehicle shall transmit to the Department, in a manner established by the Department that shall include an electronic option, the (i) completed point-of-sale acknowledgement form; (ii) motorized mobility vehicle safety training course completion number recorded pursuant to subdivision A 3, (iii) digital signature of the purchaser, and (iv) certification of compliance with vehicle safety and emissions standards for such vehicle completed pursuant to § 46.2-1194.

C. The seller of a motorized mobility vehicle shall retain copies of all acknowledgements completed

pursuant to subsection A for a period of at least three years. The seller shall make such records available for inspection upon request by the Department.

D. Any person in violation of this section is subject to a civil penalty of up to \$2,500 per violation, enforceable by the Commissioner. A second or subsequent violation within any 12-month period is subject to a civil penalty of up to \$5,000 per violation, enforceable by the Commissioner. The Commissioner may also prohibit, temporarily or permanently, any person who has committed a second or subsequent violation of this section within a 12-month period from selling Class B motorized mobility vehicles.

§ 46.2-1197. Motorized mobility vehicle rider safety training courses.

A. As used in this article, "motorized mobility vehicle safety training course" or "course" means a course of instruction approved by the Department in the operation of Class B motorized mobility vehicles, including instruction in the safe on-road operation of Class B motorized mobility vehicles, the rules of the road, and the laws of the Commonwealth relating to motor vehicles. Such courses shall meet the requirements of this article and be approved by the Department.

B. The Department shall promulgate regulations governing the establishment and operation of motorized mobility vehicle safety training courses. Such regulations shall include provisions for compliance, statewide availability of such courses, the issuance of certificates to document successful course completion, duplicate certificates, recordkeeping, requirements for course providers, instructor certification, student name and address changes, course and exam criteria, and the establishment of fees, not to exceed the cost of giving such instruction for each person participating in and receiving the instruction.

C. The Department shall, by July 1, 2027, establish and thereafter shall maintain a database listing every person who, at any time prior to or following that date, has completed and passed a course pursuant to this section. The database shall list each person's full name and date of birth and the date on which he passed the course, and it shall allow any person who completes and passes the course on or after July 1, 2028, to add his own information. The Department shall make the database available to law-enforcement officers and, to the extent possible or appropriate, shall maintain the confidentiality of information in the database.

D. The Department may authorize public secondary schools, community colleges, driver training schools licensed pursuant to Chapter 17 (§ 46.2-1700 et seq.), or local law-enforcement agencies to administer approved courses and, upon satisfactory completion, issue certificates of completion. Any person who successfully completes a motorized mobility vehicle safety training course shall be issued a certificate of completion that contains a unique completion number.

§ 46.2-1198. Restrictions on operation; penalty.

A. It is lawful for a person to operate a Class B motorized mobility vehicle on the highways of the Commonwealth only if:

1. He is at least 16 years old and has completed a motorized mobility vehicle safety training course, except any person 14 or 15 years old shall be allowed to operate a Class B motorized mobility vehicle on the highways of the Commonwealth if he has (i) completed a motorized mobility vehicle safety training course and (ii) obtained written consent from a parent or legal guardian and carries such written consent on his person at all times during such operation. However, any person who is at least 19 years old and the owner of the Class B motorized mobility vehicle may operate such vehicle for a period not to exceed six months after the later of the purchase or registration of such motorized mobility vehicle without having completed a course. After such six-month period such person is subject to the requirement to complete a motorized mobility vehicle safety training course to operate such Class B motorized mobility vehicle;

2. He carries the certificate of completion issued pursuant to § 46.2-1197 on his person at all times during such operation and presents such certificate upon demand of any law-enforcement officer, if he is required to have completed such course pursuant to subdivision 1;

3. Such operation is covered by a standard provisions automobile liability policy in a form approved by the Commission and issued by an insurance carrier authorized to do business in the Commonwealth that meets the minimum limits established pursuant to § 46.2-472 and carries proof of the issuance of such policy on his person at all times during such operation and presents such certificate upon demand of any law-enforcement officer;

4. He wears a protective helmet that meets or exceeds the standards and specifications of the Snell Memorial Foundation, the American National Standards Institute, Inc., or the U.S. Department of Transportation;

5. Such motorized mobility vehicle is not carrying a number of passengers in excess of the number for which such motorized mobility vehicle was designed by the manufacturer; and

6. Such operation is not on any Interstate Highway System component, unless such operation is authorized by the Commonwealth Transportation Board and is limited to bicycle or pedestrian facilities that are barrier separated from the roadway and automobile traffic and such component meets all applicable safety requirements established by federal and state law.

B. It is unlawful for any minor to operate a motorized mobility vehicle on the highways of the Commonwealth between sunset and sunrise.

C. The provisions of this section requiring the completion and carrying of a motorized mobility vehicle

1051 safety training course shall not apply to any person licensed with a motorcycle endorsement pursuant to
1052 § 46.2-324.

1053 D. A violation of this section is punishable by a civil penalty of (i) \$250 for a first violation, (ii) \$500 for a
1054 second violation; and (iii) \$1,000 for each third or subsequent violation to be paid into the state treasury and
1055 credited to the Literary Fund. A violation of this section may be charged on the uniform traffic summons
1056 form.

1057 E. For any summons issued for a violation of this section, the court may, in its discretion, dismiss the
1058 summons or reduce the penalty provided for in subsection D, where proof of compliance with this section is
1059 provided to the court on or before the court date.

1060 F. Violation of any provision of this section shall not constitute negligence, or assumption of risk, be
1061 considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of
1062 comment by counsel in any action for the recovery of damages arising out of the operation of any motorized
1063 mobility vehicle, nor shall anything in this section change any existing law, rule, or procedure pertaining to
1064 any civil action.

1065 **2. That the provisions of the first enactment of this act shall become effective on July 1, 2027.**

1066 **3. That the Department of Motor Vehicles shall create and implement an educational outreach**
1067 **program for (i) manufacturers, distributors, and sellers of motorized mobility vehicles, as defined in**
1068 **§ 46.2-100 of the Code of Virginia, as amended by this act, and (ii) community groups related to**
1069 **promoting cycling and motor sports, to inform the public about the requirements of this act.**

1070 **4. That the provisions of this act may result in a net increase in periods of imprisonment or**
1071 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
1072 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**
1073 **therefore, Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing**
1074 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of**
1075 **Virginia, the estimated amount of the necessary appropriation is \$0 for periods of commitment to the**
1076 **custody of the Department of Juvenile Justice.**