

SENATE BILL NO. 646

Offered January 19, 2010

A BILL to amend and reenact 46.2-1118 of the Code of Virginia, relating to tow trucks towing vehicles by means of a wheel lift apparatus.

Patron – Watkins

Referred to Committee of Transportation

Be it enacted by the General Assembly of Virginia:

1. That 46.2-1118 of the code of Virginia is amended and reenacted as follows:

46.2-1118. Connection between vehicles; tow trucks vehicles by means of wheel lift apparatus.

The Connection between any two vehicles, one of which is towing or drawing the other on a highway, shall consist of a fifth wheel, drawbar, *trailer hitch*, or other similar device not to exceed 15 feet in length from one vehicle to the other. Any such two vehicles shall, in addition to such drawbar or other similar device, be equipped at all times when so operated on the highway with an emergency chain or cable that is structurally adequate to securely stop and hold the trailer being towed.

The fifth wheel, drawbar, trailer hitch, or similar device must (i) be structurally adequate for the weight being drawn, (ii) be properly and securely mounted, (iii) provide adequate articulation at the connection without excessive slack at that location, and (iv) be provided with an additional safety device that prevents accidental separation of the towed and towing vehicles. The mounting of the fifth wheel, drawbar, trailer hitch, or similar device on the towing vehicle must include reinforcement or bracing of the frame sufficient to product strength and rigidity of the frame to prevent its undue distortion.

The foregoing provisions of this section shall not apply to (i) any farm tractor, as defined in 46.2-100, when such farm tractor is towing any farm implement or farm machinery by means of a drawbar coupled with a safety hitch pin or manufacturer's device or (ii) any tow truck towing a vehicle by means of a wheel lift apparatus that employs a safety strap to hold two of the toed vehicle's wheels within a wheel lift cradle in a manner consistent with instructions of the manufacturer of such wheel lift apparatus.

For the purposes of this section, "tow truck" means any motor vehicle that is constructed and used primarily for towing, lifting, or otherwise moving illegally parked or disabled vehicles.

Section IV