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**HOUSE BILL NO. 780**

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend and reenact §§ 46.2-100, 46.2-625, 46.2-1048, 46.2-1049, and 46.2-1158 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-602.3 and 46.2-1001.1, relating to converted electric vehicles.*

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 Patron—Lopez
 

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Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-100, 46.2-625, 46.2-1048, 46.2-1049, and 46.2-1158 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-602.3 and 46.2-1001.1 as follows:**

§ 46.2-100. Definitions.

The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning:

"All-terrain vehicle" means a three-wheeled or four-wheeled motor vehicle powered by a gasoline or diesel engine and generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator, and handlebars for steering that is intended for off-road use by an individual rider on various types of unpaved terrain. The term does not include four-wheeled vehicles, commonly known as "go-carts," that have low centers of gravity and are typically used in racing on relatively level surfaces, nor does the term include any "utility vehicle" as defined in this section or any "farm utility vehicle" as defined in this section.

"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.

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

"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.) of this title, 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, 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.

"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, 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

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59 *section unless it has been materially altered from its original construction by the removal, addition, or*  
60 *substitution of new or used essential parts other than those required for the conversion to electric*  
61 *propulsion.*

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

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

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

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

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

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

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

88 "Electric power-assisted bicycle" means a vehicle that travels on not more than three wheels in  
89 contact with the ground and is equipped with (i) pedals that allow propulsion by human power and (ii)  
90 an electric motor with an input of no more than 1,000 watts that reduces the pedal effort required of the  
91 rider. For the purposes of Chapter 8 of this title (§ 46.2-800 et seq.), an electric power-assisted bicycle  
92 shall be a vehicle when operated on a highway.

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

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

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

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

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

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

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

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

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

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

120 "Highway" means the entire width between the boundary lines of every way or place open to the use

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

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

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

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

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

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

152 "Manufactured home" means a structure subject to federal regulation, transportable in one or more  
 153 sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in  
 154 length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis  
 155 and designed to be used as a dwelling with or without a permanent foundation when connected to the  
 156 required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained  
 157 therein.

158 "Moped" means every vehicle that travels on not more than three wheels in contact with the ground  
 159 that has (i) a seat that is no less than 24 inches in height, measured from the middle of the seat  
 160 perpendicular to the ground and (ii) a gasoline, electric, or hybrid motor that displaces less than 50  
 161 cubic centimeters. For purposes of this title, a moped shall be a motorcycle when operated at speeds in  
 162 excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.), a moped shall be a vehicle  
 163 while operated on a highway.

164 "Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than  
 165 150 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat  
 166 perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

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

169 "Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for  
 170 self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained  
 171 primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place,  
 172 office, or commercial space shall be considered a part of a motor vehicle. For the purposes of this title,  
 173 any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted  
 174 bicycle, or moped shall be deemed not to be a motor vehicle.

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

180 "Motorized skateboard or scooter" means every vehicle, regardless of the number of its wheels in  
 181 contact with the ground, that (i) has no seat, but is designed to be stood upon by the operator, (ii) has

182 no manufacturer-issued vehicle identification number, and (iii) is powered by an electric motor having  
183 an input of no more than 1,000 watts or a gasoline engine that displaces less than 36 cubic centimeters.  
184 The term "motorized skateboard or scooter" includes vehicles with or without handlebars, but does not  
185 include "electric personal assistive mobility devices."

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

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

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

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

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

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

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

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

232 "Pickup or panel truck" means every motor vehicle designed for the transportation of property and  
233 having a registered gross weight of 7,500 pounds or less.

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

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

241 "Replica vehicle" means every vehicle of a type required to be registered under this title not fully  
242 constructed by a licensed manufacturer but either constructed or assembled from components. Such  
243 components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The

244 kit may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or  
 245 a combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model,  
 246 or type as produced by a licensed manufacturer or manufacturer no longer in business and is not a  
 247 reconstructed or specially constructed vehicle as herein defined.

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

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

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

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

261 "School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial  
 262 bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private  
 263 or religious schools, or used for the transportation of the mentally or physically handicapped to and  
 264 from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a  
 265 specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A  
 266 yellow school bus may have a white roof provided such vehicle is painted in accordance with  
 267 regulations promulgated by the Department of Education.

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

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

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

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

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

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

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

288 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter  
 289 configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and  
 290 below the rearmost axle of the power unit.

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

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

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

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

305 operated.

306 "Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-issued  
307 vehicle identification number, that is designed or used to carry any person or persons, on any number of  
308 wheels, bearings, glides, blades, runners, or a cushion of air. The term does not include electric personal  
309 assistive mobility devices, electric power-assisted bicycles, mopeds, or motorcycles, nor does it include  
310 any nonmotorized or nonpropellant-driven devices such as bicycles, roller skates, or skateboards.

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

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

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

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

320 "Truck" means every motor vehicle designed to transport property on its own structure independent  
321 of any other vehicle and having a registered gross weight in excess of 7,500 pounds.

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

330 "Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by an  
331 engine of no more than 25 horsepower, and (iii) used for general maintenance, security, agricultural, or  
332 horticultural purposes. "Utility vehicle" does not include all-terrain vehicles as defined in this section,  
333 riding lawn mowers, or any other vehicle whose definition is included in this section.

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

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

344 *§ 46.2-602.3. Titling and registration of converted electric vehicles.*

345 *A. Upon receipt of an application and such evidence of ownership as required by the Commissioner*  
346 *pursuant to § 46.2-625, the Department shall issue a certificate of title for a converted electric vehicle.*  
347 *The first certificate of title issued for a converted electric vehicle shall be an original certificate of title,*  
348 *regardless of the submission of a Virginia certificate of title issued for the vehicle prior to conversion.*

349 *B. 1. No converted electric vehicle shall be registered or operated on the highways of the*  
350 *Commonwealth until the owner submits to the Department a certification by a certified Virginia safety*  
351 *inspector that the conversion to electric propulsion is complete and proof that the vehicle has passed a*  
352 *Virginia safety inspection subsequent to the certification. Such certification shall be on a form approved*  
353 *by the Commissioner and the Superintendent and shall state that the inspector has verified that (i) the*  
354 *internal combustion engine has been removed; (ii) the fuel tank has been removed and not replaced;*  
355 *(iii) a traction battery pack has been installed that is distinct from the vehicle's original auxiliary*  
356 *battery system; and (iv) an electric motor has been installed to drive the wheels of the vehicle.*

357 *2. The completion of the certification required by this section shall not impose any liability on the*  
358 *safety inspector for the quality of the conversion process; however, nothing in this section shall be*  
359 *construed so as to relieve the safety inspector of any liability that may be imposed pursuant to Article*  
360 *21 (§ 46.2-1157 et seq.) of Chapter 10 or under any regulation promulgated pursuant to § 46.2-1165,*  
361 *relating to the safety inspection of the converted electric vehicle.*

362 *3. The submission of a certification pursuant to this section shall be sufficient documentation to*  
363 *exempt the converted electric vehicle for which it is submitted from the emissions inspection program*  
364 *required by Article 22 (§ 46.2-1176 et seq.) of Chapter 10.*

365 *4. When necessary and upon application, the Department shall issue temporary trip permits in*  
366 *accordance with § 46.2-651 for the purpose of transporting the converted electric vehicle to and from*

367 *an official Virginia safety inspection station.*

368 *C. The provisions of this section need only be satisfied once for each converted electric vehicle.*

369 § 46.2-625. Specially constructed, reconstructed, replica, converted electric, or foreign vehicles.

370 If a vehicle for which the registration or a certificate of title is applied is a specially constructed,  
371 reconstructed, replica, *converted electric*, or foreign vehicle, the fact shall be stated in the application  
372 and, in the case of any foreign vehicle registered outside the Commonwealth, the owner shall present to  
373 the Department the certificate of title and registration card or other evidence of registration as he may  
374 have. The Commissioner may require such other evidence of ownership as he may deem advisable and  
375 promulgate regulations establishing what additional evidence of ownership, if any, shall be required for  
376 titling and registration of specially constructed, reconstructed, replica, *converted electric*, or foreign  
377 vehicles. All titles and registrations for specially constructed, reconstructed, ~~and~~ replica, *and converted*  
378 *electric* vehicles shall be branded with the words "specially constructed," "reconstructed," ~~or~~ "replica," or  
379 "*converted electric*," as appropriate. *Titles for vehicles that are both converted electric vehicles and*  
380 *reconstructed vehicles shall be branded with the words "reconstructed" and "converted electric."*

381 § 46.2-1001.1. *Special equipment required for converted electric vehicles.*

382 *In addition to any other equipment required by this chapter, no converted electric vehicle may be*  
383 *registered in or operated on the highways of the Commonwealth without the following:*

384 1. *Orange-colored high voltage cables and high voltage markings on all conduit containing high*  
385 *voltage cables. No high voltage cables may be attached to the chassis of the vehicle in such a way as to*  
386 *cause the chassis to be used to ground the electric current;*

387 2. *A breaker or fuse in the high voltage circuit that contains the traction battery pack and the motor*  
388 *controller. Such breaker or fuse must be rated to interrupt the expected maximum current at or above*  
389 *the battery pack voltage;*

390 3. *An externally mounted switch to open the high voltage circuit in case of an emergency. Such*  
391 *switch must be located where the fuel tank filler cap was located prior to conversion. Any cover*  
392 *protecting the switch must be able to be opened from the outside of the vehicle;*

393 4. *Traction batteries mounted in secure nonconductive enclosures that provide for limited access.*  
394 *Multiple enclosures may be used but must be connected by high voltage cables encased in conduit made*  
395 *of metal, composite, or other materials of comparable strength, crush, and abrasion resistance to metal*  
396 *or composite;*

397 5. *If batteries other than lead acid batteries are used as traction batteries, a temperature monitoring*  
398 *system that monitors the temperature of a least one battery in each battery enclosure. Such system must*  
399 *warn the driver of the vehicle if the temperature of the battery is rising rapidly or is above safe levels;*

400 6. *Conduit made of metal, composite, or other materials of comparable strength, crush, and abrasion*  
401 *resistance to metal or composite, encasing any high voltage cables running under or outside of the*  
402 *vehicle. Such conduit must be secured to the vehicle chassis and must not violate the ground clearance*  
403 *provisions of § 46.2-1063;*

404 7. *A vacuum system and pump, or comparable equipment, to maintain proper brake function and*  
405 *capacity, as required by this chapter; and*

406 8. *Labeling on three sides of the vehicle identifying such vehicle as "CONVERTED ELECTRIC."*  
407 *Each label shall be at least six inches long and consist of lettering at least three inches tall.*

408 *At such time as the federal government establishes minimum equipment and safety standards,*  
409 *including any related to synthetic vehicle sounds, for converted electric vehicles, to the extent that such*  
410 *standards are different from the standards established by this section, the federal standards shall apply*  
411 *to converted electric vehicles in the Commonwealth. If any federal standard conflicts with a standard set*  
412 *forth by this section, the stricter standard shall prevail.*

413 § 46.2-1048. *Pollution control systems or devices.*

414 No motor vehicle registered in the Commonwealth and manufactured for the model year 1973 or for  
415 subsequent model years shall be operated on the highways in the Commonwealth unless it is equipped  
416 with an air pollution control system, device, or combination of such systems or devices installed in  
417 accordance with federal laws and regulations.

418 It shall be unlawful for any person to operate a motor vehicle, as herein described, on the highways  
419 in the Commonwealth with its pollution control system or device removed or otherwise rendered  
420 inoperable.

421 It shall be unlawful for any person to operate on the highways in the Commonwealth a motor  
422 vehicle, as described in this section, equipped with any emission control system or device unless it is of  
423 a type installed as standard factory equipment, or comparable to that designed for use upon the  
424 particular vehicle as standard factory equipment.

425 No motor vehicle, as described in this section, shall be issued a safety inspection approval sticker  
426 unless it is equipped as provided under the foregoing provisions of this section or if it violates this  
427 section.

428 The provisions of this section shall not prohibit or prevent shop adjustments or replacements of  
429 equipment for maintenance or repair or the conversion of engines to low polluting fuels, such as, but not  
430 limited to, natural gas or propane, so long as such action does not degrade the antipollution capabilities  
431 of the vehicle power system.

432 *The provisions of this section shall not apply to converted electric vehicles.*

433 § 46.2-1049. Exhaust system in good working order.

434 No person shall drive and no owner of a vehicle shall permit or allow the operation of any such  
435 vehicle on a highway unless it is equipped with an exhaust system in good working order and in  
436 constant operation to prevent excessive or unusual levels of noise; provided however, that for motor  
437 vehicles, such exhaust system shall be of a type installed as standard factory equipment, or comparable  
438 to that designed for use on the particular vehicle as standard factory equipment. An exhaust system shall  
439 not be deemed to prevent excessive or unusual noise if it permits the escape of noise in excess of that  
440 permitted by the standard factory equipment exhaust system of private passenger motor vehicles or  
441 trucks of standard make.

442 The term "exhaust system," as used in this section, means all the parts of a vehicle through which  
443 the exhaust passes after leaving the engine block, including mufflers and other sound dissipative devices.

444 Chambered pipes are not an effective muffling device to prevent excessive or unusual noise, and any  
445 vehicle equipped with chambered pipes shall be deemed in violation of this section.

446 *The provisions of this section shall not apply to converted electric vehicles.*

447 § 46.2-1158. Frequency of inspection; scope of inspection.

448 Motor vehicles, trailers, and semitrailers required to be inspected pursuant to the provisions of  
449 § 46.2-1157 shall be reinspected within ~~twelve~~ 12 months of the month of the first inspection and at  
450 least once every ~~twelve~~ 12 months thereafter.

451 Each inspection shall be a complete inspection. A reinspection of a rejected vehicle by the same  
452 station during the period of validity of the rejection sticker on such vehicle, however, need only include  
453 an inspection of the item or items previously found defective unless there is found an obvious defect  
454 that would warrant further rejection of the vehicle.

455 A rejection sticker shall be valid for ~~fifteen~~ 15 calendar days beyond the day of issuance. A complete  
456 inspection shall be performed on any vehicle bearing an expired rejection sticker.

457 *The completion of the conversion process for a converted electric vehicle shall invalidate any*  
458 *inspection of such vehicle conducted in accordance with this section prior to the conversion. Following*  
459 *the initial inspection of a converted electric vehicle, as required under § 46.2-602.3 and the provisions*  
460 *of this chapter, such vehicle shall be reinspected in accordance with this section.*