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1 § 46.2-100. Definitions.

2  
3 The following words and phrases when used in this title shall, for the purpose of this title,  
4 have the meanings respectively ascribed to them in this section except in those instances  
5 where the context clearly indicates a different meaning:

6  
7 "All-terrain vehicle" means a three-wheeled or four-wheeled motor vehicle powered by a  
8 gasoline or diesel engine and generally characterized by large, low-pressure tires, a seat  
9 designed to be straddled by the operator, and handlebars for steering that is intended for  
10 off-road use by an individual rider on various types of unpaved terrain. The term does not  
11 include four-wheeled vehicles, commonly known as "go-carts," that have low centers of  
12 gravity and are typically used in racing on relatively level surfaces, nor does the term  
13 include any "utility vehicle" as defined in this section or any "farm utility vehicle" as  
14 defined in this section.

15  
16 "Antique motor vehicle" means every motor vehicle, as defined in this section, which  
17 was actually manufactured or designated by the manufacturer as a model manufactured in  
18 a calendar year not less than 25 years prior to January 1 of each calendar year and is  
19 owned solely as a collector's item.

20  
21 "Antique trailer" means every trailer or semitrailer, as defined in this section, that was  
22 actually manufactured or designated by the manufacturer as a model manufactured in a  
23 calendar year not less than 25 years prior to January 1 of each calendar year and is owned  
24 solely as a collector's item.

25  
26 "Automobile or watercraft transporters" means any tractor truck, lowboy, vehicle, or  
27 combination, including vehicles or combinations that transport motor vehicles or  
28 watercraft on their power unit, designed and used exclusively for the transportation of  
29 motor vehicles or watercraft.

30  
31 "Bicycle" means a device propelled solely by human power, upon which a person may  
32 ride either on or astride a regular seat attached thereto, having two or more wheels in  
33 tandem, including children's bicycles, except a toy vehicle intended for use by young  
34 children. For purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, a bicycle shall be a  
35 vehicle while operated on the highway.

36  
37 "Bicycle lane" means that portion of a roadway designated by signs and/or pavement  
38 markings for the preferential use of bicycles, electric power-assisted bicycles, and  
39 mopeds.

40  
41 "Business district" means the territory contiguous to a highway where 75 percent or more  
42 of the property contiguous to a highway, on either side of the highway, for a distance of  
43 300 feet or more along the highway, is occupied by land and buildings actually in use for  
44 business purposes.

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46 "Camping trailer" means every vehicle that has collapsible sides and contains sleeping  
47 quarters but may or may not contain bathing and cooking facilities and is designed to be  
48 drawn by a motor vehicle.

49

50 "Cancel" or "cancellation" means that the document or privilege cancelled has been  
51 annulled or terminated because of some error, defect, or ineligibility, but the cancellation  
52 is without prejudice and reapplication may be made at any time after cancellation.

53

54 "Chauffeur" means every person employed for the principal purpose of driving a motor  
55 vehicle and every person who drives a motor vehicle while in use as a public or common  
56 carrier of persons or property.

57

58 "Commission" means the State Corporation Commission.

59

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

62

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

68

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

71

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

73

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

77

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

86

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

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91 "Electric personal assistive mobility device" means a self-balancing two-nontandem-  
92 wheeled device that is designed to transport only one person and powered by an electric  
93 propulsion system that limits the device's maximum speed to 15 miles per hour or less.  
94 For purposes of Chapter 8 of this title, an electric personal assistive mobility device shall  
95 be a vehicle when operated on a highway.

96  
97 "Electric power-assisted bicycle" means a vehicle that travels on not more than three  
98 wheels in contact with the ground and is equipped with (i) pedals that allow propulsion  
99 by human power and (ii) an electric motor with an input of no more than 1,000 watts that  
100 reduces the pedal effort required of the rider. For the purposes of Chapter 8 of this title,  
101 an electric power-assisted bicycle shall be a vehicle when operated on a highway.

102  
103 "Essential parts" means all integral parts and body parts, the removal, alteration, or  
104 substitution of which will tend to conceal the identity of a vehicle.

105  
106 "Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or  
107 horticultural implement for drawing plows, mowing machines, and other farm,  
108 agricultural, or horticultural machinery and implements including self-propelled mowers  
109 designed and used for mowing lawns.

110  
111 "Farm utility vehicle" means a vehicle that is designed for off-road use and is used as a  
112 farm, agricultural, or horticultural service vehicle, generally having a gasoline or diesel  
113 engine, four or more wheels, bench seating for the operator and a passenger, a steering  
114 wheel for control, and a cargo bed. "Farm utility vehicle" does not include pickup or  
115 panel trucks, golf carts, low-speed vehicles, riding lawn mowers, or all-terrain vehicles.

116  
117 "Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq.  
118 and all administrative regulations and policies adopted pursuant thereto.

119  
120 "Financial responsibility" means the ability to respond in damages for liability thereafter  
121 incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle,  
122 in the amounts provided for in § 46.2-472.

123  
124 "Foreign market vehicle" means any motor vehicle originally manufactured outside the  
125 United States, which was not manufactured in accordance with 49 U.S.C. § 30101 et seq.  
126 and the policies and regulations adopted pursuant to that Act, and for which a Virginia  
127 title or registration is sought.

128  
129 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into  
130 the Commonwealth otherwise than in the ordinary course of business by or through a  
131 manufacturer or dealer and that has not been registered in the Commonwealth.

132  
133 "Golf cart" means a self-propelled vehicle that is designed to transport persons playing  
134 golf and their equipment on a golf course.

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

138  
139 "Gross weight" means the aggregate weight of a vehicle or combination of vehicles and  
140 the load thereon.

141  
142 "Highway" means the entire width between the boundary lines of every way or place  
143 open to the use of the public for purposes of vehicular travel in the Commonwealth,  
144 including the streets and alleys, and, for law-enforcement purposes, (i) the entire width  
145 between the boundary lines of all private roads or private streets that have been  
146 specifically designated "highways" by an ordinance adopted by the governing body of the  
147 county, city, or town in which such private roads or streets are located and (ii) the entire  
148 width between the boundary lines of every way or place used for purposes of vehicular  
149 travel on any property owned, leased, or controlled by the United States government and  
150 located in the Commonwealth.

151  
152 "Intersection" means (i) the area embraced within the prolongation or connection of the  
153 lateral curblines or, if none, then the lateral boundary lines of the roadways of two  
154 highways that join one another at, or approximately at, right angles, or the area within  
155 which vehicles traveling on different highways joining at any other angle may come in  
156 conflict; (ii) where a highway includes two roadways 30 feet or more apart, then every  
157 crossing of each roadway of such divided highway by an intersecting highway shall be  
158 regarded as a separate intersection, in the event such intersecting highway also includes  
159 two roadways 30 feet or more apart, then every crossing of two roadways of such  
160 highways shall be regarded as a separate intersection; or (iii) for purposes only of  
161 authorizing installation of traffic-control devices, every crossing of a highway or street at  
162 grade by a pedestrian crosswalk.

163  
164 "Law-enforcement officer" means any officer authorized to direct or regulate traffic or to  
165 make arrests for violations of this title or local ordinances authorized by law. For the  
166 purposes of access to law-enforcement databases regarding motor vehicle registration and  
167 ownership only, this term shall also include city and county commissioners of the  
168 revenue and treasurers, together with their duly designated deputies and employees, when  
169 such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753 and 46.2-  
170 754 and local ordinances enacted thereunder.

171  
172 "License plate" means a device containing letters, numerals, or a combination of both,  
173 attached to a motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly  
174 registered with the Department.

175  
176 "Light" means a device for producing illumination or the illumination produced by the  
177 device.

178  
179 "Low-speed vehicle" means any four-wheeled electrically-powered vehicle, except a  
180 motor vehicle or low-speed vehicle that is used exclusively for agricultural or  
181 horticultural purposes or a golf cart, whose maximum speed is greater than 20 miles per

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182 hour but not greater than 25 miles per hour and is manufactured to comply with safety  
183 standards contained in Title 49 of the Code of Federal Regulations, § 571.500.

184

185 "Manufactured home" means a structure subject to federal regulation, transportable in  
186 one or more sections, which in the traveling mode is eight body feet or more in width or  
187 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and  
188 which is built on a permanent chassis and designed to be used as a dwelling with or  
189 without a permanent foundation when connected to the required utilities, and includes the  
190 plumbing, heating, air conditioning, and electrical systems contained therein.

191

192 "Marked Crosswalk" means any portion of a roadway at an intersection or elsewhere  
193 distinctively indicated for pedestrian crossing by lines or other markings on the highway  
194 surface.

195

196 "Moped" means every vehicle that travels on not more than three wheels in contact with  
197 the ground that has (i) a seat that is no less than 24 inches in height, measured from the  
198 middle of the seat perpendicular to the ground and (ii) a gasoline, electric, or hybrid  
199 motor that displaces less than 50 cubic centimeters. For purposes of Chapter 8 (§ 46.2-  
200 800 et seq.) of this title, a moped shall be a vehicle while operated on a highway.

201

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

206

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

210

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

218

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

225

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

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228 the operator, (ii) has no manufacturer-issued vehicle identification number, and (iii) is  
229 powered by an electric motor having an input of no more than 1,000 watts or a gasoline  
230 engine that displaces less than 36 cubic centimeters. The term "motorized skateboard or  
231 scooter" includes vehicles with or without handlebars, but does not include "electric  
232 personal assistive mobility devices."  
233

234 "Nonresident" means every person who is not domiciled in the Commonwealth, except:  
235 (i) any foreign corporation that is authorized to do business in the Commonwealth by the  
236 State Corporation Commission shall be a resident of the Commonwealth for the purpose  
237 of this title; in the case of corporations incorporated in the Commonwealth but doing  
238 business outside the Commonwealth, only such principal place of business or branches  
239 located within the Commonwealth shall be dealt with as residents of the Commonwealth;  
240 (ii) a person who becomes engaged in a gainful occupation in the Commonwealth for a  
241 period exceeding 60 days shall be a resident for the purposes of this title except for the  
242 purposes of Chapter 3 (§ 46.2-300 et seq.) of this title; (iii) a person, other than a  
243 nonresident student as defined in this section, who has actually resided in the  
244 Commonwealth for a period of six months, whether employed or not, or who has  
245 registered a motor vehicle, listing an address in the Commonwealth in the application for  
246 registration shall be deemed a resident for the purposes of this title, except for the  
247 purposes of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).  
248

249 "Nonresident student" means every nonresident person who is enrolled as a full-time  
250 student in an accredited institution of learning in the Commonwealth and who is not  
251 gainfully employed.  
252

253 "Off-road motorcycle" means every motorcycle designed exclusively for off-road use by  
254 an individual rider with not more than two wheels in contact with the ground. Except as  
255 otherwise provided in this chapter, for the purposes of this chapter off-road motorcycles  
256 shall be deemed to be "motorcycles."  
257

258 "Operation or use for rent or for hire, for the transportation of passengers, or as a property  
259 carrier for compensation," and "business of transporting persons or property" mean any  
260 owner or operator of any motor vehicle, trailer, or semitrailer operating over the  
261 highways in the Commonwealth who accepts or receives compensation for the service,  
262 directly or indirectly; but these terms do not mean a "truck lessor" as defined in this  
263 section and do not include persons or businesses that receive compensation for delivering  
264 a product that they themselves sell or produce, where a separate charge is made for  
265 delivery of the product or the cost of delivery is included in the sale price of the product,  
266 but where the person or business does not derive all or a substantial portion of its income  
267 from the transportation of persons or property except as part of a sales transaction.  
268

269 "Operator" or "driver" means every person who either (i) drives or is in actual physical  
270 control of a motor vehicle on a highway or (ii) is exercising control over or steering a  
271 vehicle being towed by a motor vehicle.  
272

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

285

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

288

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

293

294 "Pedestrian" means any person on foot, in a wheelchair, or who uses a means of  
295 conveyance propelled by human power other than a bicycle or moped.

296

297 "Pedestrian control signals" means any device, whether manually, electronically or  
298 mechanically operated, by which pedestrians are alternately directed to stop and  
299 permitted to proceed.

300

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

303

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

307

308 "Reconstructed vehicle" means every vehicle of a type required to be registered under  
309 this title materially altered from its original construction by the removal, addition, or  
310 substitution of new or used essential parts. Such vehicles, at the discretion of the  
311 Department, shall retain their original vehicle identification number, line-make, and  
312 model year.

313

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

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319 vehicle shall resemble a vehicle of distinctive name, line-make, model, or type as  
320 produced by a licensed manufacturer or manufacturer no longer in business and is not a  
321 reconstructed or specially constructed vehicle as herein defined.

322

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

330

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

334

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

338

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

341

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

350

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

354

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

360

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

363



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364 "Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a  
365 roadway, and the adjacent property lines, intended for use by pedestrians.  
366

367 "Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered  
368 by skis or runners, and supported in whole or in part by one or more skis, belts, or cleats.  
369

370 "Specially constructed vehicle" means any vehicle that was not originally constructed  
371 under a distinctive name, make, model, or type by a generally recognized manufacturer of  
372 vehicles and not a reconstructed vehicle as herein defined.  
373

374 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft  
375 transporter configured as a semitrailer combination wherein the fifth wheel is located on  
376 a drop frame behind and below the rearmost axle of the power unit.  
377

378 "Superintendent" means the Superintendent of the Department of State Police of the  
379 Commonwealth.  
380

381 "Suspend" or "suspension" means that the document or privilege suspended has been  
382 temporarily withdrawn, but may be reinstated following the period of suspension unless it  
383 has expired prior to the end of the period of suspension.  
384

385 "Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another  
386 vehicle by means of a hoist or other mechanical apparatus and (ii) having a  
387 manufacturer's gross vehicle weight rating of at least 10,000 pounds. "Tow truck" also  
388 includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to  
389 haul or tow another vehicle, commonly referred to as "rollbacks." "Tow truck" does not  
390 include any "automobile or watercraft transporter," "stinger-steered automobile or  
391 watercraft transporter," or "tractor truck" as those terms are defined in this section.  
392

393 "Towing and recovery operator" means a person engaged in the business of (i) removing  
394 disabled vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair  
395 or safekeeping and (ii) restoring to the highway or other location where they either can be  
396 operated or removed to other locations for repair or safekeeping vehicles that have come  
397 to rest in places where they cannot be operated.  
398

399 "Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-  
400 issued vehicle identification number, that is designed or used to carry any person or  
401 persons, on any number of wheels, bearings, glides, blades, runners, or a cushion of air.  
402 The term does not include electric personal assistive mobility devices, electric power-  
403 assisted bicycles, mopeds, or motorcycles, nor does it include any nonmotorized or  
404 nonpropellant-driven devices such as bicycles, roller skates, or skateboards.  
405

406 "Tractor truck" means every motor vehicle designed and used primarily for drawing other  
407 vehicles and not so constructed as to carry a load other than a part of the load and weight  
408 of the vehicle attached thereto.  
409

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410 “Traffic” means pedestrians, ridden or herded animals, vehicles and other conveyances  
411 either singly or together while using any highway for purposes of travel.

412  
413 “Traffic Control Device” means any sign, signal, marking, or device, not inconsistent  
414 with this title, placed or erected by authority of a public body or official having  
415 jurisdiction, for the purpose of regulating, warning, or guiding traffic.

416  
417 “Traffic Control Signal” means any device, whether manually, electrically, or  
418 mechanically operated, by which traffic is alternately directed to stop and permitted to  
419 proceed.

420  
421 "Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which  
422 is neither a felony nor a misdemeanor.

423  
424 "Traffic lane" or "lane" means that portion of a roadway designed or designated to  
425 accommodate the forward movement of a single line of vehicles.

426  
427 "Trailer" means every vehicle without motive power designed for carrying property or  
428 passengers wholly on its own structure and for being drawn by a motor vehicle, including  
429 manufactured homes.

430  
431 "Truck" means every motor vehicle designed to transport property on its own structure  
432 independent of any other vehicle and having a registered gross weight in excess of 7,500  
433 pounds.

434  
435 "Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or  
436 semitrailer that is the subject of a bona fide written lease for a term of one year or more to  
437 another person, provided that: (i) neither the lessor nor the lessee is a common carrier by  
438 motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor  
439 vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is  
440 used exclusively for the transportation of property of the lessee; (iii) the lessor is not  
441 employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a  
442 bona fide employee of the lessee and is not employed in any capacity by the lessor; and  
443 (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the  
444 Commissioner.

445  
446 “Unmarked Crosswalk” means that part of a roadway which is formed at an intersection  
447 by extending the edges of the sidewalks on opposite sides of the highway measured from  
448 the curbs or, in the absence of curbs, from the edges of the roadway.

449  
450 "Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered  
451 by an engine of no more than 25 horsepower, and (iii) used for general maintenance,  
452 security, agricultural, or horticultural purposes. "Utility vehicle" does not include all-  
453 terrain vehicles as defined in this section, riding lawn mowers, or any other vehicle  
454 whose definition is included in this section.

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

461  
462 "Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels,  
463 typically used to provide mobility for persons who, by reason of physical disability, are  
464 otherwise unable to move about as pedestrians. The term includes both three-wheeled and  
465 four-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-  
466 propelled wheel chair or self-propelled wheel chair conveyance shall not be considered a  
467 motor vehicle.

468  
469 § 46.2-826. Stop before entering or exiting public highway or sidewalk from or to private  
470 road, etc.; yielding right-of-way.

471  
472 The driver of a vehicle entering or exiting a public highway or sidewalk from or to a  
473 private road, driveway, alley, or building shall stop immediately before entering or  
474 exiting such highway or sidewalk and yield the right-of-way to vehicles approaching on  
475 such public highway and to pedestrians, bicycles or vehicles approaching on such public  
476 sidewalk.

477  
478 The provisions of this section shall not apply at an intersection of public and private  
479 roads controlled by a traffic signal. At any such intersection, all movement of traffic into  
480 and through the intersection shall be controlled by the traffic signal.

481  
482 § 46.2-834. Signals by law-enforcement officers and crossing guards.

483  
484 A. Law-enforcement officers may assume control of traffic at any intersection or marked  
485 or unmarked crosswalk regardless of whether such intersection or crosswalk is controlled  
486 by lights, controlled by other traffic control devices, or uncontrolled. Whenever any law-  
487 enforcement officer so assumes control of traffic, all drivers of vehicles, bicyclists, and  
488 pedestrians shall obey his signals.

489  
490 B. Law-enforcement officers and uniformed school crossing guards may assume control  
491 of traffic otherwise controlled by ~~lights~~ traffic control devices, and in such event, signals  
492 by such officers and uniformed crossing guards shall take precedence over such traffic  
493 control devices.

494  
495 C. The driver of any vehicle and every pedestrian crossing a roadway shall stop and yield  
496 the right-of-way according to the direction of ~~Uniformed~~ uniformed school crossing  
497 ~~guards may control~~ controlling traffic at any marked school crossing, whether such  
498 crossing is at an intersection or another location. Uniformed school crossing guards who  
499 are supplied by their local school division with hand-held stop signs shall use such signs  
500 whenever controlling traffic as authorized in this subsection.

501

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502 § 46.2-923. ~~How and where pedestrians to cross highways.~~

503

504 ~~When crossing highways, pedestrians shall not carelessly or maliciously interfere with~~  
505 ~~the orderly passage of vehicles. They shall cross, wherever possible, only at intersections~~  
506 ~~or marked crosswalks. Where intersections contain no marked crosswalks, pedestrians~~  
507 ~~shall not be guilty of negligence as a matter of law for crossing at any such intersection or~~  
508 ~~between intersections when crossing by the most direct route.~~

509 ~~The governing body of any town or city or the governing body of a county authorized by~~  
510 ~~law to regulate traffic may by ordinance permit pedestrians to cross an intersection~~  
511 ~~diagonally when all traffic entering the intersection has been halted by lights, other traffic~~  
512 ~~control devices, or by a law enforcement officer.~~

513

514 § 46.2-923.1. Drivers to stop for pedestrians at crosswalks; pedestrian responsibilities.

515

516 A. When traffic control signals are not in place or not in operation:

517

518 1. The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the  
519 roadway within a marked or unmarked crosswalk when the pedestrian is upon or within  
520 one half of the roadway on which the vehicle is traveling or onto which it is turning  
521 where the legal maximum speed is 35 miles per hour or less.

522

523 2. The driver of a vehicle shall yield the right-of-way, slowing down or stopping if need  
524 be to yield to a pedestrian crossing the roadway within a marked or unmarked crosswalk  
525 when the pedestrian is upon or within one half of the roadway upon which the vehicle is  
526 traveling where the legal maximum speed exceeds 35 miles per hour.

527

528 For purposes of this section “half of the roadway” means all traffic lanes carrying traffic  
529 in one direction of travel and includes the entire width of a one-way roadway.

530

531 B. Pedestrians shall obey the instructions of official pedestrian control signals as  
532 provided in § 46.2-925, unless otherwise directed by a law enforcement officer.

533

534 C. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into  
535 the path of a vehicle which is so close that it is impossible for the driver to stop, nor shall  
536 any pedestrian cross an intersection in disregard of traffic control devices.

537

538 D. Notwithstanding the provisions of subsections A and B of this section, a pedestrian  
539 who crosses a highway shall yield the right-of-way to any approaching emergency  
540 vehicle, as defined in § 46.2-920, that is using audible and visible signals.

541

542 E. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk  
543 to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching  
544 from the rear shall not overtake and pass such stopped vehicle.

545

546 F. The governing body of any county having the urban county executive form of  
547 government, any county having the county manager plan of government, the City of

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548 Fairfax, the County of Loudoun and any town therein, and any city with a population  
549 between 110,000 and 115,000, may by ordinance provide for the installation and  
550 maintenance of highway signs at marked crosswalks specifically requiring operators of  
551 motor vehicles, at the locations where such signs are installed, to stop for pedestrians  
552 crossing or attempting to cross the highway. Any operator of a motor vehicle who fails at  
553 such locations to stop for pedestrians as required by such signs shall be guilty of a traffic  
554 infraction punishable by a fine of no less than \$100 or more than \$500. The  
555 Commonwealth Transportation Board shall develop criteria for the design, location, and  
556 installation of such signs. The provisions of this subsection shall not apply to any limited  
557 access highway where pedestrian access is restricted by the Commonwealth  
558 Transportation Board.

559

560 § 46.2-924. ~~Drivers to stop for pedestrians; installation of certain signs; penalty.~~

561

562 ~~A. The driver of any vehicle on a highway shall yield the right of way to any pedestrian~~  
563 ~~crossing such highway:~~

564

565 ~~1. At any clearly marked crosswalk, whether at mid-block or at the end of any block;~~

566

567 ~~2. At any regular pedestrian crossing included in the prolongation of the lateral boundary~~  
568 ~~lines of the adjacent sidewalk at the end of a block;~~

569

570 ~~3. At any intersection when the driver is approaching on a highway or street where the~~  
571 ~~legal maximum speed does not exceed 35 miles per hour.~~

572

573 ~~B. Notwithstanding the provisions of subsection A of this section, at intersections or~~  
574 ~~crosswalks where the movement of traffic is being regulated by law enforcement officers~~  
575 ~~or traffic control devices, the driver shall yield according to the direction of the law~~  
576 ~~enforcement officer or device.~~

577

578 ~~No pedestrian shall enter or cross an intersection in disregard of approaching traffic.~~

579

580 ~~The drivers of vehicles entering, crossing, or turning at intersections shall change their~~  
581 ~~course, slow down, or stop if necessary to permit pedestrians to cross such intersections~~  
582 ~~safely and expeditiously.~~

583

584 ~~Pedestrians crossing highways at intersections shall at all times have the right of way~~  
585 ~~over vehicles making turns into the highways being crossed by the pedestrians.~~

586

587 ~~C. The governing body of any county having the urban county executive form of~~  
588 ~~government, any county having the county manager plan of government, the City of~~  
589 ~~Fairfax, the County of Loudoun and any town therein, and any city with a population~~  
590 ~~between 110,000 and 115,000, may by ordinance provide for the installation and~~  
591 ~~maintenance of highway signs at marked crosswalks specifically requiring operators of~~  
592 ~~motor vehicles, at the locations where such signs are installed, to yield the right of way to~~  
593 ~~pedestrians crossing or attempting to cross the highway. Any operator of a motor vehicle~~

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594 ~~who fails at such locations to yield the right-of-way to pedestrians as required by such~~  
595 ~~signs shall be guilty of a traffic infraction punishable by a fine of no less than \$100 or~~  
596 ~~more than \$500. The Commonwealth Transportation Board shall develop criteria for the~~  
597 ~~design, location, and installation of such signs. The provisions of this section shall not~~  
598 ~~apply to any limited access highway.~~

599

600 § 46.2-924.1. Pedestrian crossing at other than crosswalk

601

602 A. Every pedestrian crossing a highway at any point other than within a marked or  
603 unmarked crosswalk shall yield the right-of-way to any vehicle approaching on the  
604 highway.

605

606 B. The governing body of any town or city or the governing body of a county authorized  
607 by law to regulate traffic may by ordinance permit pedestrians to cross an intersection  
608 diagonally when all traffic entering the intersection has been halted by lights, other traffic  
609 control devices, or by a law-enforcement officer.

610

611 § 46.2-924.2. Drivers to exercise due care.

612

613 Notwithstanding any other provision of this chapter, every driver of a vehicle shall  
614 exercise due care to avoid colliding with a pedestrian.

615

616 § 46.2-925. Pedestrian control signals.

617

618 Whenever special pedestrian control signals exhibiting the words, numbers or symbols  
619 meaning "Walk" or "Don't Walk" are in place such signals shall indicate and apply to  
620 pedestrians as follows:

621

622 Walk. - Pedestrians facing such signal may proceed across the highway in the direction of  
623 the signal and shall be given the right-of-way by the drivers of all vehicles.

624

625 Don't Walk. - No pedestrian shall start to cross the highway in the direction of such  
626 signal, but any pedestrian who has partially completed his crossing on the Walk signal  
627 shall proceed to a sidewalk or safety island and remain there while the Don't Walk signal  
628 is showing.