

SENATE BILL NO. 349

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Transportation

on January 18, 2024)

(Patron Prior to Substitute--Senator Reeves)

A BILL to amend and reenact §§ 46.2-1158, 46.2-1158.01, and 46.2-1167 of the Code of Virginia, relating to vehicle inspections; new motor vehicles.

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1158, 46.2-1158.01, and 46.2-1167 of the Code of Virginia are amended and reenacted as follows:

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

Motor vehicles, trailers, and semitrailers required to be inspected pursuant to the provisions of § 46.2-1157 shall be reinspected within 12 months of the month of the first inspection and at least once every 12 months thereafter, except that vehicles inspected pursuant to subdivision A 18 of § 46.2-1158.01 shall be reinspected within 24 months of the month of the first inspection and at least once every 12 months thereafter.

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

A rejection sticker shall be valid for 15 calendar days beyond the day of issuance, during which time the operator of the vehicle shall not be charged for a violation of vehicle equipment requirements set forth in Article 3 (§ 46.2-1010 et seq.) through Article 9 (§ 46.2-1066 et seq.) for such vehicle. A complete inspection shall be performed on any vehicle bearing an expired rejection sticker.

The completion of the conversion process for a converted electric vehicle shall invalidate any inspection of such vehicle conducted in accordance with this section prior to the conversion. Following

27 the initial inspection of a converted electric vehicle, as required under § 46.2-602.3 and the provisions of
28 this chapter, such vehicle shall be reinspected in accordance with this section.

29 **§ 46.2-1158.01. Exceptions to motor vehicle inspection requirement.**

30 A. The following shall be exempt from inspection as required by § 46.2-1157:

- 31 1. Four-wheel vehicles weighing less than 500 pounds and having less than 6 horsepower;
- 32 2. Boat, utility, or travel trailers that are not equipped with brakes;
- 33 3. Antique motor vehicles or antique trailers as defined in § 46.2-100 and licensed pursuant to §
34 46.2-730;
- 35 4. Any motor vehicle, trailer, or semitrailer that is outside the Commonwealth at the time its
36 inspection expires when operated by the most direct route to the owner's or operator's place of residence
37 or the owner's legal place of business in the Commonwealth;
- 38 5. A truck, tractor truck, trailer, or semitrailer for which the period fixed for inspection has expired
39 while the vehicle was outside the Commonwealth (i) from a point outside the Commonwealth to the place
40 where such vehicle is kept or garaged within the Commonwealth or (ii) to a destination within the
41 Commonwealth where such vehicle will be (a) unloaded within 24 hours of entering the Commonwealth,
42 (b) inspected within such 24-hour period, and (c) operated, after being unloaded, only to an inspection
43 station or to the place where it is kept or garaged within the Commonwealth;
- 44 6. New motor vehicles, new trailers, or new semitrailers operated upon the highways of the
45 Commonwealth for the purpose of delivery from the place of manufacture to the dealer's or distributor's
46 designated place of business or between places of business if such manufacturer, dealer, or distributor has
47 more than one place of business; dealers or distributors may take delivery and operate upon the highways
48 of the Commonwealth new motor vehicles, new trailers, or new semitrailers from another dealer or
49 distributor provided a motor vehicle, trailer, or semitrailer shall not be considered new if driven upon the
50 highways for any purpose other than the delivery of the vehicle;
- 51 7. New motor vehicles, new trailers, or new semitrailers bearing a manufacturer's license operated
52 for test purposes by the manufacturer;

53 8. Motor vehicles, trailers, or semitrailers operated for test purposes by a certified inspector during
54 the performance of an official inspection;

55 9. New motor vehicles, new trailers, or new semitrailers operated upon the highways of the
56 Commonwealth over the most direct route to a location for installation of a permanent body;

57 10. Motor vehicles, trailers, or semitrailers purchased outside the Commonwealth driven to the
58 purchaser's place of residence or the dealer's or distributor's designated place of business;

59 11. Prior to purchase from auto auctions, motor vehicles, trailers, or semitrailers operated upon the
60 highways not to exceed a 10-mile radius of such auction by prospective purchasers only for the purpose
61 of road testing and motor vehicles, trailers, or semitrailers purchased from auto auctions operated upon
62 the highways from such auction to (i) an official safety inspection station provided that (a) the inspection
63 station is located between the auto auction and the purchaser's residence or place of business or within a
64 10-mile radius of such residence or business and (b) the vehicle is taken to the inspection station on the
65 same day the purchaser removes the vehicle from the auto auction or (ii) the purchaser's place of residence
66 or business;

67 12. Motor vehicles, trailers, or semitrailers, after the expiration of a period fixed for the inspection
68 thereof, (i) operated over the most direct route between the place where such vehicle is kept or garaged
69 and an official inspection station or (ii) parked on a highway and that have been submitted for a motor
70 vehicle safety inspection to an official inspection station, for the purpose of having the same inspected
71 pursuant to a prior appointment with such station;

72 13. Any vehicle for transporting well-drilling machinery and mobile equipment as defined in §
73 46.2-700;

74 14. Motor vehicles being towed in a legal manner as exempted under § 46.2-1150;

75 15. Logtrailers as exempted under § 46.2-1159;

76 16. Motor vehicles designed or altered and used exclusively for racing or other exhibition purposes
77 as exempted under § 46.2-1160;

78 17. Any tow dolly or converter gear as defined in § 46.2-1119;

79 18. A new motor vehicle, as defined in § 46.2-1500, that (i) has been inspected in accordance with
80 an inspection requirement of the manufacturer or distributor of the new motor vehicle by an employee
81 who customarily performs such inspection on behalf of a motor vehicle dealer licensed pursuant to § 46.2-
82 1508 or (ii) has been purchased outside the Commonwealth and is subject to inspection as required by §
83 46.2-1157 at the time of purchase, when inspected by an approved safety inspection station. Such
84 inspection shall be deemed to be the first inspection for the purpose of § 46.2-1158, and an inspection
85 approval sticker furnished by the Department of State Police at double the uniform price paid by all official
86 inspection stations to the Department of State Police for an inspection approval sticker may be affixed to
87 the vehicle as required by § 46.2-1163;

88 19. Mopeds;

89 20. Low-speed vehicles;

90 21. Vehicles exempt from registration pursuant to Article 6 (§ 46.2-662 et seq.) of Chapter 6; and

91 22. Military surplus motor vehicles as defined in § 46.2-100 and licensed pursuant to § 46.2-730.1.

92 B. The following shall be exempt from inspection as required by § 46.2-1157, provided that (i) the
93 commercial motor vehicle operates in interstate commerce; (ii) the commercial motor vehicle has been
94 inspected in accordance with the federal requirements for annual inspection by complying with the
95 periodic inspection requirements in 49 C.F.R. § 396.17; (iii) the inspection has been determined by the
96 Federal Motor Carrier Safety Administration to be comparable to or as effective as the requirements of 49
97 C.F.R. § 396.3(a); and (iv) documentation of such determination as provided for in 49 C.F.R. § 396.3(b)
98 is available for review by law-enforcement officials to verify that the inspection is current:

99 1. Any commercial motor vehicle operating in interstate commerce that is subject to the Federal
100 Motor Carrier Safety Regulations;

101 2. Any trailer or semitrailer being operated in interstate commerce that is subject to the Federal
102 Motor Carrier Safety Regulations.

103 **§ 46.2-1167. Charges for inspection and reinspection; exemption.**

104 A. Each official safety inspection station may charge no more than:

105 1. Fifty-one dollars for each inspection of any (i) tractor truck, (ii) truck that has a gross vehicle
106 weight rating of 26,000 pounds or more, or (iii) motor vehicle that is used to transport passengers and has
107 a seating capacity of more than 15 passengers, including the driver, \$0.50 of which shall be transmitted to
108 the Department of State Police to support the Department's costs in administering the motor vehicle safety
109 inspection program;

110 2. Twelve dollars for each inspection of any motorcycle, \$10 of which shall be retained by the
111 inspection station and \$2 of which shall be transmitted to the Department of State Police who shall retain
112 \$0.50 to support the Department's costs in administering the motor vehicle safety inspection program and
113 deposit the remaining \$1.50 into the Motorcycle Rider Safety Training Program Fund created pursuant to
114 § 46.2-1191;

115 3. Twelve dollars for each inspection of any autocyte, \$10 of which shall be retained by the
116 inspection station and \$2 of which shall be transmitted to the Department of State Police to be used to
117 support the Department's costs in administering the motor vehicle safety inspection program; and

118 4. ~~Twenty~~ Forty dollars for each inspection of any other vehicle, ~~\$0.70~~ \$1.40 of which shall be
119 transmitted to the Department of State Police to support the Department's costs in administering the motor
120 vehicle safety inspection program.

121 No such charge shall be mandatory, however, and no such charge shall be made unless the station
122 has previously contracted therefor.

123 B. Each official safety inspection station may charge \$1 for each reinspection of a vehicle rejected
124 by the station, as provided in § 46.2-1158, if the vehicle is submitted for reinspection within the validity
125 period of the rejection sticker. If a rejected vehicle is not submitted to the same station within the validity
126 period of the rejection sticker or is submitted to another official safety inspection station, an amount no
127 greater than that permitted under subsection A may be charged for the inspection.

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