

Chapter 15
MOTOR VEHICLES AND TRAFFIC

Article 1. In General.

Sec. 15-1-1. State law adopted; penalties for violations.

Article 2. Motor Vehicle License Fee.¹

Sec. 15-2-1. *Motor vehicle* defined.

Sec. 15-2-2. License fee levied.

Sec. 15-2-3. Amount of fee; when fee due and payable; collection; exemptions.

Sec. 15-2-4. License tax year.

Sec. 15-2-5. Exemptions from article.

Article 3. Abandoned Motor Vehicles.

Sec. 15-3-1. State law adopted; county administrator appointed agent for administration and enforcement.

¹ For state law as to local vehicle licenses, see Code of Va., § 46.2-752 et seq.

Chapter 15
MOTOR VEHICLES AND TRAFFIC²

Article 1. In General.³

Sec. 15-1-1. State law adopted; penalties for violations.

Pursuant to the authority of Virginia Code sections 46.2-1300 and 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Title 46.2 and article 2 of chapter 7 of Title 18.2 of the Code of Virginia, as in force as of the effective date hereof, and as amended from time to time, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the county, and the private roads within Lake Monticello residential development are hereby designated as highways for law-enforcement purposes. Such provisions and requirements are hereby adopted, *mutatis mutandis*, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of law which is adopted by this section. Except as otherwise provided, each such violation shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100); provided, however, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 or article 2 of chapter 7 of Title 18.2 of the Code of Virginia. The provisions of Part Three B of the Rules of the Virginia Supreme Court shall apply, according to their terms, to violations of this section.

Article 2. Motor Vehicle License Fee.⁴

Sec. 15-2-1. Motor vehicle defined.

² For state law as to motor vehicles generally, see Code of Va., Title 46.2.

³ For state law as to powers of local governments with regard to regulation of vehicles and traffic, see Code of Va., § 46.2-1300 et seq.

⁴ For state law as to local vehicle licenses, see Code of Va., § 46.2-752 et seq.

The term *motor vehicle* shall be construed to include every type of automobile, truck, tractor, motorcycle and every other type of motor driven vehicle, except farm tractors, farm vehicles, and other machinery and equipment which are not required to have a state license tag. (Ord. 10-9-61; Ord. 3-15-73; Min. Bk. 7, pp. 141-144; Comp. 1974, ch. 16; Ord. 5-4-81; Min. Bk. 10, p. 82; Ord. 10-3-88; Ord. 12-20-06)

Sec. 15-2-2. License fee levied.

Pursuant to the authority contained in section 46.2-752 of the Code of Virginia, an annual license fee is hereby levied and assessed upon all motor vehicles which are normally garaged, stored or parked in this county, and that are registered with the Department of Motor Vehicles as of January 1st of each year to operate upon the street or highway. In the event it cannot be determined where any such motor vehicle is normally garaged, stored or parked, the license fee shall apply to the vehicle if the owner thereof is domiciled in the county. (Ord. 10-9-61; Ord. 3-15-73; Min. Bk. 7, pp. 141-144; Comp. 1974, ch. 16; Ord. 5-4-81; Min. Bk. 10, p. 82; Ord. 10-3-88; Ord. 12-20-06; Ord. 9-21-16)

Sec. 15-2-3. Amount of fee; when fee due and payable; collection; exemptions.

The license fee on every motorcycle shall be eighteen dollars (\$18) per year, and on every other type of motor vehicle shall be thirty-three dollars (\$33) per year, payable to the treasurer of this county. Such license fee shall be due and payable on June 5 in each year. If any license fee owed pursuant to this article is not paid on or before its due date, then the treasurer may add the cost of any fee incurred by the county pursuant to section 46.2-752(J) of the Virginia Code to the license fee due and owing to the county. The treasurer shall, after the due date of any license fee required by this section, collect such license fee in accordance with the provisions of section 58.1-3919 of the Virginia Code and any other applicable law. Additionally, the treasurer shall have the authority to take action as authorized by section 46.2-752(J) of the Virginia Code. The foregoing notwithstanding, the license fee provided for by this Chapter shall not be assessed on vehicles owned by active members of volunteer rescue squads and active members of volunteer fire companies located in the county (at one vehicle per such member); and for the following who served at least ten (10) years in the county: former members of volunteer rescue squads and former members of volunteer fire companies located in the county (at one vehicle per such former member).⁵ (Ord. 10-9-61; Ord. 3-15-73; Min. Bk. 7, pp. 141-144; Comp. 1974, ch. 16; Ord. 5-4-81; Min. Bk. 10, p. 82; Ord. 10-3-88; Ord. 5-21-97; Ord. 12-20-06; Ord. 4-20-11)

⁵ For state law authorizing issuance of local motor vehicle licenses, see Code of Va., § 46.2-752.

Sec. 15-2-4. License tax year.

The motor vehicle license tax year shall be the calendar year, and the fee provided by this article shall be assessed as of January 1 in each calendar year. (Ord. 10-9-61; Ord. 3-15-73; Min. Bk. 7, pp. 141-144; Comp. 1974, ch. 16; Ord. 5-4-81; Min. Bk. 10, p. 82; Ord. 10-3-88; Ord. 12-20-06)

Sec. 15-2-5. Exemptions from article.

Nothing in this article shall be construed to require a license tax or fee of any person exempted under the provisions of any statute of the state, or for any vehicle for which no state license tag is required. (Ord. 10-9-61; Ord. 3-15-73; Min. Bk. 7, pp. 141-144; Comp. 1974, ch. 16; Ord. 5-4-81; Min. Bk. 10, p. 82; Ord. 10-3-88; Ord. 12-20-06)

Article 3. Abandoned Motor Vehicles.⁶**Sec. 15-3-1. State law adopted; county administrator appointed agent for administration and enforcement.**

The provisions of chapter 12 of Title 46.2 of the Code of Virginia are hereby adopted and incorporated herein by reference, and shall apply in the county, as the same shall be amended from time to time. The county administrator is hereby appointed the agent of the county for purposes of administering and enforcing this section; and, to that end, subject to appropriation of funds sufficient therefor, the county administrator shall have all necessary authority to employ the personnel, equipment and facilities of the county and to hire persons, equipment and facilities for the purpose of removing, preserving and storing abandoned motor vehicles pursuant hereto. (Comp. 1974, ch. 16; Ord. 12-5-88)

⁶ For state law as to abandoned, etc., vehicles, see Code of Va., § 46.2-1200 et seq. As to authority of county to adopt provisions of Title 46.2 by reference, see Code of Va., § 46.2-1313.