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HOUSE BILL NO. 780

House Amendments in [] — February 8, 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.*

Patron Prior to Engrossment—Delegate Lopez

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 section unless it has been materially altered from its original construction by the removal, addition, or

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59 *substitution of new or used essential parts other than those required for the conversion to electric*
60 *propulsion.*

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

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

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

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

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

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

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

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

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

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

97 "Farm utility vehicle" means a vehicle that is designed for off-road use and is used as a farm,
98 agricultural, or horticultural service vehicle, generally having a gasoline or diesel engine, four or more
99 wheels, bench seating for the operator and a passenger, a steering wheel for control, and a cargo bed.

100 "Farm utility vehicle" does not include pickup or panel trucks, golf carts, low-speed vehicles, riding
101 lawn mowers, or all-terrain vehicles.

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

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

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

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

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

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

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

119 "Highway" means the entire width between the boundary lines of every way or place open to the use
120 of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys,

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

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

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

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

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

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

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

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

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

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

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

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

179 "Motorized skateboard or scooter" means every vehicle, regardless of the number of its wheels in
180 contact with the ground, that (i) has no seat, but is designed to be stood upon by the operator, (ii) has
181 no manufacturer-issued vehicle identification number, and (iii) is powered by an electric motor having

182 an input of no more than 1,000 watts or a gasoline engine that displaces less than 36 cubic centimeters.
183 The term "motorized skateboard or scooter" includes vehicles with or without handlebars, but does not
184 include "electric personal assistive mobility devices."

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

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

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

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

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

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

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

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

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

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

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

240 "Replica vehicle" means every vehicle of a type required to be registered under this title not fully
241 constructed by a licensed manufacturer but either constructed or assembled from components. Such
242 components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The
243 kit may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or

244 a combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model,
 245 or type as produced by a licensed manufacturer or manufacturer no longer in business and is not a
 246 reconstructed or specially constructed vehicle as herein defined.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

343 § 46.2-602.3. *Titling and registration of converted electric vehicles.*

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

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

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

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

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

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

368 § 46.2-625. Specially constructed, reconstructed, replica, converted electric, or foreign vehicles.

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

380 § 46.2-1001.1. *Special equipment required for converted electric vehicles.*

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

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

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

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

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

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

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

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

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

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

412 § 46.2-1048. Pollution control systems or devices.

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

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

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

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

427 The provisions of this section shall not prohibit or prevent shop adjustments or replacements of

428 equipment for maintenance or repair or the conversion of engines to low polluting fuels, such as, but not
429 limited to, natural gas or propane, so long as such action does not degrade the antipollution capabilities
430 of the vehicle power system.

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

432 § 46.2-1049. Exhaust system in good working order.

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

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

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

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

446 § 46.2-1158. Frequency of inspection; scope of inspection.

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

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

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

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

460 [2. That the provisions of this Act shall not become effective until October 1, 2012.]