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HOUSE BILL NO. 1559

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Watts)

A BILL to amend and reenact § 46.2-1051 of the Code of Virginia, relating to local ordinances; vehicle exhaust; regulation of operation on property in or near residential district.

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

**1. That § 46.2-1051 of the Code of Virginia is amended and reenacted as follows:**

**§ 46.2-1051. Local ordinances; vehicle exhaust.**

A. The governing body of any county, city, or town may, by ordinance, regulate noise from a vehicle operated on a highway that is not equipped with a muffler and exhaust system conforming to §§ 46.2-1047 and 46.2-1049. Such ordinance may also authorize such regulation of a vehicle operated on public or private property in or within 500 feet of any residential district, including (i) the premises of a church, school, recreational facility, or business or government property open to the public; (ii) an establishment providing parking spaces for customers, patrons, or employees; or (iii) any highway that is either under construction or not yet open for public use. Nothing in this subsection shall be construed to authorize the governing body of any county, city, or town to prohibit or regulate exhaust system noise from vehicles engaged in agricultural operations as defined in § 3.2-300 or any industrial or commercial activities or operations on private property authorized by the owner of the private property.

B. The provisions of subsection E of § 46.2-1300 shall not apply to ordinances adopted pursuant to this section.

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