

*ADOPTION OF AN AMENDMENT TO  
CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)  
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA*

*At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, March 20, 2012, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Chapter 82 (Motor Vehicles and Traffic) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:*

*BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX  
COUNTY, VIRGINIA:*

*That Chapter 82 (Motor Vehicles and Traffic), is amended as follows:*

# CHAPTER 82

## Motor Vehicles and Traffic

### ARTICLE 4. Regulation of Traffic.

#### Division 1. Reckless Driving, Speeding, Driving While Intoxicated and Other Provisions Concerning the Operation of Automobiles.

##### Section 82-4-1. Reckless driving generally.<sup>44</sup>

---

44. For similar state law, see Va. Code Ann., § 46.2-852, adopted in § 82-1-6.

---

~~Irrespective of the maximum speeds provided in this Chapter, any person who drives a vehicle upon a highway recklessly or at a speed or in a manner so as to endanger the life, limb or property of any person shall be guilty of reckless driving; provided, that the driving of a motor vehicle in violation of any speed limit provision of Section 82-4-10 shall not of itself constitute ground for prosecution for reckless driving under this Section. Reckless driving shall be unlawful. ((3-13-63; 1961 Code, § 16-62.))~~

Repealed.

##### Section 82-4-2. Reckless driving; specific instances.<sup>45</sup>

---

45. For similar state law, see Va. Code Ann., § 46.2-853 et seq, adopted in § 82-1-6.

---

~~(a) A person shall be guilty of reckless driving who shall:~~

~~(1) Drive a vehicle when not under proper control or with inadequate or improperly adjusted brakes upon any highway of this County;~~

~~(2) While driving a vehicle, overtake or pass another vehicle proceeding in the same direction, upon or approaching the crest of a grade or upon or approaching a curve in the highway, where the driver's view along the highway is obstructed, except where the overtaking vehicle is being operated on a highway having two (2) or more designated lanes of roadway for each direction of travel or on a designated one-way street or highway;~~

~~(3) Pass or attempt to pass two (2) other vehicles abreast, moving in the same direction, except on highways having separate roadways of three (3) or more lanes for each direction of travel, or on designated one-way streets or highways;~~

~~(4) Drive any motor vehicle, including any motorcycle, so as to be in and parallel to another vehicle in a lane designed for one vehicle, or drive any motor vehicle, including any motorcycle, so as to travel~~

~~parallel to any other vehicle traveling in a lane designed for one (1) vehicle; provided, that this Subsection shall not apply to any validly authorized parade, motorcade or motorcycle escort;~~

~~(5) Overtake or pass any other vehicle proceeding in the same direction at any steam, diesel or electric railway grade crossing or at any intersection of streets or highways unless such vehicles are being operated on a highway having two (2) or more designated lanes of roadway for each direction of travel or unless such intersection is designated and marked as a passing zone pursuant to the provisions of Code of Virginia, Section 46.2-830 and Section 46.2-803 or on a designated one-way street or highway, or while pedestrians are passing or about to pass in front of either of such vehicles, unless permitted so to do by a traffic light or police officers;~~

~~(6) Fail to stop when approaching from any direction a school bus, whether publicly or privately owned, which is stopped on any highway or school driveway for the purpose of taking on or discharging children, elderly, mentally or physically handicapped persons, and to remain stopped until all children, elderly, mentally or physically handicapped persons, are clear of the highway or school driveway and the bus is put in motion; except, that the driver of a vehicle upon a dual highway, when the roadways are separated by a physical barrier or barriers or an unpaved area, need not stop upon approaching a school bus which is on a roadway so separated from the one on which he is driving or an adjoining service road so separated, and except that the driver of a vehicle need not stop upon approaching a school bus which is loading or discharging passengers from or onto property immediately adjacent to a school if such driver is directed by a police officer or other duly authorized uniformed school crossing guard to pass such school bus. This Subsection shall apply to school buses which are equipped with warning devices prescribed in Code of Virginia, Section 46.2-1090, and are painted yellow with the words "School Bus, Stop, State Law" printed in black letters at least six (6) inches high on the front and rear thereof. If space is limited on the front, the words "School Bus" may be in letters at least four (4) inches high. Only school buses as defined in Code of Virginia, Section 46.2-100, which are painted yellow and equipped with the required lettering and warning devices shall be identified as school buses;~~

~~(7) Fail to give adequate and timely signals of intention to turn, partly turn, slow down or stop, as required in Sections 82-4-48 through 82-4-52;~~

~~(8) Exceed a reasonable speed under the circumstances and traffic conditions existing at the time regardless of any posted speed limit;~~

~~(9) Fail to bring his vehicle to a stop immediately before entering a highway from a side road when there is traffic approaching upon such highway within five hundred (500) feet of such point of entrance, unless a "Yield Right of Way" sign is posted; or where such sign is posted, fail, upon entering such highway, to yield the right of way to the driver of a vehicle approaching on such highway from either direction;~~

~~(10) Drive or operate any automobile or other motor vehicle upon any driveway or premises of a church, or school, or of any recreational facilities or of any business property open to the public, or on the premises of any industrial establishment providing parking space for customers, patrons or employees, or upon any highway under construction or not yet open to the public, recklessly or at a speed or in a manner so as to endanger the life, limb or property of any person; or~~

~~(11) Drive a vehicle when it is so loaded, or when there are in the front seat such number of persons as to obstruct the view of the driver to the front or sides of the vehicle or to interfere with the driver's control over the driving mechanism of the vehicle. ((3-13-63; 1961 Code, § 16-63; 37-76-82; 34-78-82; 19-79-82-)~~

**Repealed.**

### **Section 82-4-3. Reckless driving; driving certain vehicles in excess of seventy-five miles per hour.<sup>46</sup>**

---

46. For similar state law, see Va. Code Ann., §§ 46.2-862, 46.2-870, adopted in § 82-1-6.

---

~~A person shall be guilty of reckless driving if he operates a motor vehicle, except as provided in Section 82-4-4, in this County at a speed in excess of seventy five (75) miles per hour. ((3-13-63; 1961 Code, § 16-64.))~~

Repealed.

#### **Section 82-4-4. Reckless driving; driving certain vehicles in excess of sixty-five miles per hour.**<sup>47</sup>

---

47. For similar state law, see Va. Code Ann., §§ 46.2-862, 46.2-870, adopted in § 82-1-6.

---

~~A person shall be guilty of reckless driving if he operates any truck, tractor or tractor-truck or motor vehicle being used to tow a vehicle designed for self-propulsion, or a house trailer, or combination of vehicles designed to transport property upon the highways in the County at a speed in excess of sixty five (65) miles per hour, unless upon the Interstate System of Highways or other limited access highways with divided roadways in which case exceeding seventy five (75) miles per hour shall constitute reckless driving. ((3-13-63; 1961 Code, § 16-65.))~~

Repealed.

#### **Section 82-4-5. Reckless driving; racing.**<sup>48</sup>

---

48. For similar state law, see Va. Code Ann., § 46.2-865, adopted in § 82-1-6.

---

~~Any person who shall engage in a race between two (2) or more motor vehicles on the highways of this County or upon any driveway or premises of a church, school, recreational facility or business property open to the public in this County shall be guilty of reckless driving, unless authorized by the owner of the property or his agent. When any person shall be convicted of reckless driving under this Section, then in addition to any other penalties provided by law, the operator's or chauffeur's license of such person shall be suspended by the court or judge for a period of not less than six (6) months nor more than two (2) years. In case of conviction the court or judge shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of Section 82-4-8. ((3-13-63; 1961 Code, § 16-66.))~~

Repealed.

#### **Section 82-4-5.1. Failure to stop vehicle upon signal by Police.** <sup>49</sup>

---

49. For similar state law, see Va. Code Ann., §§ 46.2-817, adopted in § 82-1-6.

~~Any person who having received a visible or audible signal from any police officer to bring his motor vehicle to a stop, shall operate such motor vehicle in a wilful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle or endanger other property or person, or who shall increase his speed and attempt to escape or elude such police officer, shall be guilty of reckless driving, and, upon conviction thereof shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in jail for not less than sixty (60) days nor more than one (1) year, or both such fine and imprisonment. When any person shall be convicted of penalties provided herein, the operator's or chauffeur's licenses of such person may be suspended by the court or judge for a period not to exceed one (1) year; provided, however, in any case where the speed of the accused is determined to have exceeded the maximum allowed by fifteen (15) miles per hour where the maximum speed is fifty five (55) miles per hour or greater, the operator's or chauffeur's license shall be suspended by the court or judge trying the case for a period of not less than ninety (90) days. In case of conviction and suspension the court or judge shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of Code of Virginia, Section 46.2-398. ((37-76-82; 30-89-82.))~~

Repealed.

## Section 82-4-6. Reckless driving; penalty.<sup>49</sup> <sup>50</sup>

<sup>49</sup> <sup>50</sup>. For similar state law, see Va. Code Ann., §§ 46.2-868, 46.2-392, adopted in § 82-1-6.

~~Every person convicted of reckless driving under Sections 82-4-1 through 82-4-5.1 shall, for the first violation, be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than twelve (12) months, or by both such fine and imprisonment. For each second or subsequent conviction for the offense of reckless driving, under any of such Sections, committed within twelve (12) months before or after the date of another act of reckless driving for which he has been convicted, such person shall be punished by a fine of not less than One Hundred Dollars (\$100.00), nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in jail for not less than ten (10) days nor more than twelve (12) months, or by both such fine and imprisonment. ((3-13-63; 1961 Code, § 16-67.))~~

Repealed.

## Section 82-4-7. Suspension of operator's license upon conviction of reckless driving generally.<sup>50</sup> <sup>51</sup>

<sup>50</sup> <sup>51</sup>. For similar state law, see Va. Code Ann., § 46.2-392, adopted in § 82-1-6.

~~(a) In addition to the penalties for reckless driving prescribed in Section 82-4-6 and except in those cases for which a revocation of license is provided in Code of Virginia, Section 46.2-389.A.5 any court may suspend any license issued to a convicted person under Code of Virginia, Ch. 3, Subtitle II, Title 46.2, Section 46.2-300 et seq. for a period of not less than ten (10) days nor more than six (6) months~~

~~and such court shall require the convicted person to surrender his license so suspended to the court where it shall be disposed of in accordance with Section 82-4-9.~~

~~(b) If a person convicted has not obtained the license required by such Chapter, or is a nonresident, the court may direct in the judgment of conviction that such person shall not, for a period of not less than ten (10) days nor more than six (6) months as may be prescribed in the judgment, drive or operate any motor vehicle in this State. The court or the clerk of court shall transmit the license to the Commissioner along with the report of the conviction requiring revocation under Code of Virginia, Section 46.2-389, the court shall suspend the operator's or chauffeur's license of such person and thereupon transmit the same to the Division of Motor Vehicles as provided by law. ((3-13-63; 1961 Code, § 16-68.))~~

Repealed.

## **Section 82-4-8. Suspension of operator's license upon conviction of reckless driving for exceeding speed of sixty-five or seventy-five miles per hour.<sup>54</sup> 52**

---

<sup>54</sup> 52. For similar state law, see Va. Code Ann., § 46.2-393, adopted in § 82-1-6.

---

~~When any person shall be convicted of reckless driving for exceeding a speed of sixty-five (65) or seventy-five (75) miles per hour, as the case may be, upon the highways in this County under Section 82-4-3 or 82-4-4, then in addition to any other penalties provided by law, except in those cases for which revocation of licenses is provided in Code of Virginia, Section 46.2-389, the operator's or chauffeur's license of such person may be suspended by the court or judge for a period of not less than sixty (60) days nor more than six (6) months. In case of conviction the court or judge shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of Code of Virginia, Section 46.2-398. Where the conviction is a second conviction which would require revocation under the provisions of Code of Virginia, Section 46.2-389, the court shall suspend the operator's or chauffeur's license of such person and thereupon transmit the same to the Division of Motor Vehicles as provided by law. If such person so convicted has not obtained a license required by Code of Virginia, Ch. 3, Subtitle II, Title 46.2, Section 46.2-300 et seq. or is a nonresident, such court shall direct in the judgment of conviction that such person shall not drive or operate any motor vehicle in this State for a period of not less than sixty (60) days nor more than six (6) months. ((3-13-63; 1961 Code, § 16-69.))~~

Repealed.

## **Section 82-4-8.1. Suspension of license for reckless driving resulting in the death of any person. 53**

---

<sup>52</sup>. For similar state law, see Va. Code Ann., § 46.2-396, adopted in § 82-1-6.

---

~~When any person shall be convicted of reckless driving as provided in Section 82-4-2 and such reckless driving was the cause of the death of any person, then in addition to any other penalties provided by law, the operator's or chauffeur's license of such person may be suspended by the court or judge for a period not to exceed twelve (12) months. In case of conviction the court or judge may order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of Section 46.2-398 of the Code of Virginia. If such person so convicted has not obtained a license required by Chapter 3 of Title 46.2 in the Code of Virginia or is a~~

~~nonresident, such court may direct in the judgment of conviction that such person shall not drive nor operate any motor vehicle in this State for a period not to exceed twelve (12) months. The fact of such suspension shall not be admissible as evidence in any related civil proceeding. ((37-76-82; 30-89-82.))~~

Repealed.

## **Section 82-4-9. Disposition of surrendered licenses upon conviction requiring revocation or suspension.<sup>52 54</sup>**

---

<sup>52 54</sup>. For similar state law, see Va. Code Ann., § 46.2-398, adopted in § 82-1-6.

---

~~(a) In any case in which the accused is convicted of an offense, upon the conviction of which the law requires or permits revocation or suspension of the operator's or chauffeur's license of the person so convicted, the court shall order the surrender of such license, which shall remain in the custody of the court during the period of such revocation or suspension if such period does not exceed thirty (30) days, or until: (1) The time allowed by law for appeal has elapsed, when it shall be forwarded to the Commissioner; or (2) An appeal is effected and proper bond posted, at which time it shall be returned to the accused.~~

~~(b) When the time of suspension or revocation coincides or approximately coincides with the appeal time, the court may retain the license and return the same to the accused upon the expiration of the suspension or revocation. ((3-13-63; 1961 Code, § 16-70.))~~

Repealed.

## **Section 82-4-10. Maximum and minimum speed limits; posting of school zones.**

(a) Whenever the speed limits incorporated by reference pursuant to § 82-1-6 have been increased or decreased for any highway or portion thereof pursuant to Virginia Code § 46.2-878 or § 46.2-1300, it shall be unlawful for any person to drive a motor vehicle at a speed in excess of such increased or decreased limits, when the same are properly indicated by signs on such highway. As provided for in Virginia Code § 46.2-878, whenever the speed limit on any highway has been increased or decreased or a differential speed limit has been established and such speed limit is properly posted, there shall be a rebuttable presumption that the change in speed was properly established in accordance with the provisions of Virginia Code § 46.2-878.

(b) It shall be unlawful for any person to drive or operate a motor vehicle upon the highways in the county at a speed in excess of the maximum limits established in Virginia Code §§ 46.2-870—46.2-878.2. (3-13-63; 1961 Code, § 16-71; 9-78-82; 26-81-82; 25-10-82.)

## **Section 82-4-11. Prohibiting conviction for speeding in certain areas unless markers installed.<sup>54 55</sup>**

---

<sup>54 55</sup>. For similar state law, see Va. Code Ann., § 46.2-879, adopted in § 82-1-6.

---

~~No person shall be convicted of a violation of an ordinance enacted by local authorities pursuant to the provisions of the Va. Code Ann., § 46.1-180 decreasing the speed limit established in the Va. Code Ann., § 46.1-193 when such person has exceeded the speed limit in an area where the speed limit has been decreased, unless such area is clearly indicated by a conspicuous marker at the termini of such area. ((3-13-63; 1961 Code, § 46-72.)~~

Repealed.

## **Section 82-4-12. Speed limits not applicable to certain vehicles under certain circumstances.<sup>55</sup> <sup>56</sup>**

---

<sup>55</sup> <sup>56</sup>. For similar state law, see Va. Code Ann., § 46.2-918 46.2-920, adopted in § 82-1-6.

---

~~(a) The speed limitations set forth in this Article shall not apply to vehicles when operated with due regard for safety under the direction of the police or in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violations, or in response to emergency calls, or in testing the accuracy of the radio microwave or other electrical devices specified in Section 82-4-14, nor to Fire Department vehicles when traveling in response to a fire alarm or pulmotor call, nor to ambulances when traveling in emergencies.~~

~~(b) These exemptions, hereinbefore granted to such a moving vehicle, shall apply on when the operator of such vehicle displays a flashing, blinking or alternating red light and sounds a siren, bell, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary, and, only when there is in force and effect for such vehicle standard automobile liability insurance covering injury or death to any one (1) person in the sum of at least One Hundred Thousand Dollars (\$100,000.00) in any one (1) accident, and subject to the limit for one (1) person, to a limit of Three Hundred Thousand Dollars (\$300,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and to a limit of Ten Thousand Dollars (\$10,000.00) because of injury to or destruction of property of others in any one (1) accident. Such exemptions shall not protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property. Nothing in this Section shall be construed to release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation. ((3-13-63; 1961 Code, § 16-73; 37-76-82.)~~

Repealed.

## **Section 82-4-13. Suspension of license where speed limit exceeded by more than five miles per hour.**

When any person shall be convicted for the second and each subsequent time within the period of one (1) year of violating any law of this State which designates the maximum speed limit for the operation of motor vehicles and the judge or jury shall find in each case that such person exceeded the prescribed speed limit by more than five (5) miles per hour, then in addition to any other penalties provided by law, the operator's license of such person shall be suspended for a period of sixty (60) days. The provisions of this Section shall not apply in any case unless the applicable legal speed is forty-five (45) miles per hour or more. In case of conviction the court or judge shall require the delivery of the operator's permit to the court, where it shall be held in accordance with *Code of Virginia*, Section 46.2-398. The provisions of *Code of Virginia*, Section 46.2-411, shall not apply to any person whose license is revoked under the provisions of this Section. (1961 Code, § 16-74; 30-89-82.)



**Section 82-4-14. Checking on speed with electrical devices; certificate as to accuracy of device; arrest without warrant.**<sup>56</sup> <sup>57</sup>

---

<sup>56</sup> <sup>57</sup>. For similar state law, see Va. Code Ann., § 46.2-882, 46.2-883, adopted in § 82-1-6.

---

~~(a) The speed of any motor vehicle may be checked by the use of radio microwaves or other electrical device. The results of such checks shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed of the motor vehicle is at issue. In any court or legal proceedings in which any question arises about the calibration or accuracy of any radio microwave or other electrical device used to check the speed of any motor vehicle, a certificate, executed and signed by the officers calibrating or testing such device for its accuracy, and stating the time of such test, type of test and results of testing when such certificate is accompanied by a certificate, or a true copy thereof, showing the calibration or accuracy of the speedometer of any vehicle employed in calibrating or testing such device, and when and by whom such speedometer calibration was made, shall be admissible when attested by one such officer who executed and signed it as evidence of the facts therein stated and the results of such testing.~~

~~(b) The driver of any such motor vehicle may be arrested without a warrant under this Section; provided, the arresting officer is in uniform and displays his badge of authority; provided, that such officer has observed the registration of the speed of such motor vehicle by the radio microwaves or other electrical device or has received a radio message from the officer who observed the speed of the motor vehicle registered by the radio microwaves or other electrical device; provided, in the case of an arrest based on such a message, that such radio message has been dispatched immediately after the speed of the motor vehicle was registered and furnished the license number or other positive identification of the vehicle and the registered speed to the arresting officer.~~

~~(c) Signs to indicate the legal rate of speed and that the speed of motor vehicles may be measured by radio microwaves or other electrical devices shall be placed at or near the State boundary on those interstate and primary highways which connect the State to the other jurisdictions at such locations as the State Highway Commissioner, in his discretion, may select. There shall be a prima facie presumption that such signs were in place at the time of the commission of the offense of exceeding the legal rate of speed, and a certificate by the State Highway Commissioner as to the placing of such signs shall be admissible in evidence to support or rebut the presumption. Such legal rate of speed and notice of measurement of speed by radio microwaves or other electrical devices may be posted on different signs and need not be posted on the same sign. ((3-13-63; 1961 Code, § 16-75.)~~

**Repealed.**

**Section 82-4-15. Prohibiting use of devices on motor vehicles to detect presence of radar upon highways or operation of motor vehicles so equipped.**<sup>57</sup> <sup>58</sup>

---

<sup>57</sup> <sup>58</sup>. For similar state law, see Va. Code Ann., § 46.2-1079, adopted in § 82-1-6.

---

~~(a) It shall be unlawful for any person to operate a motor vehicle upon the highways of this State when such vehicle is equipped with any device or mechanism to detect the emission of radio microwaves in the~~

~~electromagnetic spectrum, which microwaves are employed by police to measure the speed of motor vehicles upon the highways of this State for law enforcement purposes; it shall be unlawful to use any such device or mechanism upon any such motor vehicles upon the highways; it shall be unlawful to sell any such device or mechanism in this State. Provided, however, that the provisions of this Section shall not apply to any receiver of radio waves utilized for lawful purposes to receive any signal from a frequency lawfully licensed by any State or federal agency.~~

~~(b) Any person violating any provision of this Section shall be guilty of a traffic infraction pursuant to Section 82-1-35 and Code of Virginia, Section 19.2-254.1 and shall, upon conviction thereof, be punished by a fine of not less than Twenty five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00). This section shall not be construed to authorize the forfeiture to the Commonwealth of any device or mechanism. Any such device or mechanism may be taken by the arresting officer if needed as evidence, and shall, when no longer needed, be returned to the person charged with a violation under this Section, or at the person's request, and his expense, mailed to an address specified by him.~~

~~(c) Except as provided under Subsection (b) of this Section, the presence of any such prohibited device or mechanism in or upon a motor vehicle upon the highways of this State shall constitute prima facie evidence of the violation of this Section. The Commonwealth need not prove that the device in question was in an operative condition or being operated.~~

~~(d) No person shall be guilty of a violation of this Section when the device or mechanism in question, at the time of the alleged offense, had no power source and was not readily accessible for use by the driver of any passenger in the vehicle.~~

~~(e) This Section shall not apply to motor vehicles owned by the Commonwealth or any political subdivision thereof and which are used by the police of any such government nor to law enforcement officers in their official duties, not to the sale of any such device or mechanism to law enforcement agencies for use in their official duties. ((Va. Code Ann., 1962, c. 125; 3-13-63; 1961 Code, § 16-76; 37-76-82; 34-78-82.))~~

Repealed.

## Section 82-4-16. Table of speed and stopping distances.<sup>58</sup> <sup>59</sup>

---

<sup>58</sup>. Editor's note—This Section is set out for information purposes and may be used by a locality for that purpose, if desired.

---

~~(a) All courts shall take notice of the following table of speed and stopping distances of motor vehicles, which shall not raise a presumption, in actions in which inquiry thereon is pertinent to the issues.~~

~~(b) The courts shall further take notice that such table is the result of experiments made with motor vehicles unloaded except for the driver, equipped with four wheel brakes, in good condition, on dry, hard, approximately level stretches of highway free from loose material.<sup>59</sup>~~

---

<sup>59</sup>. For similar state law, see Va. Code Ann., § 46.2-880, adopted in § 82-1-6.

---

TABLE INSET:

<del>-</del> Speed In—	<del>Average Stopping Distance—</del>				<del>Total Stopping Distances: Driver and—</del>	
<del>Miles Per Hour—</del>	<del>Feet Per Second—</del>	<del>Automobile Brakes (In Feet)—</del>	<del>Truck Brakes (Brakes On All Wheels) (In Feet)—</del>	<del>Average Driver Reaction Time ( 3/4 Second) (In Feet)—</del>	<del>Automobiles (In Feet)—</del>	<del>Trucks (In Feet)—</del>
10—	14.67—	5—	7—	11—	16—	18—
15—	22.0—	12—	17—	16—	28—	33—
20—	29.34—	21—	30—	22—	43—	52—
25—	36.62—	32—	47—	27—	59—	74—
30—	44.0—	47—	67—	33—	80—	100—
35—	51.3—	63—	92—	38—	101—	130—
40—	58.7—	82—	120—	44—	126—	164—
45—	66.0—	104—	152—	50—	154—	202—
50—	73.3—	128—	187—	55—	183—	242—
55—	80.7—	155—	227—	61—	216—	288—
60—	88.0—	185—	270—	66—	251—	336—
65—	95.3—	217—	316—	71—	288—	387—
70—	102.6—	252—	367—	77—	329—	444—
75—	109.9—	289—	422—	82—	371—	504—
80—	117.2—	328—	480—	88—	416—	568—
90—	132.0—	425—	607—	99—	524—	706—
100—	146.6—	514—	750—	109—	623—	859—

((3-13-63; 1961 Code, § 16-77.)

Repealed.

## Section 82-4-17. Driving motor vehicle, engine, etc., while intoxicated, etc.<sup>60</sup>

---

60. For similar state law, see Va. Code Ann., § 18.2-266, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-18. Analysis of breath to determine alcoholic content of blood.<sup>61</sup>**

---

61. For similar state law, see Va. Code Ann., § 18.2-267, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-19. Use of chemical test to determine alcohol or drug content of blood; procedure; qualifications and liability of person withdrawing blood; costs; evidence; suspension of license for refusal to submit to test; localities authorized to adopt parallel provisions.<sup>62</sup>**

---

62. For similar state law, see Va. Code Ann., § 18.2-268, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-20. Presumptions from alcoholic content of blood.<sup>63</sup>**

---

63. For similar state law, see Va. Code Ann., § 18.2-269, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-21. Penalty for driving while intoxicated; subsequent offense; prior conviction.<sup>64</sup>**

---

64. For similar state law, see Va. Code Ann., § 18.2-270, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-22. Forfeiture of driver's license for driving while intoxicated.<sup>65</sup>**

---

65. For similar state law, see Va. Code Ann., § 18.2-271, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-22.1. Probation, education and rehabilitation of person convicted; person convicted under law of another state.<sup>66</sup>**

---

66. For similar state law, see Va. Code Ann., § 18.2-271.1, adopted in § 82-1-6.

---

Repealed by 36-90-82.

#### **Section 82-4-23. Driving after forfeiture of license.<sup>67</sup>**

---

67. For similar state law, see Va. Code Ann., § 18.2-272, adopted in § 82-1-6.

---

~~If any person so convicted shall, during the time for which he is deprived of his right so to do, drive or operate any motor vehicle, engine or train in this County, he shall be guilty of a misdemeanor and may be confined in jail not more than six (6) months and may in addition be fined not more than Five Hundred Dollars (\$500.00). Nothing in this Section or Section 82-4-17, Section 82-4-21, or Section 82-4-22 shall be construed as conflicting with or repealing any ordinance or resolution of any city, town or county which restricts still further the right of such persons to drive or operate any such vehicle or conveyance. ((3-13-63; 1961 Code, § 16-84; 32-73-16; 37-76-82; 28-88-82.))~~

~~Repealed.~~

#### **Section 82-4-24. Operator to give full time and attention to driving.**

No person shall operate a motor vehicle upon the highways of this County without giving his full time and attention to the operation of the vehicle. ((3-13-63; 1961 Code, § 16-85.))

#### **Section 82-4-25. Vehicle to be kept under control.**

No person shall operate a motor vehicle upon the highways of this County, failing to keep the vehicle under proper control at all times. ((3-13-63; 1961 Code, § 16-86.))

#### **Section 82-4-26. Penalty for violation of Sections 82-4-24 and 82-4-25.**

Any person who violates Sections 82-4-24 and 82-4-25 shall, upon conviction thereof, be punished according to the provisions of Section 82-1-35. ((3-13-63; 1961 Code, § 16-87; 19-76-82.))

## **Section 82-4-27. Automobiles not to be equipped with television within view of operator of vehicle.<sup>68</sup>**

---

68. For similar state law, see Va. Code Ann., § 46.2-812, 46.2-1077, adopted in § 82-1-6.

---

~~No motor vehicle operated in this County shall be equipped with, nor shall there be used therein, a television receiver forward of the driver's seat or the screen of which would otherwise be visible to the driver while operating the vehicle. This Section shall apply to all motor vehicles which are registered or should be registered in Virginia. The operator of a motor vehicle which is not registered in Virginia and is not required to be registered in Virginia shall not operate a television receiver which violates the provisions of this Section while driving through or within this County. Any person violating this Section shall be guilty of a misdemeanor. ((3-13-63; 1961 Code, § 16-88.))~~

**Repealed.**

## **Section 82-4-28. Unlawful to operate automobile while using earphones.<sup>69</sup>**

---

69. For similar state law, see Va. Code Ann., § 46.2-1078, adopted in § 82-1-6.

---

~~(a) It shall be unlawful for any person to operate a motor vehicle on the highways of this Commonwealth while using earphones on or in both ears. Any person violating this Section shall be guilty of a traffic infraction punishable as provided in Section 82-1-35.~~

~~(b) For the purpose of this Section, "earphones" shall mean any device worn on or in the ears which converts electrical energy to sound waves or which impairs or hinders the person's ability to hear, but shall not include any prosthetic device which aids the hard of hearing, nor does it include the driver of any police vehicle, any fire vehicle used exclusively for fire fighting, any ambulance or rescue or lifesaving vehicle used for the principal purpose of emergency relief. ((1976; 9-78-82; 34-78-82.))~~

**Repealed.**

## **Division 2. Rules of the Road.**

### **Section 82-4-29. Driving through safety zones prohibited.<sup>70</sup>**

---

70. For similar state law as to driving through safety zone, see Va. Code Ann., § 46.2-814, adopted in § 82-1-6.

---

~~The driver of a vehicle shall not, at any time drive through or over a safety zone. ((3-13-63; 1961 Code, § 16-89.))~~

**Repealed.**

## **Section 82-4-30. Where operation of motorcycles prohibited.**

(a) It shall be unlawful in Fairfax County for any person to ride, drive or operate any validly licensed and registered motorcycle on the sidewalks of this County, on any County property or other publicly owned property except for motorcycles owned by the Police Department and used by policemen in furtherance of their duties; provided, that any person may operate such a motorcycle on public driveways and highways unless otherwise prohibited by law.

(b) It shall be unlawful in Fairfax County for any person to operate any motorcycle which does not comply with the State and County registration and licensing requirements on the public highways, on the sidewalks of the County, or on the driveways or premises of the County or other publicly-owned property open to the public including but not limited to a school, recreational facility and/or business property.

(c) It shall be unlawful in Fairfax County for any person to operate any motorcycle, unless authorized by the owner of the property or his agent, on the driveways or premises of any privately-owned property including but not limited to a school, church, recreational facility, business property or other privately-owned area.

(d) If the owner of any privately-owned property under (c) of this Section desires enforcement upon his property of the provisions of this Section he or his agent shall notify the Chief of Police in writing of his desire and the owner or his agent shall post notices on the owner's property adequate to inform the public that operation of such vehicles upon the property is unlawful. Whenever notices are posted on the property in accord with the requirements of this Section, there shall be a prima facie presumption that the owner has complied with the required written notification to the Chief of Police.

(e) Where any officer with the enforcement of the motor vehicle laws of the State of Virginia or the County of Fairfax arrests any person and charges him with a violation under this section, he may seize any motorcycle which does not comply with the State or County registration or licensing requirements and deliver the same to the Chief of Police, or his designee, and the vehicle shall be held by the Chief of Police or his designee until the charge is disposed of by the court having jurisdiction, provided seizure shall not be made on any such unlicensed or unregistered motorcycle operated on private property unless the owner of such property complies with the notice requirements of this Section. In disposing of the charge, the court shall order the vehicle returned to its owner. When any person has been convicted of a second or subsequent violation of this Section, the Court may order such vehicle held by the Chief of Police or his designee for a period not to exceed ninety (90) days.

(f) A violation by any persons of any provision of this Section shall be a misdemeanor and, in addition to seizure of the vehicle as provided for in (e) of this Section, the penalty imposed shall be as provided for in Section 82-1-35 of this Code, ~~with the exception that the penalty imposed on any person convicted of operating any motorcycle on the sidewalks of the County shall be fined not less than Five Dollars (\$5.00) nor more than Twenty five Dollars (\$25.00).~~ ((1961 Code, § 16-89.1; 3-75-16; 37-76-82; 16-77-82; 34-78-82.))

## **Section 82-4-31. Riding bicycles without using handlebars. 71**

71. For similar state law, see Va. Code Ann., § 46.2-906, adopted in § 82-1-6.

~~No person shall ride a bicycle upon any street without having his hands upon the handle bars. ((3-13-63; 1961 Code, § 16-90.))~~

Repealed.

## **Section 82-4-32. Backing of vehicles.**

The operator of any vehicle in the County shall not back such vehicle unless such movement can be made with safety and without interfering with other traffic. ((3-13-63; 1961 Code, § 16-91.))

## **Section 82-4-33. Blocking intersections.**

No operator of a vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space beyond such intersection or crosswalk in the direction in which such vehicle is proceeding to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. ((3-13-63; 1961 Code, § 16-92.))

## **Section 82-4-34. Coasting prohibited.<sup>74</sup> <sup>72</sup>**

---

<sup>74</sup> <sup>72</sup>. For similar state law, see Va. Code Ann., § 46.2-811, adopted in § 82-1-6.

---

~~The driver of a motor vehicle when traveling upon a downgrade upon any highway shall not coast with the gears of such vehicle in neutral. ((3-13-63; 1961 Code, § 16-93.))~~

Repealed.

## **Section 82-4-35. Driving more than thirteen hours in twenty-four hours prohibited.<sup>72</sup> <sup>73</sup>**

---

<sup>72</sup> <sup>73</sup>. For similar state law, see Va. Code Ann., § 46.2-812, adopted in § 82-1-6.

---

~~(a) It shall be unlawful for any person to drive any motor vehicle on the highways of this State for more than thirteen (13) hours in any period of twenty four (24) hours or for a period which, when added to the time such person may have driven a motor vehicle over the highways of any other state, would make an aggregate of more than thirteen (13) hours in any period of twenty four (24) hours; provided, however, that the provisions of this Section shall not apply to the operation of motor vehicles used in snow removal or similar emergency situations by the State Department of Highways and Transportation or its contractors or agents of any county, city or town.~~

~~(b) It shall also be unlawful for the owner of any such vehicle to cause or permit the same to be driven in violation of this Section. ((3-13-63; 1961 Code, § 16-94; 34-78-82.))~~

Repealed.



## Section 82-4-36. Drive on right side of highways.~~73~~ 74

---

~~73~~ 74. For similar state law, see Va. Code Ann., § 46.2-802, adopted in § 82-1-6.

---

~~Except as otherwise provided by law upon all highways of sufficient width, the driver of a vehicle shall drive the same upon the right half of the highway, unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle, subject to the limitations applicable in overtaking and passing set forth in Sections 82-4-41 and 82-4-45. ((3-13-63; 1961 Code, § 16-95.)~~

Repealed.

## Section 82-4-37. Driving around rotary traffic islands.~~74~~ 75

---

~~74~~ 75. For similar state law, see Va. Code Ann., § 46.2-812, 46.2-807, adopted in § 82-1-6.

---

~~The driver of a vehicle in passing around a rotary traffic island shall drive such vehicle only to the right of such island. ((3-13-63; 1961 Code, § 16-96.)~~

Repealed.

## Section 82-4-38. Keep to the right in crossing intersections or railroads.~~75~~ 76

---

~~75~~ 76. For similar state law, see Va. Code Ann., § 46.2-803, adopted in § 82-1-6.

---

~~Except as otherwise provided by law, in crossing an intersection of highways or the intersection of a highway by a railroad right-of-way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right side is obstructed or impassable. Provided however, that in crossing an intersection of highways, the driver of a vehicle may overtake or pass another vehicle in the intersection if such intersection is designated and marked as a passing zone by the State Highway and Transportation Commission pursuant to its authority set out in Code of Virginia, Section 46.2-830, and shall be punished as provided in Section 82-1-35. ((3-13-63; 1961 Code, § 16-97; 34-78-82.)~~

Repealed.

## Section 82-4-39. Special regulations applicable on streets and highways laned for traffic.~~76~~ 77

---

76 77. For similar state law, see Va. Code Ann., § 46.2-804, adopted in § 82-1-6.

---

~~(a) Whenever any highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:~~

~~(1) Any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions existing shall be driven in the lane nearest the right hand edge or curb of the highway when such lane is available for travel, except when overtaking and passing another vehicle or in preparation for a left turn or as permitted in Paragraph (4) of this Subsection.~~

~~(2) A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.~~

~~(3) Upon a highway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle or in preparation for a left turn unless such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted or marked to give notice of such allocation; provided that official traffic control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device.~~

~~(4) The State Highway Commission or the County, with respect to highways under their jurisdiction, may designate right hand lanes for slow moving traffic and when such lanes are sign posted or marked to give notice of such designation a vehicle may be driven in any lane allocated to traffic moving in the direction such vehicle is proceeding, but when traveling within such inside lanes vehicles shall be driven at approximately the speed authorized in such lanes and speed shall not unnecessarily be decreased so as to block, hinder or retard traffic.~~

~~(5) Whenever a highway is marked with double traffic lines consisting of a solid line immediately adjacent to a broken line, no vehicle shall be driven to the left of such line if the solid line is on the right of the broken line; except, that it shall be lawful to make a left turn for the purpose of entering or leaving a public, private or commercial road or entrance; provided, however, that where the middle lane of a highway is marked on both sides with a solid line immediately adjacent to a broken line, such middle lane shall be considered a left turn or holding lane and it shall be lawful to drive to the left of such line if the solid line is on the right of the broken line for the purpose of making a left turn into a public, private or commercial road or entrance, provided however that the vehicle may not travel in such lane for a distance greater than one hundred fifty (150) feet.~~

~~(6) Wherever a highway is marked with double traffic lines consisting of two (2) immediately adjacent solid lines, no vehicle shall be driven to the left of such lines; except, that it shall be lawful to make a left turn for the purpose of entering or leaving a public, private or commercial road or entrance. ((3-13-63; 1961 Code, § 16-98; 37-76-82; 19-79-82.)~~

Repealed.

## Section 82-4-40. Passing vehicles proceeding in opposite directions. 78

---

78. For similar state law, see Va. Code Ann., § 46.2-837, adopted in § 82-1-6.

~~Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other, as nearly as possible, one half of the main traveled portion of the roadway. ((3-13-63; 1961 Code, § 16-99.)~~

Repealed.

## **Section 82-4-41. Passing upon overtaking a vehicle. 79**

79. For similar state law, see Va. Code Ann., § 46.2-838, adopted in § 82-1-6.

~~The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at least two (2) feet to the left thereof and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle, except as provided in this Article. ((3-13-63; 1961 Code, § 16-100.)~~

Repealed.

## **Section 82-4-42. Audible warning signal upon overtaking vehicle.**

Repealed by 25-96-82.

## **Section 82-4-43. When overtaking vehicle may pass on right. 80**

80. For similar state law, see Va. Code Ann., § 46.2-841, adopted in § 82-1-6.

~~(a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:~~

~~(1) When the vehicle overtaken is making or about to make a left turn, and the driver of such vehicle has given a signal as required.~~

~~(2) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction.~~

~~(3) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.~~

~~(b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement made by driving off the pavement or main traveled portion of the roadway. ((3-13-63; 1961 Code, § 16-102.)~~

Repealed.

#### **Section 82-4-44. Driver to give way to overtaking vehicle. 81**

81. For similar state law, see Va. Code Ann., § 46.2-842, adopted in § 82-1-6.

~~Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle; provided however, that any over-width, or slow-moving vehicle as defined by Section 82-6-25.1 shall be removed from the traveled way at the nearest suitable location when necessary to allow traffic to pass. ((3-13-63; 1961 Code, § 16-103; 19-79-82.)~~

Repealed.

#### **Section 82-4-45. Limitations on privileges of overtaking and passing. 82**

82. For similar state law, see Va. Code Ann., § 46.2-843, adopted in § 82-1-6.

~~(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.~~

~~(b) No person operating a truck or tractor and trailer shall pass or attempt to pass any truck or tractor and trailer going in the same direction on an upgrade hill if such passing will impede the passage of following traffic. ((3-13-63; 1961 Code, § 16-104.)~~

Repealed.

#### **Section 82-4-46. Following too closely. 83**

83. For similar state law, see Va. Code Ann., § 46.2-816, adopted in § 82-1-6.

~~(a) The driver of a motor vehicle shall not follow another motor vehicle, trailer or semitrailer more closely than is reasonable and prudent, having due regard to the speed of both vehicles and the traffic upon, and conditions of, the highway at the time.~~

~~(b) The driver of any motor truck or bus shall not follow another motor truck or bus within two hundred (200) feet when upon any highway outside of cities or towns. ((3-13-63; 1961 Code, § 16-105.))~~

Repealed.

## **Section 82-4-47. Limitation upon turning so as to proceed in opposite direction.**

(a) The driver of a vehicle in the County shall not turn such vehicle so as to proceed in the opposite direction except at an intersection of highways; provided, however, that no driver shall cause any vehicle to make a turn to proceed in the opposite direction at any intersection where there is a sign or other marking prohibiting such action.

(b) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from any direction within five hundred (500) feet. ((3-13-63; 1961 Code, § 16-106.))

## **Section 82-4-48. Required position and method of turning at intersections; signs. 84**

84. For similar state law, see Va. Code Ann., § 46.2-846, adopted in § 82-1-6.

~~(a) The driver of a vehicle intending to turn at an intersection or other location on any highway, except as prohibited by the preceding Section or any other provision of this Chapter, shall do as follows:~~

~~(1) *Right turn.* Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.~~

~~(2) *Left turns on two-way roadways.* At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.~~

~~(3) *Left turns on other than two-way roadways.* At any intersection where traffic is restricted to one direction on one or more of the roadways, and at any crossover from one roadway of a divided highway to another roadway thereof on which traffic moves in the opposite direction, the driver of a vehicle intending to turn left at any such intersection or crossover shall approach the intersection or crossover in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection or crossover the left turn shall be made so as to leave the intersection or crossover, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered.~~

~~(4) When markers, buttons or signs are placed within or adjacent to intersections and thereby require and direct that a different course from that specified above in this Section be traveled, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs. ((3-13-63; 1961 Code, § 16-107.))~~

Repealed.

## **Section 82-4-49. Signals required on starting, stopping or turning.<sup>77</sup> 85**

---

<sup>77</sup> 85. For similar state law, see Va. Code Ann., § 46.2-848, adopted in § 82-1-6.

---

~~Every driver who intends to start, back, stop, turn or partly turn from a direct line shall first see that such movement can be made in safety and whenever the operation of any other vehicle may be affected by such movement shall give a signal as required in Section 82-4-50, 82-4-51 or 82-4-52 plainly visible to the driver of such other vehicle of his intention to make such movement. ((3-13-63; 1961 Code, § 16-108.))~~

Repealed.

## **Section 82-4-50. Signals required on starting, stopping or turning; how such signals are given.<sup>78</sup> 86**

---

<sup>78</sup> 86. For similar state law, see Va. Code Ann., § 46.2-849, adopted in § 82-1-6.

---

~~(a) The signal required in Section 82-4-49 shall be given by means of the hand and arm or by some mechanical or electrical device approved by the Superintendent, in the manner herein specified. Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, turn, or partly turn by extending the hand and arm from beyond the left side of the vehicle, in the following manner:~~

~~(1) For left turn or to pull to the left, the arm shall be extended in a horizontal position straight from the level with the shoulder;~~

~~(2) For right turn or to pull to the right, the arm shall be extended upward;~~

~~(3) For slowing down or to stop, the arm shall be extended downward.~~

~~(b) Wherever the lawful speed is more than thirty five (35) miles per hour, such signals shall be given continuously for a distance of at least one hundred (100) feet, and in all other cases at least fifty (50) feet, before slowing down, stopping, turning, partly turning or materially altering the course of the vehicle. ((3-13-63; 1961 Code, § 16-109.))~~

Repealed.

## **Section 82-4-51. Signals required on starting, stopping or turning; change of course after giving signal.<sup>79</sup> 87**

---

<sup>79</sup> 87. For similar state law, see Va. Code Ann., § 46.2-850, adopted in § 82-1-6.

---

~~Drivers having once given a hand, electrical or mechanical device signal must continue the course thus indicated, unless they alter the original signal and take care that drivers of vehicles and pedestrians have seen and are aware of the change. ((3-13-63; 1961 Code, § 16-110.))~~

Repealed.

## **Section 82-4-52. Signals required on starting, stopping or turning; duty of drivers receiving signals.<sup>80</sup> <sup>88</sup>**

---

~~80. Similar to former § 46.2-219, which has been repealed.~~

~~88. For similar state law, see Va. Code Ann., § 46.2-848, adopted in § 82-1-6.~~

---

~~Drivers receiving a signal from another driver shall keep their vehicles under complete control and shall be able to avoid an accident resulting from a misunderstanding of such signal. ((3-13-63; 1961 Code, § 16-111.))~~

Repealed.

## **Section 82-4-53. Signals prior to moving standing vehicles into traffic.<sup>84</sup> <sup>89</sup>**

---

~~84 <sup>89</sup>. For similar state law, see Va. Code Ann., § 46.2-851, adopted in § 82-1-6.~~

---

~~Drivers of vehicles standing or stopped at the curb or edge before moving such vehicles shall give signals of their intention to move into traffic, as hereinbefore provided, before turning in the direction of the vehicle will proceed from the curb. ((3-13-63; 1961 Code, § 16-112.))~~

Repealed.

## **Section 82-4-54. Right-of-way generally.<sup>82</sup> <sup>90</sup>**

---

~~82 <sup>90</sup>. For similar state law, see Va. Code Ann., §§ 46.2-820--46.2-823, adopted in § 82-1-6.~~

---

~~Except as provided in Section 82-4-58, when two (2) vehicles approach or enter an intersection at approximately the same time the driver of the vehicle on the left shall yield the right of way to the vehicle on the right unless a "Yield Right of Way" sign is posted. Where any such sign is posted, the driver of the vehicle approaching or entering such intersection on the highway, road or street on which such sign is posted shall yield the right of way to the driver of a vehicle approaching or entering such intersection from either direction. At traffic circles vehicles already in the circle shall have the right of way over vehicles approaching and entering the circle.~~

~~The driver of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he might otherwise have hereunder. ((3-13-63; 1961 Code, § 16-113.))~~

Repealed.

## **Section 82-4-55. Right-of-way when vehicle turns to left.<sup>83 91</sup>**

---

<sup>83 91</sup>. For similar state law, see Va. Code Ann., § 46.2-825, adopted in § 82-1-6.

---

~~The driver of a vehicle, intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is so close as to constitute a hazard, provided, that where there is an automatic signal device governing the flow of traffic at any intersection and allowing turns to the left while all other vehicle traffic is required to stop, any vehicle making such turn shall have the right of way over all other vehicles approaching the intersection. ((3-13-63; 1961 Code, § 16-114.))~~

Repealed.

## **Section 82-4-56. Stop before entering public highway or sidewalk from private road; yielding of right-of-way.<sup>84 92</sup>**

---

<sup>84 92</sup>. For similar state law, see Va. Code Ann., § 46.2-826, adopted in § 82-1-6.

---

~~The driver of a vehicle entering a public highway or sidewalk from a private road, driveway, alley or building shall stop immediately before entering such highway or sidewalk and upon entering such highway or sidewalk, shall yield the right of way to all vehicles approaching on such public highway or to all pedestrians or vehicles approaching on such public sidewalk. ((3-13-63; 1961 Code, § 16-115.))~~

Repealed.

## **Section 82-4-56.1. Vehicles before entering certain highways shall stop or yield right-of-way. <sup>93</sup>**

---

<sup>93</sup>. For similar state law, see Va. Code Ann., § 46.2-821, adopted in § 82-1-6.

---

~~(a) The driver of a vehicle approaching an intersection on a highway controlled by a stop sign shall, immediately before entering such intersection, stop at a clearly marked stop line, but if none, shall stop before entering the crosswalk on the near side of the intersection, or, if none, shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting~~



~~roadway, and before proceeding shall yield the right-of-way to the driver of any vehicle approaching on such other highway from either direction.~~

~~(b) Where a "Yield Right of Way" sign is posted, the driver of a vehicle entering such intersection shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, shall stop before entering the crosswalk on the near side of the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway, and before proceeding shall yield the right-of-way to the driver of any vehicle approaching on such other highway from either direction. ((37-76-82.))~~

Repealed.

## **Section 82-4-57. Right-of-way of United States forces, troops, national guard.<sup>85</sup> 94**

---

<sup>85</sup> 94. For similar state law, see Va. Code Ann., § 46.2-827, adopted in § 82-1-6.

---

~~United States forces or troops, or any portion of the Virginia national guard or naval militia, parading or performing any duty according to law, or any civil defense personnel performing any duty according to law, shall have the right-of-way in any street or highway through which they may pass; provided, that the carrying of the United States mails, the legitimate functions of the police and the progress and operation of fire engines and fire departments shall not be interfered with. ((3-13-63; 1961 Code, § 16-116.))~~

Repealed.

## **Section 82-4-58. Approach of police or fire-fighting vehicles, rescue vehicles or ambulances; violation as failure to yield right-of-way.<sup>86</sup> 95**

---

<sup>86</sup> 95. For similar state law, see Va. Code Ann., § 46.2-829, adopted in § 82-1-6.

---

~~(a) Upon the approach of any vehicle listed in Section 82-4-59(a) giving audible signal by sirens, exhaust whistle, or air horn designed to give automatically intermittent signals, and displaying a flashing, blinking or alternating red light, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right hand edge or curb, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until such vehicle shall have passed. This provision shall not operate to relieve the driver of any such vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right-of-way.~~

~~(b) Violation of this Section shall constitute failure to yield the right-of-way. ((3-13-63; 1961 Code, § 16-117; 37-76-82.))~~

Repealed.

**Section 82-4-59. Police, fire-fighting and rescue vehicles and ambulances exempt from regulations in certain emergencies; exceptions and additional requirements.**<sup>87 96</sup>

<sup>87 96</sup>. For similar state law, see Va. Code Ann., § 46.2-920, adopted in § 82-1-6.

~~(a) The operator of (1) any law enforcement vehicle operated by or under the direction of a Federal, State, or local law enforcement officer in the chase or apprehension of violators of the law or persons charged with or suspected of any such violation, or in response to an emergency call; (2) any vehicle used for the purpose of fighting fire, including publicly owned State forest warden vehicles not to exceed two hundred (200) in number, when traveling in response to a fire alarm or emergency call; (3) any vehicle owned by a political subdivision of the Commonwealth for rescue purposes when traveling in response to a fire alarm or an emergency call; or (4) any ambulance or rescue or life-saving vehicle designed or utilized for the principal purposes of supplying resuscitation or emergency relief where human life is endangered, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting himself to criminal prosecution:~~

~~(1) Proceed past red signal, light, stop sign or device indicating moving traffic shall stop if the speed and movement of the vehicle is reduced and controlled so that it can pass a signal, light or device with due regard to the safety of persons and property.~~

~~(2) Park or stand notwithstanding the provisions of this Chapter.~~

~~(3) Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property.~~

~~(4) Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection.~~

~~(5) Pass or overtake with due regard to the safety of persons and property, while en route to an emergency, other stopped or slow moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding Subsection (b) hereof, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.~~

~~(b) These exemptions, hereinbefore granted to such a moving vehicle, shall apply only when the operator of such vehicle displays a flashing, blinking or alternating red light and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary, and, only when there is in force and effect for such vehicle standard automobile liability insurance covering injury or death to any person in the sum of at least One Hundred Thousand Dollars (\$100,000.00) because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of Three Hundred Thousand Dollars (\$300,000.00) because of bodily injury to or death of two (2) or more persons in any one accident, and to a limit of Ten Thousand Dollars (\$10,000.00) because of injury to or destruction of property of others in any one accident. Such exemptions shall not, however, protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property. Nothing in this Section shall be construed to release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation. (12-12-62; 3-13-63; 4-12-67; 1-10-68; 1961 Code, §§ 16-118, 16-121.2; 37-76-82; 9-78-82; 26-81-32.)~~

Repealed.

## **Section 82-4-60. Following or parking near fire apparatus. 97**

97. For similar state law, see Va. Code Ann., § 46.2-921, adopted in § 82-1-6.

~~It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm at any distance closer than five hundred (500) feet to such apparatus or to park such vehicle within five hundred (500) feet of where fire apparatus has stopped in answer to a fire alarm. (3-13-63; 1961 Code, § 16-119.)~~

Repealed.

## **Section 82-4-61. Driving over fire hose. 98**

98. For similar state law, see Va. Code Ann., § 46.2-922, adopted in § 82-1-6.

~~It shall be unlawful for the driver of any vehicle to drive over any unprotected hose of a Fire Department when laid down on any street or private driveway for use at any fire or alarm of fire without the consent of the Fire Department official in command. (3-13-63; 1961 Code, § 16-120.)~~

Repealed.

*This amendment shall become effective upon adoption.*

*GIVEN under my hand this 20<sup>th</sup> day of March, 2012.*

---

CATHERINE A. CHIANESE  
Clerk to the Board of Supervisors