

## ARLINGTON COUNTY CODE

## Chapter 14.2

## MOTOR VEHICLES AND TRAFFIC\*

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\* **Editor's Note:** Ord. No. 92-33, adopted July 11, 1992, amended former Ch. 14, relative to motor vehicles and traffic, to read as herein set out in Ch. 14.2.

The provisions of former Ch. 14 derived from those ordinances listed in the Code Comparative Table as amendatory of Ch. 14.

Ord. No. 22-13, adopted May 14, 2022, repealed Article III, relative to Motor Vehicle License Taxes, in its entirety.

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## ARTICLE I.

## MOTOR VEHICLE CODE

## DIVISION 1.

## GENERALLY

**§ 14.2-1. Adoption of State Law.**

A. Pursuant to the authority of § 46.2-1313 of the Code of Virginia, all provisions and requirements of the laws of the Commonwealth of Virginia contained in Chapter 1 (§ 46.2-100 et seq.) of Title 46.2 of the Code of Virginia; in Article 1 (§ 46.2-300 et seq.), Article 6.1 (§ 46.2-341.1 et seq.), Article 11 (§ 46.2-371 et seq.), and Article 12 (§ 46.2-389 et seq.) of Chapter 3 of Title 46.2 of the Code of Virginia; in Article 1 (§ 46.2-600 et seq.), Article 2 (§ 46.2-616 et seq.), Article 3 (§ 46.2-645 et seq.), Article 4 (§ 46.2-650 et seq.), Article 5 (§ 46.2-655 et seq.), Article 6 (§ 46.2-662 et seq.), Article 7 (§ 46.2-685 et seq.), Article 8 (§ 46.2-705 et seq.), Article 9 (§ 46.2-711 et seq.), and Article 10 (§ 46.2-725 et seq.) of Chapter 6 of Title 46.2 of the Code of Virginia; in Chapter 8 (§ 46.2-800 et seq.); Chapter 10 (§ 46.2-1000 et seq.); and §§ 46.2-1240 and 46.2-1247 through 46.2-1253 of Title 46.2 of the Code of Virginia; those pertaining to dispositions in the Juvenile and Domestic Relations Court contained in Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia; and in Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, except those which by their very nature can have no application within or to the County and those the violation of which constitutes a felony, are hereby adopted and incorporated as part of this chapter of the Code of the County of Arlington, Virginia, by reference and made applicable within the County.

B. Pursuant to § 1-220 of the Code of Virginia, the incorporation of the above-referenced provisions of the Code of Virginia shall include all future amendments to such provisions. Any future amendments to provisions of the Code of Virginia incorporated by reference herein shall become effective at the same time the amended state law becomes effective.

(Ord. No. 92-33, 7-11-92; Ord. No. 93-13, 7-1-93; Ord. No. 94-19, 6-18-94; Ord. No. 95-16, 9-9-95; Ord. No. 95-17, 10-17-95; Ord. No. 96-14, 6-29-96; Ord. No. 96-15, 7-20-96; Ord. No. 97-13, 6-21-97; Ord. No. 98-17, 7-1-98; Ord. No. 99-15, 6-26-99; Ord. No. 00-15, 5-20-00; Ord. No. 01-14, 6-30-01; Ord. No. 02-19, 6-22-02; Ord. No. 04-18, 06-26-04; Ord. No. 12-06, 5-19-12)

**§ 14.2-1.1. Definitions.**

A. The words and terms defined in § 46.2-100, Code of Virginia, shall, when used in this chapter, have the meanings respectively ascribed to them in such section, unless the context clearly indicates otherwise.

B. The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise:

“Washington National Airport” means the area described in 49 U.S.C. 2401 as modified by Executive Order 9851 signed May 13, 1947, within the boundaries of the Commonwealth of Virginia.

“Public Transit Vehicle” means mass transit vehicle serving the general public operated by any transit operation in Planning District 8 that is owned or operated directly or indirectly by a political subdivision of the Commonwealth or any governmental entity established by an interstate compact of which Virginia is a signatory.

(9-1-59; 8-29-61; 11-24-64; 1-16-67; 8-5-78; Ord. No. 87-19, 6-7-87; Ord. No. 89-14, 7-1-89; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12, Ord. No 16-01, 1-28-16)

**§ 14.2-2. Prohibition Against Parking of Vehicles under Certain Conditions.**

A. It shall be unlawful for any person to park, keep, or permit to be parked or kept any motor vehicle, trailer, or semitrailer in or on any public highway, street, alley, public easement, or other public thoroughfare in the County, unless:

1. The motor vehicle shall be currently inspected and approved in accordance with the provisions of the laws of the State;
2. The vehicle shall be currently registered and licensed to be operated upon the highways of the State in accordance with the provisions of the laws of the State; and
3. The vehicle shall be currently licensed to be operated upon the highways of the County in accordance with the laws of the County.

B. It shall be unlawful for any person to park, keep, or abandon, or permit to be parked, kept, or abandoned any motor vehicle, trailer or semitrailer in or on any interstate highway in the County continuously for a period of more than twenty-four (24) hours even though the motor vehicle be properly inspected, registered, and licensed.

C. It shall be unlawful to park any motor vehicle, trailer, or semitrailer on the public streets or public grounds of the County unattended by the owner or operator, in such a manner as to constitute a hazard to traffic.

D. It shall be unlawful to park any motor vehicle, trailer, or semitrailer on the public streets or public grounds of the County in violation of official temporary "No Parking" signs erected to facilitate emergency repairs, special events or like activities. Such official temporary "No Parking" signs shall be erected twenty-four (24) hours prior to the initiation of any enforcement action. Official temporary "No Parking" signs shall be erected in a uniform manner as prescribed by traffic engineering and shall be marked on the reverse side with the date and the date signs were erected. Any motor vehicle, trailer, or semitrailer parked in violation of this section is subject to ticketing and towing.

E. It shall be unlawful to park any motor vehicle, trailer, or semitrailer, whether attended or unattended, so as to prevent the use of a curb ramp located on public property or on privately-owned property which is open to the public. A summons for the offense may be issued by Police Department employees without the necessity of a warrant being obtained by the owner of any private property.

F. No person shall idle the engine of a bus for more than ten (10) minutes when the bus is parked, left unattended, or is stopped for other than traffic or maintenance reasons. The provisions of this section shall not apply to school buses or public transit buses. Violators of this subsection shall be subject to a civil penalty of fifty dollars (\$50.00).

G. It shall be unlawful for any person to park, keep, or abandon, any motor vehicle, trailer or semitrailer that is not authorized by the reserved-space car-share program at a car-share parking station (§ 14.2-110). Unauthorized vehicles will be ticketed and towed. (9-1-59; Ord. No. 85-43, 2-1-86; Ord. No. 92-33, 7-11-92; Ord. No. 93-21, 10-23-93; Ord. No. 96-11, 6-29-96; Ord. No. 12-06, 5-19-12; Ord. No. 16-08, 12-13-16)

### **§ 14.2-3. Removal and Disposition of Unattended or Abandoned Vehicle.**

Whenever any motor vehicle, trailer, or semitrailer is found on the public streets or public grounds unattended by the owner or operator and constitutes a danger or hazard to pedestrian or motor vehicle traffic, or parked in a temporary "No Parking" zone in violation of § 14.2-2.D of this chapter, or parked at a car-share parking station in violation of § 14.2-2.G of this chapter, or left unattended for more than ten (10) days upon any public property or privately-owned property other than the property of the owner of such motor vehicle, trailer, or semitrailer, or abandoned upon such public property or privately-owned property without the permission of the owner, lessee, or occupant thereof, or stalled or rendered immobile as a result of adverse weather conditions or other emergency situations on any public roadway, any such motor vehicle, trailer, or semitrailer may be removed for safekeeping by or under the direction of a police officer or other uniformed employee to a storage garage or area, provided, however,

that no such vehicle shall be so removed from privately-owned premises without the written request of the owner, lessee, or occupant thereof. Provided, further, that the person at whose request such motor vehicle, trailer, or semitrailer is removed from privately-owned property shall indemnify the County against any loss or expense incurred by reason of removal, storage, or sale thereof. It shall be presumed that such motor vehicle, trailer, or semitrailer, or part thereof, is abandoned if it lacks either a current license plate or, a current County sticker, or a valid State inspection sticker, and it has been in a specific location for four (4) days without being moved. Each removal shall be reported immediately to the Chief of Police of the County and notice thereof given to the owner of the motor vehicle, trailer, or semitrailer as promptly as possible. The owner of such vehicle, trailer, or semitrailer, before obtaining possession thereof, shall pay to the County all reasonable costs incidental to the removal, storage and locating the owner of the motor vehicle, trailer, or semitrailer, or show to the satisfaction of the County Manager or his designee that the removal was not authorized or execute an appearance bond in the amount of such charges with good and solvent surety.

Within ten (10) days of paying such charges or posting bond to secure the release of his vehicle, trailer, or semitrailer, the owner may request a hearing in writing. Either the County Manager or his designee shall hear the dispute within two (2) weeks of the request, if practicable; otherwise, as soon as practicable after two (2) weeks. If the County Manager or his designee determines that the removal was not authorized, the owner shall be refunded the charges paid to secure the release of his vehicle.

Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and the holder of any lien of record in the office of the Department of Motor Vehicles in Virginia against the motor vehicle, trailer, or semitrailer, the Chief of Police of the County may, after holding the motor vehicle, trailer, or semitrailer thirty (30) days and after due notice of sale dispose of the same at public sale and the proceeds from the sale shall be forwarded by the selling officer to the Treasurer of the County, provided that if the value of such motor vehicle, trailer, or semitrailer be determined by three (3) disinterested dealers or garagemen to be less than one hundred fifty dollars (\$150.00), it may be disposed of by private sale or junked. The Treasurer shall pay from the proceeds of sale the cost of removal, storage, investigation as to ownership and liens and notice of sale and the balance of such funds shall be held by him for the owner and paid to the owner upon satisfactory proof of ownership.

If no claim has been made by the owner for the proceeds of such sale, the remaining funds may be deposited to the general fund or any special fund of the County. Any such owner shall be entitled to apply to the County within three (3) years from the date of the sale and if timely application is made therefor, the County shall pay the same to the owner without interest or other charges. No claim shall be made nor shall any suit, action, or proceeding be instituted for the recovery of such funds after three (3) years from the date of such sale.

(11-24-64; 1-16-67; 4-20-74; 8-9-80; Ord. No. 85-43, 2-1-86; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12; Ord. No. 16-08, 12-13-16)

#### **§ 14.2-3.1. Authority to Provide for Temporary Removal and Disposition of Vehicles Involved in Accidents.**

Whenever a motor vehicle, trailer, or semitrailer involved in an accident is found upon the highways or streets within the County and is so located as to impede the orderly flow of traffic, the police may (i) at no cost to the owner or operator, remove such motor vehicle, trailer, or semitrailer from the highways or streets to some point in the vicinity where such motor vehicle, trailer, or semitrailer will not impede the flow of traffic or (ii) have the vehicle removed to a storage area for safekeeping and shall report the removal to the Department of Motor Vehicles of the Commonwealth and to the owner of the vehicle as promptly as possible. If the vehicle is removed to a storage area under clause (ii), the owner shall pay to the parties entitled thereto all costs incidental to its removal and storage.

(11-24-64; Ord. No. 92-33, 7-11-92; Ord. No. 92-41, 8-8-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-3.2. Leaving Vehicles upon Private Property Prohibited.**

It shall be unlawful for any person to leave any motor vehicle, trailer, semitrailer, on the private property of any other person without his consent. Upon complaint of the owner of the property on which such motor vehicle, trailer, semitrailer, or part thereof has been abandoned for more than five (5) days, such motor vehicle, trailer, semitrailer, or part thereof may be removed by or under the direction of a police officer to a storage garage or area; provided that the person at whose request such motor vehicle, trailer, semitrailer, or part thereof is so removed shall indemnify the County against any loss or expense incurred by reason of removal, storage, or sale thereof.

In the case of the removal of a motor vehicle, trailer, semitrailer or part thereof from private property, when the same cannot be readily sold, such motor vehicle, trailer, semitrailer, or part thereof may be disposed of in such manner as provided in Chapter 19, Code of Arlington County.

In all other respects, the provisions of § 14.2-3 shall apply to such removals; provided that disposal of a motor vehicle, trailer, or semitrailer may at the option of the governing body of the County be carried out under either the provisions of § 14.2-3 or under the provisions hereof after a diligent search for the owner, after notice to him at his last known address, and to the holder of any lien of record in the Office of the Department of Motor Vehicles in Virginia against such motor vehicle, trailer, or semitrailer, and after the motor vehicle, trailer, or semitrailer has been held at least sixty (60) days.

The Department of Motor Vehicles shall be notified of the disposition of any motor vehicle, trailer, or semitrailer under § 14.2-3 or the provisions hereof.  
(1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-3.3. Removal or Immobilization of Motor Vehicles Against Which There Are Outstanding Parking Violations; Notice; Repossession.**

A. Whenever there is found any motor vehicle parked upon the public streets or public grounds within Arlington County against which there are three (3) or more outstanding unpaid or otherwise unsettled parking violation notices, such vehicle may, by towing or otherwise, be removed or conveyed to a place within Arlington County or without in an adjacent locality designated by the Chief of Police for the temporary storage of such vehicles; or such vehicle may be immobilized in such a manner as to prevent its removal or operation except by, or under the direction of, an authorized officer of the Police Department of the County. Any removal, conveyance or immobilization of the vehicle pursuant to this section shall be by, or under the direction of, an officer of the Police Department of the County.

1. *Notice of immobilization, removal, or impoundment.* It shall be the duty of the officer removing or immobilizing such motor vehicle, or under whose direction such vehicle is removed or immobilized, to inform as soon as practicable the owner of the removed or immobilized vehicle of the fact of the towing or immobilization with a reference which explains the nature and circumstances of the prior unsettled parking violations. In any case involving immobilization of a vehicle pursuant to this section there shall be placed on such vehicle, in a conspicuous manner, a notice warning that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage thereto.

2. *Effect of failure to secure repossession of immobilized vehicle within twenty-four (24) hours.* The owner of an immobilized vehicle, or other duly authorized person, shall be allowed not less than twenty-four (24) hours from the time of immobilization to repossess or secure the release of the vehicle. If the owner fails to repossess or secure the release of the vehicle within this time period, the vehicle may be removed to a storage area for safekeeping under the direction of a police officer of the County.

B. The owner, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle by payment of all outstanding parking violation notices for which the vehicle was removed or immobilized and by payment of all reasonable costs incidental to the immobilization, removal and storage of the vehicle and efforts to locate the owner of the vehicle. Should such owner fail or refuse to pay such fines and costs, or should the identity or whereabouts of such owner be unknown and unascertainable, such vehicle may be sold in accordance with the procedures set forth in § 46.2-1216 of the Code of Virginia.  
(3-4-78; Ord. No. 88-12, 6-25-88; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-3.4. Disposition of Inoperable Abandoned Vehicles.**

A. Notwithstanding any other provisions of this chapter, any motor vehicle, trailer, or semitrailer which in the opinion of the County Manager is inoperable and, by virtue of its condition, cannot be feasibly restored to operable condition as determined by an independent appraiser, and:

1. Is left unattended on public property for more than ten (10) days; or



2. Has remained without consent on private property, including, but not limited to, any commercial parking place, motor vehicle storage facility, or establishment for the service, repair, maintenance, or sale of motor vehicles, whether or not such vehicle was brought onto or left at such property with or without the consent of the owner or person in control of the property for more than ten (10) days;

may be disposed of to a demolisher without the title.

B. Notification of intent to tow and date for demolition will be placed on all inoperable abandoned vehicles for a ten (10) day period after the vehicle has been so identified. Notification of intent to demolish will be mailed registered or certified to the registered owner of the vehicle as shown on official government records reasonably available, and no delivery will take place to a demolisher until it is either:

1. Determined that no such records are reasonably available; or

2. Ten (10) days have passed since the mailing of the notification.

(Ord. No. 86-15, 6-14-86; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-4. Reserved.**

**Editor's Note:** Ord. No. 92-34, adopted July 11, 1992, and Ord. No. 92-42, adopted Aug. 8, 1992, deleted former § 14.2-4, relative to penalties for misdemeanors, which derived from Ord. No. 92-33, adopted July 11, 1992.

#### **§ 14.2-5. Unauthorized Displaying Upon a Motor Vehicle of Any Button, Insignia, or Emblem of Certain Associations or Societies.**

No person shall display upon a motor vehicle the insignia or emblem of any automobile club, medical society, order of police, trade union or veterans' organization or use such button, insignia, or emblem to obtain aid or assistance, unless entitled to display or use the same under the constitution, bylaws, rules, or regulations of the organization concerned. A violation of this section shall be a Class 3 misdemeanor.

(9-1-59; 11-24-64; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-6. Breaking, Injuring, Defacing, Destroying, or Preventing the Operation of a Motor Vehicle, Trailer, or Semitrailer.**

Any person who shall individually or in association with one (1) or more others willfully break, injure, tamper with, or remove any part or parts of any motor vehicle, trailer, or semitrailer for the purpose of injuring, defacing, or destroying such motor vehicle, trailer, or semitrailer, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such motor vehicle, trailer, or semitrailer, or who shall in any other manner willfully or maliciously interfere with or prevent the running or operation of such motor vehicle, trailer, or semitrailer, shall be guilty of a misdemeanor and be punishable by fine not exceeding five hundred dollars (\$500.00) or confinement in jail not exceeding twelve (12) months, or both. The provisions of this section shall not apply to a bona fide repossession of a motor vehicle by the holder of a lien on such motor vehicle or by the agents or employees of such lien holder.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12; Ord. No. 22-13, 5-14-22, effective 1-1-22;)

#### **§ 14.2-7. Entering Motor Vehicle or Trailer, or Setting Same in Motion; Exceptions.**

Any person who shall, without the consent of the owner or person in charge of a motor vehicle, trailer, or semitrailer, climb into or upon such motor vehicle, trailer, or semitrailer with intent to commit any crime, malicious mischief, or injury thereto or who, while a motor vehicle, trailer, or semitrailer is at rest and unattended, shall attempt to manipulate any of the levers and starting crank or other device, brakes, or mechanism thereof or to set such motor vehicle, trailer, or semitrailer in motion, with the intent to commit any crime, malicious mischief, or injury thereto, shall be guilty of a misdemeanor, except that the foregoing provision shall not apply when any such act is done in an emergency or in furtherance of public safety or by or under the direction of an officer in the regulation of traffic or performance of any other official duty. A violation of this section is punishable by fine not exceeding five hundred

dollars (\$500.00) or confinement in jail not exceeding twelve (12) months, or both.

The provisions of this section shall not apply to a bona fide repossession of a motor vehicle by the holder of a lien on such motor vehicle or by the agents or employees of such lien holder.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-7.1. Fines for Nonmoving Violations.**

Each law enforcement officer or other employee charged with the duty of enforcing violations shall attach to each vehicle whose operator is in violation of §§ 14.2-1, 14.2-2, 14.2-3, 14.2-3.1, 14.2-32, 14.2-33, 14.2-34, 14.2-38, 14.2-38.1, 14.2-40, 14.2-41, 14.2-42, 14.2-43, 14.2-44, 14.2-45, 14.2-85, 14.2-87, 14.2-96 and 14.2-106 of the County Code, a notice to the operator thereof that such vehicle has been parked in violation of one (1) or more of these sections.

A. The fines to be paid prior to issuance of a warrant for violation of Arlington County parking ordinances, except as otherwise provided in § 14.2-7.1.B, shall be the following:

1. Forty dollars (\$40.00) for exceeding the time limit on meter (§§ 14.2-42, 14.2-43, 14.2-44, and 14.2-45).
2. Fifty dollars (\$50.00) for parking in restricted zone (§§ 14.2-33 and 14.2-40); fifty dollars (\$50.00) for parking, without consent, on private property (§ 14.2-3.2); and sixty dollars (\$60.00) for unlawful parking on a weather emergency street (§ 14.2-87);
3. Fifty dollars (\$50.00) for not parking on the right side of two-way street (§ 14.2-2 and § 46.2-889 of the Code of Virginia);
4. Fifty dollars (\$50.00) for parking on an interstate highway continuously for more than twenty-four (24) hours (§ 14.2-2); fifty dollars (\$50.00) for leaving a motor vehicle unattended for a period of ten (10) days (§ 14.2-3); and fifty dollars (\$50.00) for abandoned vehicle (§ 14.2-3);
5. Fifty dollars (\$50.00) for parking commercial vehicle in residential zone (§§ 14.2-33 and 14.2-34);
6. Fifty dollars (\$50.00) for parking outside designated space (§ 14.2-38);
7. Fifty dollars (\$50.00) for parking within twenty (20) feet of corner (§ 14.2-38);
8. Fifty dollars (\$50.00) for parking within fifteen (15) feet of fire hydrant (§ 14.2-38);
9. Fifty dollars (\$50.00) for obstructing traffic, violating temporary "No Parking" zone, or creating a hazard (§§ 14.2-2, 14.2-3, 14.2-32, 14.2-38, and 14.2-86, and § 46.2-888 of the Code of Virginia);
10. Fifty dollars (\$50.00) for leaving vehicle unattended with motor running (§ 46.2-1071 of the Code of Virginia);
11. Fifty dollars (\$50.00) for failure to display valid Virginia license tags (§ 14.2-2 and § 46.2-715 of the Code of Virginia);
12. Fifty dollars (\$50.00) for failure to display any valid license tag (§ 14.2-2);
13. Fifty dollars (\$50.00) for failure to display valid Virginia inspection sticker (§ 14.2-2);
14. Fifty dollars (\$50.00) for parking in a fire lane (§ 14.2-38);
15. Fifty dollars (\$50.00) for double parking (§ 14.2-38);

16. Five hundred dollars (\$500.00) for unlawful parking in a space restricted for use by disabled persons (§ 14.2-38.1);
  17. Fifty dollars (\$50.00) for parking in violation of residential permit parking restrictions (§ 14.2-106);
  18. Fifty dollars (\$50.00) for any nonmoving violation for which a fine is not specifically provided elsewhere in this chapter;
  19. Fifty dollars (\$50.00) for parking or placing any automobile, truck, trailer or other vehicle upon or in any street, alley or parkway for the purpose of selling or offering the same for sale or rent.
  20. Fifty dollars (\$50.00) for parking or placing any automobile, truck, trailer or other vehicle not defined as a tour bus in a tour bus parking zone.
  21. Sixty dollars (\$60.00) for tour buses that exceed the time line on a meter in a tour bus zone.
  22. Fifty dollars (\$50) for unauthorized motor vehicles standing or parking in a designated car-share parking station (§ 14.2-110).
- B. Notwithstanding § 14.2-7.1.A, fines to be paid prior to issuance of a warrant for violation of the following Arlington parking ordinances occurring at Washington National Airport shall be:
1. Thirty dollars (\$30.00) for exceeding time limit on meter (§ 14.2-43);
  2. Forty dollars (\$40.00) for parking in restricted or reserved area without a permit (§ 14.2-96);
  3. Fifty-five dollars (\$55.00) for parking within fifteen (15) feet of a fire hydrant (§ 14.2-38);
  4. Fifty-five dollars (\$55.00) for double parking (§ 14.2-38); and
  5. Fifty-five dollars (\$55.00) for parking a motor vehicle, except in an attended parking area, for over seventy-two (72) hours without the specific approval of the Airport Manager (§ 14.2-96).

The fines assessed in accordance with this section shall be paid by the violator within thirty (30) days of issuance of the notice of violation. If payment is not made within thirty (30) days, the violator will be assessed a late payment fee of twenty-five dollars (\$25.00) for each outstanding notice of violation. Nothing in this Section shall affect any fines, forfeitures, or penalties set for violation of Arlington County ordinances after issuance of a parking summons or warrant.

(9-23-78; 2-24-79; Ord. No. 82-3, 4-1-82; Ord. No. 85-15, 4-27-85; Ord. No. 85-43, 2-1-86; Ord. No. 86-4, 1-25-86; Ord. No. 86-6, 2-8-86; Ord. No. 87-10, 4-4-87; Ord. No. 87-19, 6-7-87; Ord. No. 89-13, 7-1-89; Ord. No. 90-35, 10-20-90; Ord. No. 92-10, 7-1-92; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 92-49, 9-26-92; Ord. No. 92-52, 11-14-92; Ord. No. 97-12, 6-21-97; Ord. No. 97-13, 6-21-97; Ord. No. 98-6, 7-1-98; Ord. No. 98-18, 6-6-98; Ord. No. 02-02, 1-26-02; Ord. No. 06-03, 3-14-06; Ord. No. 10-02, 4-24-10; Ord. No. 10-07, 4-24-10, effective 7-1-10; Ord. No. 12-06, 5-19-12; Ord. No. 12-10, 9-15-12, effective 10-1-12; Ord. No. 16-08, 12-13-16; Ord. No. 18-09, 4-21-18, effective 7-1-18; Ord. No. 19-06, 4-23-19; Ord. No. 21-01, 2-20-2021, effective 4-1-2021)

## DIVISION 2.

## REGULATION OF TRAFFIC

## Subdivision A.

## General Provisions

**§ 14.2-8. Drivers to Obey Signs.**

The driver of a motor vehicle, trailer, or semitrailer shall obey and comply with the requirements of road and highway signs, markings, or lights erected upon the authority of the State Highway Commission, proper agencies of the federal government, or the County Manager; and the failure of such driver to comply with this provision shall constitute a traffic infraction and be punishable by a fine of not more than two hundred dollars (\$200.00). For the purpose of this section, every place and way in Arlington County open to the use of the public for purposes of vehicular travel and owned by WMATA, or owned by WMATA and open to use only by WMATA, or those having the express or implied permission of WMATA, are hereby designated as highways by the County Board pursuant to § 46.2-100 of the Code of Virginia.

(9-1-59; 2-23-74; 1-5-80; 2-9-80; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-8.1. Fine for Use of Commuter Lanes.**

Any person operating a motor vehicle in a designated commuter lane in violation of § 14.2-11 shall be subject to a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). Those vehicles which are permitted to enter commuter lanes solely for the purpose of making right or left turns shall make a right or left turn, as the case may be, at the next intersection where such turns are permitted by law.

(10-13-73; 8-5-78; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-8.2. Fine for Use of Transitway Lanes**

A. Unauthorized vehicles are prohibited from using the marked Transitway lanes on the following streets:

- Marked Transitway lanes parallel to South Glebe Road between Potomac Avenue and Jefferson Davis Highway
- Marked Transitway lanes parallel to Jefferson Davis Highway between South Glebe Road and 33<sup>rd</sup> Street South
- Marked Transitway lanes parallel to Crystal Drive between 33<sup>rd</sup> Street South and 26<sup>th</sup> Street South

B. Unauthorized vehicles are prohibited from using the marked Transitway lanes on the following streets during the hours of 6:00 a.m. to 9:00 a.m. on weekdays, and 3:30 p.m. to 7:00 p.m. on weekdays, except as noted below:

- Marked Transitway lanes on Crystal Drive between 26<sup>th</sup> Street South and 15<sup>th</sup> Street South, unless making a right hand turn.
- Marked Transitway lanes on South Bell Street between 15<sup>th</sup> Street South and 18<sup>th</sup> Street South, unless making a right hand turn.
- Marked Transitway lanes on South Bell Street between 18<sup>th</sup> Street South and 20<sup>th</sup> Street South, unless making a left hand turn.
- Marked Transitway lanes on South Clark Street between 20<sup>th</sup> Street South and 26<sup>th</sup> Street South, unless making a right hand turn.
- Marked Transitway lanes on 26<sup>th</sup> Street South between South Clark Street and Crystal Drive, unless making a right hand turn.

- Vehicles entering the Transitway to make a turn may only enter the Transitway where a dashed pavement marking separates the Transitway from the adjacent general purpose lane, unless safety dictates entering the Transitway earlier. In no event shall the driver of the vehicle: (1) use the Transitway to by-pass traffic congestion in the general purpose lane, (2) travel through the approaching intersection and not turn right, or (3) obstruct the operation of the Transitway buses outside the dashed markings.

C. Metroway buses, Arlington Transit buses, and authorized police, fire and rescue vehicles shall be deemed authorized vehicles under this section. The County Manager is hereby authorized to designate other public transit vehicles as authorized vehicles under this section.

D. Any person violating this section shall be subject to a fine of two hundred dollars (\$200).

(Ord. No. 16-01, 1-28-16)

#### **§ 14.2-9. Other than Official Signs Prohibited.**

No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal, or light in limitation of any official sign, marker, signal, or light erected under the provisions of this Division, and no person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial advertising. Nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization which has been authorized to erect the same by the State Highway Commission or by the County Manager, nor shall this section be construed to prohibit the erection by contractors or public utility companies of temporary signs approved by the State Highway Department or the County Manager warning motorists that work is in progress upon the highway or adjacent thereto.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-10. Injuring Signs.**

Any person who shall deface, injure, knock down or remove any sign legally posted as provided in this division shall be guilty of a Class 2 misdemeanor.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-11. Duty of County Manager; Regulation of Traffic.**

It shall be the duty of the County Manager to direct the removal, placing, erection, and changing of such signs, signals, and markings as in his judgment may be required in accordance with §§ 33.1-46.2, 46.2-1219, 46.2-1300 through 46.2-1302, and 46.2-1304 of the Code of Virginia. This duty shall include, but not be limited to, the erection of stop signs, yield right-of-way signs, turn prohibition signs, the designation of one-way streets, through streets, and commuter lanes.  
(8-9-73; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-12. Maximum and Minimum Speed Limits.**

A. No person shall drive any vehicle upon a highway in this County at a speed in excess of twenty-five (25) miles per hour except upon the following highways or portions thereof on which the speed limits shall be as follows:

Twenty (20) miles per hour upon:

Streets within a designated school zone which is not more than 600 feet from the limits of the school property or crossing in the vicinity of the school within the school crossing zone as defined in Virginia State Code 46.2-873 as determined by an engineering review and indicated by appropriately placed signs displaying the maximum speed limit.

Thirty (30) miles per hour upon:

*North 10th Street* between Arlington Boulevard and North Washington Boulevard.

*Fairfax Drive* between North Monroe Street and North Glebe Road.

*George Washington Parkway*, marked portions either side of Key Bridge.

*Nellie Custis Drive* from Lorcom Lane to Military Road.

*South Arlington Mill Drive* from Shirlington Road to Walter Reed Drive.

*North Carlin Springs Road* from North Glebe Road to Arlington Boulevard.

*South Carlin Springs Road* from Arlington Boulevard to Columbia Pike.

*Quaker Lane* from Shirley Highway to King Street.

*Walter Reed Drive* from Columbia Pike to King Street.

*North Westmoreland Street* from Arlington County line to Fairfax Drive.

*Chain Bridge Road* from North Glebe Road to Fairfax County Line.

*Washington Boulevard* from Kirkwood Road to Lee Highway.

*Williamsburg Boulevard* from North Glebe Road to North 29th Street.

*Old Dominion Drive* from Lorcom Lane to North Abingdon Street.

*Military Road* from North Glebe Road to Lee Highway.

*South George Mason Drive* from Arlington Boulevard to Fairfax County line.

*South Four Mile Run Drive (West Roadway)* from Columbia Pike to South Walter Reed Drive.

*Washington Boulevard* from North Pershing Drive to North 10th Street.

*Columbia Pike* from South Oak Street to South Dinwiddie Street.

*Wilson Boulevard* from North Glebe Road to Fairfax County Line.

*South Four Mile Run Drive* from South Walter Reed Drive to Shirlington Road.

*North George Mason Drive* from Yorktown Boulevard to Arlington Boulevard.

*North Roosevelt Street* from North 17th Street to Falls Church City line.

*North Sycamore Street* from Williamsburg Boulevard to 17<sup>th</sup> Street North.

*Fairfax Drive* from Little Falls Road to Washington Boulevard.

*Fort Myer Drive* from Key Bridge to westbound Lee Highway.

*North Glebe Road* from Arlington Boulevard to Lee Highway.

*South Glebe Road* from Walter Reed Drive to Arlington Boulevard.

*Lee Highway* from the Federal line at the approach to Key Bridge at Rosslyn to North Nash Street.

*Lee Highway* from North Quincy Street to Falls Church City Line.

*North Lynn Street* from westbound Lee Highway to Key Bridge.

*Washington Boulevard* from Lee Highway to North Westmoreland Street.

Thirty-five (35) miles per hour upon:

*U.S. Route 1.*

*Old Dominion Drive* from Military Road to Lorcom Lane.

*South Glebe Road* from Walter Reed Drive to Jefferson Davis Highway.

*State Route 233 (Airport Viaduct)* from Jefferson Davis Highway to Mount Vernon Parkway right-of-way.

*Old Dominion Drive* from North Abingdon Street to North Glebe Road.

*Old Dominion Drive* from North Glebe Road to Fairfax County line.

*North Glebe Road* from Lee Highway to ramp from Military Road.

*Lee Highway* from North Veitch Street to North Quincy Street.

*Spout Run Parkway* from George Washington Memorial Parkway to Lee Highway.

Forty (40) miles per hour upon:

*George Washington Memorial Parkway* from Four Mile Run to Spout Run Parkway.

*Lee Highway* from North Nash Street to North Veitch Street.

Forty-five (45) miles per hour upon:

*South Washington Boulevard* from Boundary Channel to Henry G. Shirley Memorial Highway.

*South Washington Boulevard* from Henry G. Shirley Memorial Highway to Arlington Boulevard.

*Jefferson Davis Highway (Route 110)* from Wilson Boulevard to U.S. Route 1.

*Arlington Boulevard (U.S. Route 50)* except parallel marginal or service roads which shall be twenty-five (25) miles per hour.

*I-66 (Custis Memorial Parkway)* from the District of Columbia line to the ramp to North Lynn Street.

Fifty (50) miles per hour upon:

*George Washington Memorial Parkway* from Spout Run Parkway to Fairfax County line.

Fifty-five (55) miles per hour upon:

*Henry G. Shirley Memorial Highway (I-395)* from Alexandria line to the District of Columbia line at the 14th Street Bridge.

*I-395 (Henry G. Shirley Memorial Highway) High Occupancy Vehicle (HOV) lanes* from 1.37 Miles north of Quaker Lane (MP 7.80) to the District of Columbia line.

*I-66 (Custis Memorial Parkway)* from the ramp to North Lynn Street to the Fairfax County line.

Sixty-five (65) miles per hour upon:

*Henry G. Shirley Memorial Highway (I-395) High Occupancy Vehicle (HOV) lanes* from Alexandria City line to 1.37 Miles north of Quaker Lane (MP 7.80).

B. In any event, irrespective of the provisions of subsection A above, no person shall drive any vehicle upon a highway in the County at a speed in excess of:

1. Forty-five (45) miles per hour if the vehicle is a truck, road tractor, tractor truck, or combination of vehicles designed to transport property, or is a motor vehicle being used to tow a vehicle designed for self-propulsion or a house trailer.
2. Thirty-five (35) miles per hour if the vehicle is being used as a school bus carrying children.
3. Forty-five (45) miles per hour if the vehicle or combination of vehicles is operating under a special permit issued by the Commonwealth Transportation Board in accordance with §§ 46.2-1112, 46.2-1129, 46.2-1139, and 46.2-1141 through 46.2-1149 of the Code of Virginia.

C. In any event, irrespective of the type or use of vehicle driven, no person shall drive same in excess of fifteen (15) miles per hour between portable signs or fixed blinking signs placed in the highway bearing the word "School" which word shall indicate that school children are present in the immediate vicinity.

D. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

E. In any event, irrespective of the type or use of vehicle driven, no person shall drive same in excess of fifteen (15) miles per hour in any public alley in this County.

F. Any person violating this Section shall be punishable by a fine of up to two hundred dollars (\$200.00).

G. The County Manager or his designee may temporarily reduce the speed limit on any highway in which work is being done in Arlington County. The County Manager or his designee may reduce such speed limit for a period not to exceed sixty (60) days or, after traffic engineering study is completed to determine if the reduced speed limit is warranted, for a longer period of time until the work is complete. Any such speed area or zone shall be clearly indicated by markers or signs.

H. The County Manager or his designee may establish a "\$200 Additional Speeding Fine Zone" within Arlington County Right-of-Way (ROW) if all of the following are true:

1. The road segment is located within a "residence district" as defined in VA Code section § 46.2-100;
2. The road segment is classified as a neighborhood principal, minor arterial, or major arterial street, according to the Arlington County road classification map; and



3. The road segment has a “documented speeding issue.” “Documented Speeding Issues” are defined as meeting one of the following scenarios:
  - a. The County has speed data, collected within five (5) years from the day of the “\$200 Additional Speeding Fine Zone” evaluation in question, showing speeding on the segment;
  - b. There is a recorded traffic evaluation, produced within five (5) years from the day of the “\$200 Additional Speeding Fine Zone” evaluation, that includes speeding as one of the issues; or
  - c. The County has written confirmation from the Police Department that speeding has been observed through enforcement activities.

Upon a conclusion by the County Manager or designee that a road segment is suitable for implementation of the “\$200 Zone,” a “\$200 Additional Speeding Fine” sign may be attached to the speed limit signs along the road segment to alert drivers of the posted speed limit and the additional penalty for speeding. A speeding citation issued within a “\$200 Additional Speeding Fine Zone” is subject to this additional penalty as stated in VA Code § 46.2-878.2.

(9-1-59; 9-24-66; 11-18-67; 1-3-70; 2-21-73; 7-13-74; 12-18-76; Ord. No. 89-27, 11-18-89; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 93-23, 11-22-93; Ord. No. 00-31, § 1, 12-18-00; Ord. No. 02-22, § 1, 10-19-02; Ord. No. 07-12, 9-08-07; Ord. No. 09-19, 10-24-09; Ord. No. 10-20, 10-23-10; Ord. No. 12-03; Ord. No. 12-06, 5-19-12; Ord. No. 13-05, 7-16-13; Ord. No. 13-07, 10-19-13; Ord. No. 18-14, 10-23-18; Ord. No. 19-03, 4-23-19; Ord. No. 20-02, 1-28-20; Ord. No. 21-19, 11-13-2021; Ord. No. 22-14, 9-17-2022; Ord. No. 22-15, 10-15-2022 Ord. No. 23-01, 1-21-2023;)

#### **§ 14.2-12.1. Admissibility of Certain Evidence in Prosecution for Exceeding Speed Limit.**

In the trial of any person charged with exceeding any maximum speed limit in this County, the court may receive as evidence a sworn report of the results of a calibration test of the accuracy of the speedometer in the motor vehicle operated by the defendant or the arresting officer at the time of the alleged offense. (1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-13. Suspension of License Where Speed Limit Exceeded By More Than Five (5) 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 provisions of this article 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 permit 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 limit 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 § 46.2-398 of the Code of Virginia, as amended. The provisions of § 46.2-411, Code of Virginia, as amended, shall not apply to any person whose license is revoked under the provisions of this section.

(11-24-64; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-14. Payment of Witness Fees.**

In any case in which there is a charge of driving while under the influence of intoxicants or drugs, or in any case involving a violation of a motor vehicle ordinance in which the drinking of such intoxicants or the taking of drugs is found to be a contributing factor, the court or judge before whom such case is tried or in which a plea of guilty is entered, may direct the payment of a reasonable fee to any physician or chemist called as an expert witness for the prosecution. The clerk shall in such case pay such fees out of the gross receipts for traffic fines in his hands before paying such fines over into the County Treasury. No such fee shall be paid, however, to any witness for the defendant. (9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-15. Backing.**

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.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-16. 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.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-17. 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.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-18. Penalty for Violations of §§ 14.2-15 through 14.2-17.**

Any person who violates any provision of the three (3) preceding sections shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars (\$100.00) or imprisonment in jail not exceeding ten (10) days, or both.  
(11-24-64; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-19. One-Way Roadways and Rotary Traffic Islands.**

A. The County Manager may designate any highway or separate roadway under the jurisdiction of the County for one-way traffic and shall erect appropriate signs, and traffic thereon shall move only in the direction designated.

B. A vehicle passing around a rotary traffic island shall be driven only to the right of such island.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-20. Special Regulations Applicable on Streets and Highways Laned for Traffic.**

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

A. 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 D of this section;

B. 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 ascertained that such movement can be made with safety;

C. 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 or 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;

D. The County Manager may designate right-hand lanes for slow moving traffic and where such lanes are signposted 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;

E. 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;

F. 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.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-20.1. Trucks Prohibited on Certain Streets, With Exceptions; Penalty.**

A. It shall be unlawful for any person to use or cause to be used any truck, except for the purpose of receiving loads or making deliveries, on the following portions of the following streets:

1. *North Highland Street* between Lee Highway and 13th Street North;
2. *North Danville Street* between Lee Highway and Wilson Boulevard;
3. *Key Boulevard* between North Veitch Street and North Jackson Street;
4. *North Hartford Street* between 13th Street North and 17th Street North;
5. *17th Street North* between North Hartford Street and Kirkwood Road.
6. *North Fillmore Street* between Wilson Boulevard and North Highland Street.
7. *North Edgewood Street* between Franklin Road and North Highland Street.
8. *South Columbus Street* between Columbia Pike and South George Mason Drive.
9. *South Frederick Street* between Columbia Pike and South George Mason Drive.
10. *19th Street North* between North Tuckahoe Street and North Westmoreland Street.
11. *North Westmoreland Street* between 19th Road North and 19th Street North.
12. *4<sup>th</sup> Street North* between Washington Boulevard and North Fillmore Street.
13. *North Edgewood Street* between North Pershing Drive and 3<sup>rd</sup> Street North.

B. This section shall not apply to:

1. Persons residing on the portions of the streets described in subsection A above when such persons are using or causing to be used any truck on a portion of such street for access to such person's residence; or
2. Emergency vehicles, firefighting vehicles, or County vehicles providing government services.

C. Any person who violates this section shall, upon conviction thereof, be punished by a fine of not more than two hundred dollars (\$200.00).  
(Ord. No. 99-22, 11-13-99; Ord. No. 00-29, § 1, 11-18-00; Ord. No. 05-12, 10-15-05; Ord. No. 12-06, 5-19-12)

**§ 14.2-21. Following Too Closely.**

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.

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 in this County.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-22. Duty of Drivers Receiving Signals.**

Drivers receiving a signal from another driver shall keep their vehicle under complete control and shall be able to avoid an accident resulting from a misunderstanding of such signal.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-23. Blocking Intersections.**

No driver of a motor vehicle shall enter an intersection or crosswalk, regardless of traffic signals, when the vehicular traffic is so congested beyond the intersection in the direction he intends to travel that he will be unable to proceed entirely through the intersection.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

##### **§ 14.2-23.1. Photo-Monitoring of Traffic Light Signals.**

A. The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:

1. "System" means a traffic light signal violation-monitoring system that operates by means of a vehicle sensor installed to work in conjunction with a traffic light that automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in violation of Virginia Code § 46.2-833, § 46.2-835, or § 46.2-836, as amended, which are incorporated by reference in § 14.2-1 of this Chapter 14.2. For each such vehicle, at least one recorded image shall be of the vehicle before it has illegally entered the intersection, and at least one recorded image shall be of the same vehicle after it has illegally entered that intersection.
2. "Owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles.

B. The County Manager or his designee may install and operate, at no more than one intersection for every ten thousand (10,000) residents within the County, a System for the purpose of imposing monetary liability on the operator of a motor vehicle for failure to comply with traffic light signals within the County.

C. Proof of violation; presumption.

1. Proof of a violation of this section shall be evidenced by information obtained from the System. A certificate, sworn to or affirmed by a law enforcement officer employed by the County, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by the System, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate liability for a violation of this section.
2. Prima facie evidence that the vehicle described in the summons issued pursuant to subsection E was operated in violation of this section, together with proof that the defendant was at the time of such violation the owner, lessee or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee or renter of the vehicle was the person who committed the

violation. This presumption shall be rebutted if owner, lessee or renter of the vehicle files an affidavit by regular mail with the Clerk of the General District Court that he or she was not the operator of the vehicle at the time of the alleged violation or testifies in open court under oath that he or she was not the operator of the vehicle at the time of alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation, is presented, prior to the return date established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.

D. The operator of a vehicle shall have violated this section and shall be liable for a monetary penalty of up to fifty dollars (\$50.00) if the operator is found, as evidenced by information obtained from the System, to have failed to comply with a traffic light signal. No monetary penalty imposed under this section shall include court costs. Imposition of a penalty under this section shall not be deemed a conviction as an operator, and shall not be made part of the operating record of the person upon whom such liability is imposed; nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

E. A summons for a violation of this section may be executed pursuant to § 19.2-76-2 of the Code of Virginia (1950), as amended. Notwithstanding the provisions of § 19.2-76 of the Virginia Code, a summons for a violation of this section may be executed by mailing by first-class mail a copy of the summons to the address of the owner, lessee or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of the Department of Motor Vehicles; in the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided in subsection C and (ii) instructions for filing such affidavit, including the address for which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the mailed summons, the summons shall be executed in the manner set out in § 19.2-76.3 of the Code of Virginia. No proceedings for the contempt or arrest of a person summoned by mailing shall be instituted or failure to appear on the return date of the summons. Any summons executed for a violation of this section shall provide to the person summoned at least sixty (60) business days from the mailing of the summons to inspect information collected by a traffic light signal violation monitoring system in connection with the violation. (Ord. No. 98-1, 1-17-98; Ord. No. 07-14, 9-18-07; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-23.2. Photo-Monitoring Systems to Enforce Passing Stopped School Buses.**

A. The Arlington County School Board is hereby authorized to install and operate a video- monitoring system in or on the school buses operated by the School Board, or may contract with a private vendor to do so, for the purpose of recording violations of subsection A of Virginia Code § 46.2-844.

B. "Video-monitoring system" means a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated in violation of Code of Virginia, §46.2-859. All such video-monitoring systems installed shall, at a minimum, produce a recorded image of the license plate and shall record the activation status of at least one warning device as prescribed in Code of Virginia, § 46.2-1090, and the time, date, and location of the vehicle when the image is recorded.

C. The driver of a vehicle shall be liable for a civil penalty of \$250 imposed in accordance with this ordinance, if such driver is found, as evidenced by information obtained from a video monitoring system, to have failed to comply with Code of Virginia, § 46.2-859.

D. Any person who receives a summons or notice of violation from a law enforcement officer pursuant to this ordinance may waive his right to appear and be formally tried for the offense pursuant to Code of Virginia, § 16.1-69.40:1.B. The waiver shall be effective when the person pays \$250.00 to the Arlington County Treasurer's office within 15 business days after receipt of the summons or notice of violation.

E. All penalties collected for violations under this ordinance shall be paid into the county treasury. The Treasurer, after first deducting costs incurred by the police department in reviewing violations, shall remit the remaining balance of those funds to the School Board.

(Ord. No. 14-07, 9-23-14, effective 2/1/15)

**§ 14.2-23.3. Photo Speed Monitoring Devices in Highway Work Zones and School Crossing Zones.**

A. For the purposes of this section:

"Highway work zone" has the same meaning ascribed to it in § 46.2-878.1, "a construction or maintenance area that is located on or beside a highway and marked by appropriate warning signs and, for projects covered by contracts entered into on or after July 1, 2012, with attached flashing lights or other traffic control devices indicating that work is in progress."

"Photo speed monitoring device" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

"School crossing zone" has the same meaning ascribed to it in § 46.2-873, "an area located within the vicinity of a school at or near a highway where the presence of children on such school property or going to and from school reasonably requires a special warning to motorists."

B. The Arlington County Police Department is hereby authorized to place and operate photo speed monitoring devices in school crossing zones for the purposes of recording speed limit violations of § 46.2-873 and in highway work zones for the purposes of recording speed limit violations of § 46.2-878.1.

1. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone. Such civil penalty shall be \$50, and any prosecution shall be instituted and conducted in the same manner as prosecution for traffic infractions.
2. If a photo speed monitoring device is used, proof of a violation of § 46.2-873 or 46.2-878.1 shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law-enforcement officer employed by Arlington County, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation.
3. In the prosecution for a violation of § 46.2-873 or 46.2-878.1 in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of § 46.2-873 or 46.2-878.1, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation of § 46.2-873 or 46.2-878.1, is presented, prior to the return date established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.
4. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle

- insurance coverage. However, if a law-enforcement officer employed by Arlington County uses a photo speed monitoring device to record a violation of § 46.2-873 or 46.2-878.1 and personally issues a summons at the time of the violation, the conviction that results shall be made a part of such driver's driving record and used for insurance purposes in the provision of motor vehicle insurance coverage.
5. A summons for a violation of § 46.2-873 or 46.2-878.1 issued by mail pursuant to this section may be executed pursuant to § 19.2-76.2. Notwithstanding the provisions of § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first-class mail a copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the Arlington County Police Department. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided in subdivision 3 and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the Commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed for a violation of § 46.2-873 or 46.2-878.1 issued pursuant to this section shall provide to the person summoned at least 30 days from the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the Arlington County Police Department does not execute a summons for a violation of § 46.2-873 or 46.2-878.1 issued pursuant to this section within 30 days from the date of the violation, all information collected pertaining to that suspected violation shall be purged within 60 days from the date of the violation.
  6. A conspicuous sign shall be placed within 1,000 feet of any school crossing zone or highway work zone at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation. (Ord. No. 22-02, 1-22-2022)

#### **Subdivision B.**

#### **Protection of Pedestrians**

#### **§ 14.2-24. Playing on Streets or Highways; Skating, Roller Coasters, Etc.; County Manager May Close Streets for Coasting, Etc.**

A. No person shall play on a highway or street in this County other than upon the sidewalks thereof. No person shall use on a highway or street in said County, roller skates, coasters, or similar vehicles or toys or other devices on wheels or runners (including sleds, except as otherwise permitted in designated areas), except bicycles and motorcycles. The County Manager may, by placing of signs, signals, or barriers, temporarily close streets or otherwise limit their use by motor vehicles to the end that such streets may be used for parades, sledding, street dances, coaster derbies and other activities of this general nature. Operators of motor vehicles shall follow the directions of such signs or signals. Other users of such closed or limited area shall follow the directions posted.

B. No person riding upon any bicycle, roller skates, toys, or other devices or wheels or runners shall attach the same or himself to any vehicle upon a roadway. (9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-25. Penalty for Violating § 14.2-24.**

Any person convicted of violating any of the provisions of § 14.2-24 shall be fined not less than two dollars (\$2.00) nor more than twenty-five dollars (\$25.00) for each offense.  
(9-1-59; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-26. When Vehicles to Stop for Pedestrian Guided by Dog or Carrying White or Metallic Cane.**

Whenever a totally or partially blind pedestrian is crossing or attempting to cross a public street or highway guided by a dog guide or carrying a cane which is predominantly metallic or white in color, with or without a red tip, the driver of every vehicle approaching the intersection or place of crossing shall bring his vehicle to a full stop before arriving at such intersection or place of crossing, unless such intersection or place of crossing is controlled by a traffic officer or traffic light.  
(9-1-59; 11-24-64; Ord. No. 90-16, 7-1-90; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-27. Unlawful for Person Not Blind or Incapacitated to Carry Such Cane.**

It is unlawful for any person, unless totally or partially blind or otherwise incapacitated, while on any public street or highway in this County, to carry a cane which is metallic or white in color, with or without a red tip.  
(9-1-59; 11-24-64; Ord. No. 90-16, 7-1-90; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-28. Penalty for Violating § 14.2-26 or 14.2-27 of this Code.**

Any person who violates any provision of § 14.2-26 of this Code shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars (\$500.00).

Any person who violates any provision of § 14.2-27 of this Code shall, upon conviction thereof, be punished by a fine not exceeding two hundred fifty dollars (\$250.00).  
(9-1-59; Ord. No. 90-16, 7-1-90; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-29. Construction of §§ 14.2-26 through 14.2-28; Failure to Use Cane or Guide Dog Not Contributory Negligence.**

Nothing contained in §§ 14.2-26 through 14.2-28 shall be construed to deprive any totally or partially blind or otherwise incapacitated person not carrying such a cane or walking stick or not being guided by a dog of the rights and privileges conferred by law upon pedestrians crossing streets or highways, nor shall the failure of such totally or partially blind or otherwise incapacitated person to carry a cane or walking stick, or to be guided by a guide dog upon the streets, highways, or sidewalks in this County be held to constitute nor be evidence of contributory negligence.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-30. Pedestrians to Obey Signs, Signals, Etc.**

A. Pedestrians shall obey signs and signals erected on highways or streets in this County for the direction and control of travel and traffic and they shall obey the orders of police officers engaged in directing traffic and travel on the highways and streets in this County. Violations of this section shall be punished by a fine not exceeding five dollars (\$5.00) for each offense.

B. Pedestrian traffic is controlled by the above except when such movement is governed by a pedestrian control signal.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12; Ord. No. 20-14, 7-31-20; Ord. No. 20-16, 9-30-20)

**§ 14.2-31. Creation of Safety Zones; Driving Through Safety Zone Prohibited.**

The County Manager may, by placing adequate markings or signs, create safety zones in the streets. The driver of a vehicle shall not at any time drive through or over a safety zone.  
(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)



**§ 14.2-31.1. Operators of Motor Vehicles to Yield Right-of-Way to Pedestrians in Crosswalks.**

A. The County Manager is authorized, upon receipt of a recommendation from the Director of Environmental Services, to provide for the installation and maintenance of highway signs at marked crosswalks specifically requiring operator of motor vehicles, at the locations where such signs are installed, to yield the right-of-way to pedestrians crossing or attempting to cross the highway.

B. Any operator of a motor vehicle who fails to yield the right-of-way to any pedestrian, at any marked crosswalk where a sign described in subsection A above is installed, shall be guilty of a traffic infraction punishable by a fine of no less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00). (Ord. No. 01-2, § 1, 1-27-01; Ord. No. 04-25, 10-2-04; Ord. No. 12-06, 5-19-12)

**Subdivision C.****Parking and Stopping on Highway****§ 14.2-32. Stopping, Standing, or Parking in Alleys.**

No person shall stop, stand, or park a vehicle within an alley in a business district except for the expeditious loading or unloading of materials, and no person shall stop, stand, or park a vehicle in any other alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-33. Restricted and No Parking Areas.**

The County Manager is hereby authorized and directed to determine and define street areas within which the volume of vehicular traffic is such as to require restrictions upon parking of vehicles; to classify vehicles with reference to parking; to designate the time, place, and manner in which such vehicles may be allowed to park upon the highways; to make such rules and regulations as traffic conditions may require in various areas and under the varying conditions which may prevail at different times. It shall be the duty of the County Manager, upon the promulgation of such regulations, and before the same shall become effective, to give such public notice thereof by establishing and posting signs, or otherwise, as may be reasonably adequate to make clear to the operators of vehicles in "no parking" or "restricted parking" areas the existence, nature, and requirements of such regulations. From and after the effective date of regulations imposed in any area by virtue of the provisions of this article, it shall be unlawful for any person to stop or park any vehicle in any restricted or prohibited area otherwise than in accordance with these regulations.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-34. Limitation on Parking of Commercial Vehicles Motor Homes, Camping Trailers, Boats, and Boat Trailers in Areas Zoned for Residential Use.**

A. *Limitation on parking of commercial vehicles.*

1. For the purposes of this subsection, a commercial vehicle is defined as any of the following:

- a. Any vehicle with a gross vehicle weight of twelve thousand (12,000) pounds or more.
- b. Any vehicle designed to carry sixteen (16) or more passengers, including the driver.
- c. Any vehicle of any size that is being used in the transportation of hazardous materials as defined in § 46.2-341.1 of the Code of Virginia.
- d. Any trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle.

- e. Any vehicle with three (3) or more axles.
  2. It shall be unlawful for any person to park any commercial vehicle, except for utility generators located on trailers and being used to power network facilities during a loss of commercial power and for those commercial vehicles temporarily parked while loading or unloading passengers or goods, materials or supplies, or while involved in construction work, or while performing services such as repair and/or installation of equipment, within or along any public street or highway of the County where the land abutting such public street or highway is zoned for residential use under the Zoning Ordinance of the County then in effect.
- B. *Limitation on parking of vehicles for commercial purposes.*
1. It shall be unlawful for any person to park any motor vehicle, trailer, or semitrailer for commercial purposes, except for utility generators located on trailers and being used to power network facilities during a loss of commercial power and for those temporarily parked while loading or unloading passengers or goods, materials or supplies, or while involved in construction work, or while performing services such as repair and/or installation of equipment, within or along any public street or highway of the County where the land abutting such public street or highway is zoned for residential use under the Zoning Ordinance of the County then in effect.
- C. *Limitation on parking of motor homes and camping trailers.*
1. For the purposes of this subsection, a motor home is defined as a private motor vehicle with a normal seating capacity of not more than ten (10) persons, including the driver, designed primarily for use as living quarters for human beings.
  2. For purposes of this subsection, a camping trailer is defined as a vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.
  3. It shall be unlawful for any person to park any motor home or camping trailer within or along any public street or highway of the County, where the land abutting such public street or highway is zoned for residential use, for a period of five (5) consecutive days.
- D. *Limitation on parking of boats and boat trailers.*
1. For purposes of this subsection, a boat is defined as a vessel as defined in § 29.1-700 of the Code of Virginia.
  2. It shall be unlawful to park any boat or boat trailer within or along any public street or highway of the County where the land abutting such public street or highway is zoned for residential use under the Zoning Ordinance of the County then in effect.
- E. For purposes of this subsection, in instances where a public street or highway serves as the boundary between an area zoned for residential use and an area zoned for another use, then the centerline of that public street or highway shall be considered as the boundary between the two (2) areas. In such instances, the provisions of this section shall apply only to the side of the public street or highway that abuts the area zoned for residential use.
- F. Any person who shall violate this subsection shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).  
(9-1-59; 5-10-61; 8-29-61; 3-12-62; Ord. No. 92-33, 7-11-92; Ord. No. 92-30, 7-11-92; Ord. No. 94-2, 2-5-94; Ord. No. 03-16, 6-23-03; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-35. Flares and Other Signals When Vehicle Disabled on Highway After Dark--Generally.**

Whenever any bus, truck, trailer, house trailer, or mobile home is disabled and stops upon any portion of the

traveled portion of any highway in this County, except those which are artificially lighted at night, at any time, during which lights are required upon motor vehicles by § 46.2-1030 of the Code of Virginia, the operator of such bus, truck, trailer, house trailer, or mobile home shall place or cause to be placed on the roadway three (3) red reflector flares or torches of a type approved by the Superintendent of the Department of State Police of Virginia. One (1) of the flares or torches shall be placed in the center of the lane of traffic occupied by the disabled bus, truck, trailer, house trailer, or mobile home and not less than one hundred (100) feet therefrom in the direction of traffic approaching in that lane, one (1) not less than one hundred (100) feet from such bus, truck, trailer, house trailer, or mobile home in the opposite direction and one (1) at the traffic side of such bus, truck, trailer, house trailer, or mobile home not closer than ten (10) feet from the front or rear thereof; provided, however, that if such bus, truck, trailer, house trailer, or mobile home is disabled within five hundred (500) feet of a curve or crest of a hill, or other obstruction to view, the flares or torches in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than five hundred (500) feet from the disabled vehicle.

(9-1-59; 11-24-64; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-36. Same--When Red Reflector Flares or Red Lanterns Required Instead of Flares.**

If any such vehicle is used for the transportation of flammable liquids in bulk, whether loaded or empty or for transporting flammable gases, red reflector flares or red electric lanterns of a type approved by the Superintendent of State Police shall be used. Such reflectors or lanterns shall be lighted and placed upon the roadway in the manner provided in the preceding section.

(9-1-59; 11-24-64; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-37. Same--When Red Flags Required Instead of Flares.**

During such time as lights on motor vehicles are not required, red flags not less than twelve (12) inches both in length and width shall be used in place of flares, torches, reflectors, or lanterns. The flags shall be placed upon the roadway in the manner prescribed in §§ 14.2-36 and 14.2-37 above for flares, torches, reflectors, and lanterns, except that no flag shall be required to be placed at the side of such vehicle; but if the disablement of such vehicle continues into the period when lights on motor vehicles are required, flares, torches, reflectors, or lanterns shall be placed as required by §§ 14.2-36 and 14.2-37 above.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-38. Stopping, Standing or Parking Prohibited in Specified Places.**

A. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within fifteen (15) feet of a fire hydrant or entrance to a fire station;
5. Within twenty (20) feet from the intersection of curb lines or, if none, then within fifteen (15) feet of the intersection or property lines at an intersection of highways unless otherwise designated;
6. On a crosswalk;
7. On the roadway side of any vehicle stopped or parked at the edge of curb of a street;
8. In any fire lane designated by the Fire Chief in accordance with § 8-3/F-313.0 [8-10.3.6] of the Arlington County Fire Prevention Code;
9. In any designated school bus loading zone;

10. In front of emergency exits of schools and other public buildings or grounds which have been designated by the County Manager.  
(12-10-75; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-38.1. Parking in Spaces Restricted for Use by Disabled Persons.**

It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under Virginia Code § 46.2-1241, or DV disabled parking license plates issued under subsection B of Virginia Code § 46.2-739, to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk to park a vehicle in a parking space so designated except when transporting a person with such a disability in the vehicle.

A. A summons or parking ticket for the offense may be issued by uniformed Police Department personnel without the necessity of a warrant being obtained by the owner of any private parking area.

B. In any prosecution charging a violation of this section, proof that the vehicle described in the complaint, summons, parking ticket, citation, or warrant was parked in violation of this section, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Chapter 6 (§ 46.2-600 et seq.) of the Code of Virginia, shall constitute prima facie evidence that the registered owner of the vehicle was the person who committed the violation.

C. No violation of this section shall be dismissed for a property owner's failure to comply strictly with the requirements for disabled parking signs set forth in Virginia Code § 36-99.11, provided the space is clearly distinguishable as a parking space reserved for persons with disabilities that limit or impair their ability to walk.

Any person convicted under the provisions of this subsection shall be punished by a fine of five hundred dollars (\$500.00) for each offense.  
(9-23-78; 1-27-81; Ord. No. 85-24, 7-1-85; Ord. No. 90-35, 10-20-90; Ord. No. 90-37, 11-20-90; Ord. No. 92-33, 7-11-92; Ord. No. 97-14, 6-21-97; Ord. No. 97-20, 7-19-97; Ord. No. 98-18, 6-6-98; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-38.2. Reserved.**

**Editors Note:** Ord. No. 03-12, adopted May 17, 2003, repealed § 14.2-38.2, which pertained to removal of trespassing vehicles by owners of parking or other lot or building.

#### **§ 14.2-38.3. Stopping or Parking in Loading Zones.**

A. *Definitions* The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:

1. "Loading zone" means a space adjacent to a curb reserved for the exclusive use of commercial vehicles during the loading or unloading of passengers or materials.
2. "Commercial vehicles" means a motor vehicle used for the transportation of persons or material and which is licensed as a commercial vehicle or which is so designated as a commercial vehicle by advertising on the vehicle stating the name of the company in lettering of three (3) inches or larger.

B. The County Manager is authorized to adopt administrative regulations for the establishment of loading zones. The administrative regulations shall provide criteria for where such loading zones may be established. Establishment of a loading zone shall be at the discretion of the County Manager and based upon the results of an engineering and traffic investigation.

C. No person shall stop or park a vehicle for any purpose other than for the expeditious unloading and delivery or pick-up and loading of materials or passengers in any place marked as a loading zone during hours applicable to such zones. In no case shall the stop for loading and unloading of materials or passengers exceed thirty

(30) minutes.

(Ord. No. 84-30, 10-13-84; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **Subdivision D.**

#### **Parking Meter Zones**

#### **§ 14.2-39. Definitions.**

The following words and terms, when used in this subdivision, shall have the following meanings unless the context clearly indicates otherwise:

“In-vehicle parking regulator” means and includes any mechanical or electronic device or meter not inconsistent with this section which is properly obtained for lease or purchase from the County and which is used, placed or attached inside a motor vehicle for the regulation of parking by authority of this section. Each such in-vehicle parking regulator in use shall at all times indicate by appropriate signal or display the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

“Multi-space parking meter” means a pay station located within a parking meter zone, placed or erected for the regulation of parking by authority of this subdivision, that allows for a single location for the payment and control of parking thereon for multiple parking spaces placed at various locations along streets or on surface lots.

“Park, parking” means the standing of a vehicle, whether occupied or not, upon a street otherwise than while actually engaged in receiving or discharging passengers or loading merchandise in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

“Parking meter” means and includes any single-space or multi-space mechanical or electronic device or other meter not inconsistent with this section used, placed, or erected for the regulation of parking by authority of this subdivision. Each parking meter installed shall indicate by proper legend the legal parking times established by the County and when operated shall at all times either indicate the balance of legal parking time and the expiration of such period shall indicate illegal or overtime parking, or produce a receipt which provides the same information.

“Parking meter space” means any space within a parking meter zone which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

“Parking meter zone” means and includes any restricted street or surface lot upon which parking meters are installed and in operation.

“Parking permit” means a printed sticker or card issued by the County Manager or his designee to allow parking at a designated off-street location.

“Single-space parking meter” means and includes any mechanical or electronic device or other meter not inconsistent with this section used, placed, or erected for the regulation of parking at a single parking space immediately adjacent to the meter by authority of this subdivision.

“Street” means any public street, avenue, road, alley, highway, lane, path, or other public place located in the County and established for the use of vehicles.

“Tour bus” means any motor carriers that conform to the State of Virginia definitions of “charter bus”, “contract bus carrier”, “contract passenger” and “sightseeing carrier”, and have a seating capacity in excess of twenty-five (25) passengers, and undertake to transport people for compensation for the purpose of long-distance group travel or local sightseeing. This definition shall not include school buses or motor vehicles operated on regular schedules

and/or regular routes and/or charge individual or separate fares for such transportation. (9-1-59; 7-3-67; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 10-01, 3-13-10; Ord. No. 10-02; 4-24-10; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-40. Designations of Zones.**

A. The County Manager is hereby authorized to designate the specific portions or areas of highways, streets, parking lots, and roads in the County of Arlington, Virginia, to be known as parking meter zones, and upon which parking meters shall be installed and maintained. Such parking meter zones to be established in the discretion of the County Manager, based upon the results of an engineering and traffic investigation.

B. Parking meter zones now in existence as heretofore established shall continue to be maintained upon the specific portions or areas of highways, streets, parking lots, and roads heretofore designated by action of the County Board of Arlington County, Virginia, unless and until the County Manager, in his discretion based upon an engineering study and investigation, shall determine otherwise and eliminate the existing parking meter zones or any of them or any parking meter zones hereafter designated by him.

C. The County Manager is authorized to designate and post land owned or leased by the County Board as a permit parking zone, to be restricted to holders of valid parking permits. Parking permits shall include the following:

1. Employee permits.
2. Temporary permits.
3. Juror permits.

D. It shall be unlawful to park any vehicle in permit parking zones without a valid current permit.

E. Any person who shall violate this section shall be punished by a fine of not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00). (12-12-60; 7-3-67; 7-8-72; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-41. Designation of Parking Spaces and Areas; Vehicles to be Parked Entirely Within Parking Space.**

The County Manager or his designee is hereby directed and authorized to mark off, or have marked off, individual parking spaces in parking zones designated and described in § 14.2-40 of this Code, and in such other zones as may hereafter be established, with such parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off it shall be unlawful to park any vehicle in such a way that the vehicle shall not be entirely within the limits of the space so designated. Parking areas without lines defining individual spaces may also be designated by the County Manager or his designee in parking zones with such areas designated through the use of signs.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 10-01, 3-13-10; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-42. Installation, Display of Signals Showing Legal Parking, Etc.**

A. In parking meter zones provided in § 14.2-40 of this Code, the County Manager or his designee may cause single-space parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, or use of a credit card or other acceptable form of payment as determined by the County Manager or his designee, for the period of time prescribed by this subdivision. Each single-space parking meter shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor, or manager thereof shall be subject to the penalties

provided.

B. The County Manager or his designee may also cause to be made available to the public for lease or purchase in-vehicle parking regulators for the regulation of parking which provides for prepaid parking. Each such device shall be able to differentiate between long-term and short-time parking periods and rates and shall be capable of being attached within the user's vehicle in such manner as to permit the unobstructed view of its display from outside said vehicle in the manner described in § 14.2-43. Each such device shall be so set as to display a signal showing the amount of legal parking time remaining at the rate and for the period of time as is designated by proper direction on the parking meter for the parking space being used. Each such device shall also be so arranged that upon expiration of the lawful time limit it will indicate by a proper visible signal or display that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties provided. The County Manager or his designee may also authorize accommodations for persons with disabilities as may be necessary concerning such in-vehicle parking regulators, including other means of prepaid parking for disabled persons who are not physically able to operate in-vehicle parking regulators.

C. The County Manager or his designee may also cause to be installed multi-space parking meters to provide metering for more than one parking space at a time on the street, in surface lots or in garages within parking meter zones. Immediately after occupancy of a multi-space parking meter space, the operator of a vehicle shall deposit a coin or paper currency of the United States or use a credit card or other acceptable form of payment as determined by the County Manager or his designee, in said multi-space meter and follow operational procedures in accordance with the instructions posted on the meter. Failure to follow the operational procedures, or remain in the parking space upon the expiration of the lawful time limit, shall cause the operator, owner, possessor, or manager of the vehicle thereof to be subject to the penalties provided.

(9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 99-7, 4-10-99; Ord. No. 10-01, 3-13-10; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-43. Operation Generally; Overparking Generally.**

Except in a period of emergency determined by an officer of the Fire or Police Departments, or in compliance with the directions of a police officer or traffic-control sign or signal, when any vehicle shall be parked in any parking space or area within a parking meter zone, during the hours of meter operation the operator of such vehicle shall, upon entering such space or area, immediately deposit or cause to be deposited in such meter such proper coin of the United States or use a credit card or other acceptable form of payment as determined by the County Manager or his designee, and when appropriate display a receipt in or on the vehicle per the instructions on the parking meter or shall designate such time on the display of an in-vehicle parking regulator as is required for such parking space and as is designated by proper direction on the meter. Failure to deposit such proper coin, credit card or other acceptable form of payment and when appropriate to display a receipt in or on the vehicle per the instructions on the parking meter, or to designate such time on the display of an in-vehicle parking regulator and to attach said in-vehicle parking regulator to the inside of the parked vehicle in such manner that the parking time display on the regulator is not obstructed and clearly visible through the front windshield from outside said vehicle shall constitute a violation of this section. Upon the deposit of such coin, credit card or other acceptable form of payment, or when appropriate the proper display of such receipt in or on the vehicle, or the proper designation of such time on the display of an in-vehicle parking regulator and the proper attachment of the in-vehicle parking regulator to the parked vehicle, the parking space or area may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which such parking space is located. Any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin, credit card, or other acceptable form of payment, or to designate time on an in-vehicle parking regulator so long as his occupancy of such space does not exceed the unused parking time indicated on the parking meter for such space. If such vehicle shall remain parked in any parking space beyond the parking time limit set for such parking, or if the meter shall indicate illegal parking, and no remaining balance of legal parking time is displayed within said vehicle on an in-vehicle parking regulator obtained from the County, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this section.

(9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 10-01, 3-13-10; Ord. No. 12-06, 5-19-12)

**§ 14.2-44. Parking Time Limits; When Parking Meters Operative.**

A. The County Manager or his designee may designate the approved parking meter zone as established under § 14.2-40 of this Code as thirty (30) minute, one (1) hour, two (2) hour, or over two (2) hour parking meter zones. Notwithstanding any provision of this Subdivision D to the contrary, a vehicle displaying disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards, temporary removable windshield placards issued under § 46.2-1241 of the Code of Virginia, "DV" disabled parking license plates issued under § 46.2-739 B of the Code of Virginia, disabled parking license plates issued under § 46.2-731 of the Code of Virginia, or a duly authorized handicapped license plate, decal or permit issued by the Department of Motor Vehicles or similar state agency of another state or the District of Columbia, may be parked for sixty (60) minutes in a thirty (30) minute parking meter zone, two (2) hours in a one-hour parking meter zone, and four (4) hours in a two (2) hour parking meter zone.

B. Parking or standing a vehicle during the hours of meter operation in a designated space or area in a parking meter zone shall be lawful upon the deposit of coin or coins of the United States of America or upon the use of a credit card or other acceptable form of payment or upon the proper designation of time on an in-vehicle parking regulator at the following maximum rates, unless a lower rate is determined by the County Manager after considering, among other factors, volume, duration, and time of duty of metered parking space utilization:

1. *Thirty (30) minute parking meter zone:* One dollar and seventy-five cents (\$1.75) for each hour parked.
2. *One (1) hour parking meter zone:* One dollar and seventy-five cents (\$1.75) for each hour parked.
3. *Two (2) hour parking meter zone:* One dollar and seventy-five cents (\$1.75) for each hour parked.
4. *Four (4) hour parking meter zone:* One dollar and seventy-five cents (\$1.75) for each hour parked.
5. *Over four (4) hour meter zone:* One dollar and fifty cents (\$1.50) for each hour parked.
6. *Tour bus parking zone:* Three dollars (\$3.00) for each hour parked.

C. Said parking meters, except those in tour bus parking zones, shall be operated in said parking meter zones every day between the hours of 8:00 a.m. and 8:00 p.m. except Sundays and holidays; provided, however, that the County Manager or his designee may provide for different hours of meter operation in such parking meter zones whenever he determines that traffic conditions in any particular zone required such change; in which case the County Manager shall cause a tag, showing the hours of meter operation, to be affixed to each meter in the zone affected by such change and he shall have other appropriate signs erected showing the hours of legal parking in such zone. Upon the affixing of such tag and erection of such signs, the hours of meter operation shall be that indicated on such tags and signs.

(7-9-69; 6-3-72; 3-17-80; Ord. No. 83-12, 7-1-83; Ord. No. 88-10, 5-21-88; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 98-4, 6-1-98; Ord. No. 99-7, 4-10-99; Ord. No. 07-06, 4-21-07, effective 7-01-07; Ord. No. 10-01, 3-13-10; Ord. No. 10-02, 4-24-10; Ord. No. 11-04, 4-16-11, effective 7-1-11; Ord. No. 12-06, 5-19-12; Ord. No. 15-05, 5-16-15, effective 9-7-15; Ord. No. 18-08, 4-21-18, effective 7-1-18)

**§ 14.2-45. Parking Beyond Legal Parking Time; Parking When Signal Indicates Overparking; Parking Across Lines; Depositing Slugs.**

It shall be unlawful and a violation of the provisions of this subdivision for any person to:

A. Cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone or tour bus parking zone to deposit in any parking meter any coin, credit card, or other acceptable form of payment, or to designate a balance of parking time on an in-vehicle parking regulator for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone. Car-share vendors authorized by the free-floating car-share



program as described in §14.2-109 and authorized vendors parked in car-share parking stations as set forth in §14.2-110 are exempt from this provision.

B. Permit any vehicle during the hours of parking meter operations to remain or be placed in any parking space adjacent to any single-space parking meter while the meter is displaying a signal or in the case of a multi-space meter when the receipt issued to the parker on payment or the payment record issued to parking meter enforcement personnel indicates that the vehicle occupying such parking space has already parked beyond the period prescribed for such parking space, unless there is an in-vehicle parking regulator attached to the vehicle in the manner described in § 14.2-43 and the display of such in-vehicle parking regulator indicates that a balance of legal parking time remains for such parking space or area. Car-share vendors authorized by the free-floating car-share program as described in §14.2-109 and authorized vendors parked in car-share parking stations as set forth in §14.2- 110 are exempt from this provision.

C. Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

D. Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter or in-vehicle parking regulator installed under the provisions of this subdivision.

E. Deposit or cause to be deposited in any parking meter any slugs, device, or metal substance, or other substitute for lawful coins.

F. Alter, recharge, or tamper with an in-vehicle parking regulator for the purpose of obtaining parking time for which payment has not been properly made to the County.

G. Use an in-vehicle parking regulator which has not been properly obtained from the County for the purpose of obtaining parking time for which payment has not been properly made to the County. (9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 10-01, 3-13-10; Ord. No. 10-02, 4-24-10; Ord. No. 12-06, 5-19-12; Ord. No. 16-08, 12-13-16)

#### **§ 14.2-46. Enforcement of Subdivision.**

It shall be the duty of the Chief of Police to enforce the provisions of this subdivision. (9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-47. Collection, Etc., of Funds.**

The collection of all funds deposited in the parking meters and all fees paid for the lease or purchase of in-vehicle parking regulators shall be the responsibility of the Treasurer of the County. Such collection of funds shall be carried out under such rules, regulations, and procedures as the County Manager may from time to time prescribe. The Treasurer shall account for all funds collected from parking meters or paid to the County to lease or purchase in-vehicle parking regulators in the same manner as that prescribed for other County monies. (9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-48. Reservation of Powers.**

Nothing in this subdivision shall be construed as prohibiting the County from providing for bus stops, taxicab stands, and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles. (9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-49. Penalty for Violation of Subdivision.**

Any person who shall violate or fail to comply with any of the provisions of this subdivision, or who shall counsel, aid or abet any such violation or failure to comply, shall be punished by a fine of not less than one dollar (\$1.00) nor more than fifty dollars (\$50.00).

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92; Ord. No. 12-06, 5-19-12)

**Subdivision E.**

**Mechanical Equipment and Inspection**

**§ 14.2-50. Traction Engines and Tractors.**

The County Manager may in his discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks. A fee of two dollars (\$2.00) shall be charged for each permit at the time of issuance. (Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**Subdivision F.**

**Size and Weight, Etc.**

**§ 14.2-51. Extension of Loads Beyond Front of Vehicles.**

No train of vehicles or vehicle operated alone shall carry any load extending more than three (3) feet beyond the front thereof. (9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-52. Towing Unlicensed or Uninspected Motor Vehicle.**

Nothing in this chapter shall be construed to prohibit towing an unlicensed motor vehicle or motor vehicle which has not been inspected pursuant to Article 21 (§ 46.2-1157 et seq.) or Article 22 (§ 46.2-1176 et seq.) of Chapter 10, Title 46.2 of the Code of Virginia.

Nor shall anything in this chapter prohibit the towing of an unlicensed trailer or semitrailer used on a construction site as an office or for storage or a trailer or semitrailer which has been used on a construction site as an office or for storage, but which has not been inspected pursuant to Article 21 of Chapter 10, Title 46.2, of the Code of Virginia, provided that any such unlicensed or uninspected trailer or semitrailer (i) is towed by a tow truck, wrecker, or other vehicle designed and equipped for the towing of inoperable or disabled vehicles; (ii) is operated only in intrastate commerce; (iii) has an actual gross weight, including contents, of no more than fifteen thousand (15,000) pounds; (iv) is secured to the towing vehicle by means of safety chains; and (v) is equipped with rear-mounted bar lights which function as tail lights, brake lights, and turn signals as provided in Article 3 (§ 46.2-1010 et seq.) of Chapter 10, Title 46.2, of the Code of Virginia. However, nothing in this section shall authorize the towing or drawing of an unlicensed or uninspected trailer or semitrailer by means of a tractor truck except for the purpose of having such trailer or semitrailer inspected as provided in § 46.2-1157, Code of Virginia. (9-1-59; Ord. No. 91-23, 7-1-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-53. Maximum Size and Load Limitations--Generally.**

A. *Width.* No vehicle, including any load thereon, but excluding the mirror required by § 46.2-1082 of the Code of Virginia, 1950, shall exceed a total outside width as follows:

1. Farm tractor: One hundred eight (108) inches;
2. Passenger bus: One hundred two (102) inches;
3. Other vehicles: Ninety-six (96) inches.

B. *Height.*

1. No vehicle unladen or with load shall exceed a height of thirteen (13) feet six (6) inches.

2. Nothing contained in this section shall be construed to require either the public authorities or railroad companies to provide vertical clearances of overhead bridges or structures in excess of twelve (12) feet six (6) inches, or to make any changes in the vertical clearances of existing overhead bridges or structures crossing streets or highways. The operator or owner of vehicles operating on streets or highways shall be held financially responsible for any damage to overhead bridges or structures that result from collisions therewith.
3. The operator or owner of any vehicle colliding with an overhead bridge or structure shall notify immediately, either in person or by telephone, the public authority, or railroad company, owning or maintaining such overhead bridge or structure, or a police officer of the fact of such collision, and his name, address, operator's or chauffeur's license number, and the registration number of his vehicle. Failure to give such notice immediately, either in person or by telephone, shall constitute a misdemeanor.

C. *Length.*

1. Except for passenger buses, no motor vehicle exceeding a length of thirty-five (35) feet shall be operated upon a highway of this County. No passenger bus exceeding a length of forty (40) feet shall be operated upon a highway of this County. The actual length of any combination of vehicles coupled together including any load thereon shall not exceed a total of fifty-five (55) feet; and no tolerance shall be allowed thereon. Provided, however, that the County Manager, when good cause is shown, may issue a special permit for combinations in excess of fifty-five (55) feet including any load thereon where the object or objects to be carried cannot be moved otherwise.
2. The actual length of any combination of a towing vehicle and any mobile home or house trailer coupled together shall not exceed a total length of fifty-five (55) feet, including coupling.

D. *Exceptions.* The limitations upon size of vehicles prescribed in § 14.2-53 herein shall not apply to farm machinery other than farm tractors when such farm machinery is temporarily propelled, hauled, transported, or moved upon the highway by a farm machinery distributor or dealer or by a farmer in the ordinary course of business nor to fire-fighting equipment of any county, city, town, or fire-fighting company or association.

E. *Weight.*

1. The maximum gross weight and axle weight to be permitted on the road surface of any highway shall be in accordance with the provisions of this section.
2. The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:
  - a. "Single axle" means an assembly of two (2) or more wheels whose centers are in one (1) transverse vertical plane or may be included between two (2) parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.
  - b. "Tandem axle" means any two (2) or more consecutive axles whose centers are more than forty (40) inches but not more than eighty-four (84) inches apart, and are individually attached to and/or articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles.
  - c. "Single-axle weight" means the total weight transmitted to the road by all wheels whose centers may be included between two (2) parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.
  - d. "Tandem-axle weight" means the total weight transmitted to the road by two (2) or more

consecutive axles whose centers may be included between parallel transverse vertical planes spaced more than forty (40) inches and not more than eight-four (84) inches apart; extending across the full width of the vehicle.

- e. "Group of axles" means all of the axles located under a vehicle or combination.
- 3. The single-axle weight of any vehicle or combination shall not exceed twenty thousand (20,000) pounds, nor shall it exceed six hundred fifty (650) pounds per inch, width of tire, measured in contact with the surface of the highway. The tandem-axle weight of any vehicle or combination shall not exceed thirty-four thousand (34,000) pounds, and no one (1) axle of such tandem unit shall exceed the weight permitted for a single axle. Furthermore, the weight imposed upon the highway by two (2) or more consecutive axles individually attached to the vehicle and spaced not less than forty (40) inches nor more than eighty-four (84) inches apart shall not exceed thirty-four thousand (34,000) pounds and no one (1) axle of such unit shall exceed the weight permitted for a single axle.
- 4. The total gross weight imposed upon the highway by a vehicle or combination shall not exceed the maximum weight given for the respective distance between the first and last axle of the group of axles measured longitudinally to the nearest foot as set forth in the following table:

Table  
Maximum Weight

Distance in feet between the extremes of any group of axles	Maximum weight in pounds				
	<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
9	39,000	42,500			
10	40,000	43,500			
11		44,000			
12		45,000	50,000		
13		45,500	50,500		
14		46,500	51,500		
15		47,000	52,000		
16		48,000	52,500	58,000	
17		48,500	53,500	58,500	
18		49,500	54,000	59,000	
19		50,000	54,500	60,000	
20		51,000	55,500	60,500	66,000
21		51,500	56,000	61,000	66,500
22		52,500	56,500	61,500	67,000
23		53,000	57,500	62,500	68,000
24		54,000	58,000	63,000	68,500
25		54,500	58,500	63,500	69,000
26		55,500	59,500	64,000	69,500
27		56,000	60,000	65,000	70,000
28		57,000	60,500	65,500	71,000
29		57,500	61,500	66,000	71,500
30		58,500	62,000	66,500	72,000
31		59,000	62,500	67,500	72,500

32		60,000	63,500	68,000	73,000
33			64,000	68,500	74,000
34			64,500	69,000	74,500
35			65,500	70,000	75,000
36			66,000	70,500	75,500
37			66,500	71,000	76,000
38			67,500	72,000	77,000
39			68,000	72,500	77,500
40			68,500	73,000	78,000
41			69,500	73,500	78,500
42			70,000	74,000	79,000
43			70,500	75,000	80,000
44			71,500	75,500	
45			72,000	76,000	
46			72,500	76,500	
47			73,500	77,500	
48			74,000	78,000	
49			74,500	78,500	
50			75,500	79,000	
51			76,000	80,000	

5. Provided, however, that motor vehicles which are registered with the Virginia Department of Motor Vehicles or State Corporation Commission prior to July 1, 1956, may be permitted to operate under:
  - a. The preceding paragraphs of this subdivision in conformity therewith; or
  - b. Under the provisions of the statutes of this State in force on January 1, 1956, but such operation shall only be permissible during the period in which the motor vehicle remains in operating condition. When such vehicle ceases to be operable the option to operate under this provision shall terminate. All vehicles, operation of which is desired under the provisions of subsection 2 of this paragraph, shall be registered with the State Department of Highways and obtain a permit without cost, so to do.

6. It shall be unlawful for any person willfully to remove, alter, deface, or tamper with any number, plate, bracket, sticker, decal, indication, or other device indicating the manufacturer's gross vehicle weight rating of any vehicle which (i) has a manufacturer's gross vehicle weight rating of fifteen thousand (15,000) pounds or less and (ii) has been modified by alteration of its height from the ground. Violation of this section shall constitute a Class 3 misdemeanor.

(9-1-59; 11-24-64; 1-16-67; Ord. No. 85-11, 2-23-85; Ord. No. 91-18, 5-14-91; Ord. No. 91-27, 7-30-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-54. Same--Exception as to Vehicles Designed for Towing Disabled Vehicles.**

The provisions of § 14.2-53 shall not apply to a vehicle designed for towing disabled vehicles when towing such vehicle in an emergency in such manner that a part of the combined weight of the two (2) vehicles rests upon an axle or axles of the towing vehicle, provided the towed and towing vehicles each are within the weight limits prescribed in § 14.2-53. The provisions of this section shall not be construed to permit the violation of any lawfully established load limit on any bridge.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-55. Liquidated Damages for Violation of Weight Limits; Powers of Enforcement Officers; Forfeiture of Vehicle and Cargo; Charges Additional to Other Liability.**

- A. Upon conviction of any person for violation of any weight limit as provided in this chapter, the court

shall assess the owner, operator, or other person causing the operation of such overweight vehicle liquidated damages in the amount of two cents (\$0.02) per pound for each pound of excess weight over the prescribed limit when the excess is five thousand (5,000) pounds or less, and five cents (\$0.05) per pound for each pound of excess weight over the prescribed limit when such excess is more than five thousand (5,000) pounds. Such assessment shall be entered by the court as a judgment for the County, the entry of which shall constitute a lien upon the overweight vehicle. Such sums shall be paid into court or collected by the attorney for the Commonwealth and forwarded to the County Treasurer and allocated to the fund appropriated for the construction and maintenance of County highways.

B. Any officer authorized to make arrests and weigh vehicles under the provisions of this chapter may, for a period of twenty-four (24) hours without a court order and thereafter upon a written order of the court either before or after conviction, hold the vehicle involved in the overweight violation, provided the same is not registered with the Department of Motor Vehicles, until the amount assessed, if after conviction, or subject to be assessed, if before conviction, together with the cost of holding or storing of the vehicle, be paid, or until a bond by or on behalf of the offending person is given for payment as the court may direct of the amount assessed or to be assessed with surety approved by the court or its clerk.

C. In the event the amount so assessed be not paid or no bond be given as provided hereinabove, the vehicle involved in the overweight violation shall be stored in a place of security as may be designated by the owner or operator of the vehicle. If no place be designated, the officer making the arrest shall designate the place of storage. The owner or operator shall be afforded the right of unloading and removing the cargo from such vehicle. The risk and cost of such storage shall be borne by the owner or operator of such vehicle.

D. If within sixty (60) days from the time of the conviction for the overweight violation the offending party does not pay the assessment imposed by this section, together with the cost of storing such vehicle and cargo, if the cargo is not removed as herein provided, the vehicle and cargo shall be forfeited to the County and sold to satisfy the assessment and cost of storage.

E. Upon notification of the failure of such person to pay the amount assessed, together with the payment of cost of holding such vehicle under this section, the Division or the Department of State Police may thereafter deny the offending person the right to operate a motor vehicle or vehicles upon the highways of this State until such assessment has been paid.

F. The charge hereinabove specified shall be in addition to any other liability which may be legally fixed against such owner or operator for damage to a highway or bridge attributable to such weight violation. (11-24-64; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-56. Permits for Excessive Size and Weight.**

The County Manager acting in his discretion upon application in writing and good cause being shown therefor may issue a special permit in writing authorizing the applicant to operate or move a vehicle upon the highway of a size or weight exceeding the maximum specified by law. Every such permit may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by him.

The County Manager, upon application in writing made by the owner or operator of three (3) axle trucks hauling road construction materials and having a gross weight not exceeding forty-three thousand nine hundred (43,900) pounds, a single (1) axle weight not exceeding eighteen thousand (18,000) pounds and a tandem-axle weight not exceeding thirty-two thousand (32,000) pounds, shall issue to such owner or operator, without cost, a permit in writing authorizing the operation of such vehicles upon the highways. No such permit shall designate the route to be traversed, nor contain restrictions or conditions not applicable to other vehicles in their general use of the highways. Provided, further, the County Manager upon application in writing made by the owner or operator of three (3) axle vehicles used exclusively for the mixing of concrete in transit and having a gross weight not exceeding fifty thousand (50,000) pounds, a single (1) axle weight not exceeding eighteen thousand (18,000) pounds, and a tandem-axle weight not exceeding thirty-six thousand (36,000) pounds, shall issue to such owner or operator, without cost, a permit in writing authorizing the operation of such vehicles upon the highways. No such permit shall designate the route to be traversed nor contain restrictions or conditions not applicable to other vehicles of this weight in their general use of the highways. No permit issued under this section providing for a tandem-axle weight in excess of thirty-two thousand

(32,000) pounds shall be issued to include travel on the federal system of highways.

Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by an officer and it shall be a misdemeanor for any person to violate any of the terms or conditions of such special permit.

Any permit which has been heretofore or is hereafter issued by the County Manager pursuant to this section may be restricted so as to prevent travel on any federal-aid highway if the continuation of travel on such highway would result in a loss of federal-aid funds. Before any such permit is restricted by the County Manager, notice in writing must be given to the permittee.

(9-1-59; 11-24-64; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-57. Decrease of Weight Limits in Emergency Conditions.**

A. When an engineering study discloses that the operation over the highways by reason of deterioration, rain, snow or other climatic conditions will seriously damage any of the streets or highways under the jurisdiction of the County unless the weight limits provided for in § 14.2-53 of this Code are reduced, the County Manager may, by administrative regulation, decrease such weights and load limits for a total period not to exceed ninety (90) days in any one (1) calendar year. No such regulation shall be effective, however, until such signs shall be erected at each end of the section of the highway affected stating the weights specified in such regulations.

B. Any person convicted of a violation of any provision of this section shall be punished by a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) or be confined in jail for not less than one (1) day nor more than six (6) months, or both, and the vehicle or combination of vehicles involved in such violation may be held upon an order of the court until all fines and cost have been satisfied.

(9-1-59; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

### **DIVISION 3.**

#### **ACCIDENT REPORTS**

#### **§ 14.2-58. Accident Reports--To Be in Addition to Reports Required by State Law.**

The report of accidents as required by this division are in addition to and not in lieu of any reports as required by §§ 46.2-371 through 46.2-377 of the Code of Virginia, 1950.

(9-1-59; Ord. No. 91-18, 5-14-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-58.1. Same--When Notice to be Given to Police.**

The driver of any vehicle involved in any accident resulting in injury to or death of any person, or some person acting for him, shall immediately, by the quickest means of communication, give notice of the accident to the Police Department of the County.

(9-1-59; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-58.2. Same--When Written Report to Police Required.**

The driver of a vehicle involved in an accident:

A. Resulting in injury to or death of any person or total property damage to an apparent extent of one

thousand dollars (\$1,000.00) or more, or

B. When there is reason to believe a motor vehicle involved in the accident was uninsured at the time of the accident,

and in which no police officer has conducted an investigation and filed a written report shall within five (5) days after the accident make a written report of it to the Police Department of the County. This report shall be on appropriate forms furnished by the Police Department of the County.  
(12-21-74; 11-17-79; Ord. No. 87-16, 5-16-87; Ord. No. 92-33, 7-11-92; Ord. No. 92-45, 9-19-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-58.3. Same--Filed by Investigating Officer.**

Every law enforcement officer of Arlington County who in the course of duty investigates a motor vehicle accident of which report must be made according to the Code of Virginia, either at the time of and at the scene of the accident or thereafter and elsewhere by interviewing participants or witnesses shall, within twenty-four (24) hours after completing the investigation, forward a written report of the accident through the Services Division of the Police Department to the Virginia Department of Motor Vehicles. This report, copies of which will be maintained by the Police Department, shall be on forms provided by the Virginia Department of Motor Vehicles and shall include the name or names of the insurance carrier or of the insurance agent of the automobile liability policy on each vehicle involved in such accident.

(9-1-59; 1-16-67; Ord. No. 87-16, 5-16-87; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-58.4. Same--Inspection of Reports Required under §§ 14.2-58.2 and 14.2-58.3; Copies of Such Reports.**

Any report of an accident made pursuant to § 14.2-58.2 or § 14.2-58.3 of this chapter shall be open to the inspection of any person involved in or injured in the accident, or as a result thereof, or his attorney, or any authorized representative of any insurance carrier reasonably anticipating exposure to civil liability as a consequence of the accident; provided, further, that the Police Department shall, upon request of any such person, or attorney, or authorized insurance carrier representative, furnish a copy of any such report at the expense of such person, attorney or representative; provided, further, that the Police Department, upon approval by the Commonwealth's Attorney, and at the expense of such person, attorney, or representative, shall furnish copies of photographs taken of such accident by police. A ten dollar (\$10.00) fee for copies of such reports provided shall be charged by the Police Department.

(9-1-59; 1-16-67; Ord. No. 83-13, 7-1-83; Ord. No. 87-16, 5-16-87; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12; Ord. No. 14-03, 4-22-14, effective 7-1-14)

**§ 14.2-58.5. Same--Use in Evidence.**

No report as required by §§ 14.2-58 through 14.2-58.2 of this Code shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Police Department shall furnish, upon demand of any person who has or claims to have made such a report or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Police Department solely to prove compliance or noncompliance with the requirement that the report be made to the Police Department.

(9-1-59; 1-16-67; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-58.6. Same--Failure to Report Accident or to Give Correct Information.**

Failure to report an accident as required in this division or failure to give correctly the information required by the Chief of Police of the County in connection with any requisite report shall be a misdemeanor.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-58.7. Penalty for Violation.**

Any person who violates any provision of this division shall be punished by confinement in jail for not more than ninety (90) days or by fine of not less than fifty dollars (\$50.00) nor more than two thousand five hundred dollars (\$2,500.00), or both.



(9-1-59; 11-24-64; Ord. No. 91-34, 9-18-91; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **DIVISION 4.**

#### **MISCELLANEOUS PROVISIONS**

##### **§ 14.2-59. Effect of Repeal Generally.**

No repeal, amendment and reenactment, or recodification of any section of this chapter or any part thereof shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any right established, accrued, or accruing before the day upon which such repeal or amendment and reenactment takes effect, or any prosecution, suit, or proceeding pending on that day, except that the proceedings thereafter had shall conform, so far as practicable, to the provisions of this chapter.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

##### **§ 14.2-60. Severability.**

It is hereby declared to be the intention of the County Board that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **ARTICLE II.**

#### **BICYCLES, ELECTRIC POWER-ASSISTED BICYCLES, MOTORIZED SKATEBOARDS and MOTORIZED SCOOTERS**

##### **§ 14.2-61. Definitions**

The following words and terms, when used in this section, shall have the following meaning unless context clearly indicates otherwise:

“Public Places” means public rights-of-way, streets, easements or other real property interests dedicated or conveyed for public use.

“Multi-Use Trails” means trails typically eight to twelve (12) feet wide with a yellow line striped down the middle to separate users traveling in each direction, used by a wide variety of users including children and adults, pedestrians, dog walkers, runners and people on bicycles and micro-mobility devices, where cars and other motor vehicles are prohibited except in special circumstances outlined in 14.2-64.1.

“Protected Bike Lane”, also known as “cycle track”, means a facility that provides a physical separation between people traveling in the lane and those in motor vehicles. The separation may be provided in a number of ways, including but not limited to: plastic bollards, concrete barriers, landscaping or large planters, curbs, or motor

vehicle parking.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except electric personal delivery devices and devices moved by human power or used exclusively on stationary rails or tracks. Bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds shall be vehicles while operated on a highway, or as may otherwise be defined in the Virginia State Code 46.2-100.

(11-16-2019, Ord. No. 19-12)

**§ 14.2-62. License and Registration.**

- A. An owner may voluntarily register his bicycle with the County.
- B. Application for registration of ownership and a license will be made to the County upon a form prescribed by the County Manager.
- C. Upon receipt of such application in proper form, the County shall provide, at the expense of the County, a tag bearing the number of the license issued, which should be securely attached at the time of issuance, or upon receipt, to the bicycle.
- D. Substitute for lost or mutilated tags shall be issued to a person entitled thereto upon furnishing satisfactory information.
- E. It shall be the duty of the County Manager or his designee to keep a record of the issuance of each bicycle license, showing the registration number and license number of each bicycle, the name and address of the licensee, and such other description of the bicycle as the County Manager deems necessary for the administration of this section.
- F. Reserved.

(Ord. No. 82-15, 4-24-82; Ord. No. 92-33, 7-11-92; Ord. No. 99-21, 10-2-99; Ord. No. 12-06, 5-19-12)

**§ 14.2-62.1. Disposition of Unclaimed Bicycles or Mopeds.**

- A. If any bicycle or moped is found and delivered to the Police Department, the Police Department shall, within a reasonable time, attempt to notify the owner and return the bicycle or moped to him. If the bicycle has a County bicycle tag affixed, then the recorded owner shall be notified directly.
- B. If any bicycle or moped is found and delivered to the Police Department by a private person and remains unclaimed for thirty (30) days after the location and description of the bicycle or moped has been published at least once a week for two (2) successive weeks in a newspaper of general circulation within the County, the bicycle or moped shall be given to the finder.
- C. If any bicycle or moped remains in the possession of the Police Department unclaimed for more than thirty (30) days and the finder has not requested that it be given to him, the Police Department shall dispose of it by public sale or donate it to a charitable organization located in Arlington County which has made written request to the Chief of Police. The Chief of Police or his designee shall have sole discretion to determine disposition of property under this provision.

(Ord. No. 87-17, 5-16-87; Ord. No. 92-33, 7-11-92; Ord. No. 94-24, 9-10-94; Ord. No. 12-06, 5-19-12)

**§ 14.2-63. Defacing or Removing Serial Numbers.**

- A. It shall be unlawful for any person to deface, remove, or modify from any bicycle the serial number imprinted thereon.
- B. It shall be unlawful to sell or purchase any bicycle on which the serial number or identification

number has been defaced, removed, or modified without first registering same as provided in § 14.2-62. (Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12, Ord. No. 19-12, 11-16-2019)

#### **§ 14.2-64. Equipment Requirements.**

A. Every person fourteen (14) years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standards, as amended, whenever riding or being carried on a bicycle or electric power-assisted bicycle on any highway as defined in [Code of Virginia, §] 46.2-100, sidewalk, or multi-use trail.

B. Violation of subsection A shall be punishable by a fine of Twenty-Five Dollars (\$25.00). However, such fine shall be suspended (i) for first-time violators and (ii) for violators who, subsequent to the violation but prior to imposition of the fine, purchase helmets of the type required by this section. (12-7-74; Ord. No. 92-33, 7-11-92; Ord. No. 93-12, 7-1-93; Ord. No. 99-5, 2-20-99; Ord. No. 12-06, 5-19-12, Ord. No. 19-12, 11-16-2019)

#### **§ 14.2-64.1. Establishment of Multi-Use Trails and Regulation of the Use Thereof.**

A. The existing and approved multi-use trails designated in the Bicycle Element of the Master Transportation Plan, adopted by the County Board and of which not fewer than three (3) copies have been and are now filed in the office of the Clerk of the County Board and the Department of Environmental Services and may be viewed there during regular business hours on their regular business days, and the same is hereby adopted and incorporated as fully as if set out at length herein.

B. The use of such multi-use trails by persons operating vehicles other than bicycles, electric power-assisted bicycles, scooters, skateboards, motorized skateboards or scooters, electric personal assistive mobility devices, or County-authorized or Northern Virginia Regional Park Authority-authorized vehicles entering the multi-use trails for maintenance, fire, and police patrol purposes is prohibited. This list of permitted vehicles is administered by the Division of Transportation and posted on the County website. The list may be amended at any time by the County Manager or designee.

C. The prohibitions of this section do not apply to vehicles being used by persons with disabilities when such use is necessary because of the disabled condition of the person or persons using such vehicles.

D. A person riding a bicycle, electric personal assistive mobility device, motorized skateboard or scooter, motor-driven cycle, or electric power-assisted bicycle on a multi-use trail or across a roadway on a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

E. Violations of this section shall be subject to a civil penalty of not more than Fifty Dollars (\$50.00).

(1-25-75; Ord. No. 92-33, 7-11-92; Ord. No. 99-5, 2-20-99; Ord. No. 04-25, 10-2-04; Ord. No. 12-06, 5-19-12, Ord. No. 19-12, 11-16-2019)

#### **§ 14.2-64.2. Equipment Requirements for Mopeds.**

Every person operating a moped, as defined in § 46.2-100 of the Code of Virginia, on a public street or highway in Arlington County shall wear a faceshield, safety glasses or goggles of the type approved by the Superintendent of the Department of State Police or have the moped equipped with safety glass or a windshield at all times while operating such vehicle, and operators and passengers thereon, if any, shall wear protective helmets of the type approved by the Superintendent. Any person who knowingly violates this section shall be guilty of a traffic infraction punishable by a fine of up to fifty dollars (\$50.00). (Ord. No. 96-10, 6-29-96; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-65. Riding and Parking Regulations.**

Every person riding a bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter upon a roadway has all the rights and is subject to all the duties applicable to the driver of a vehicle except those provisions which by their very nature can have no application.

A. *Speed.* No bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter shall be ridden faster than is reasonable and proper, but each shall be operated with reasonable regard for the safety of the operator and every other person upon the streets, multi-use trails, and sidewalks of the County.

When operating on streets and multi-use trails, motorized skateboards and motorized scooters shall not operate at speeds exceeding fifteen (15) miles per hour, and electric power-assisted bicycles shall not operate at speeds exceeding twenty (20) miles per hour.

When operating on public sidewalks motorized skateboards, scooters, and electric power-assisted bicycles shall not operate at speeds exceeding six (6) miles per hour.

B. *Observation of traffic regulations.* Every person riding or propelling a bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter on any public highway, multi-use trail or sidewalk in the County shall observe all authorized traffic signs, signals, and traffic-control devices.

C. *Number of riders.* The number of riders of bicycles, electric power-assisted bicycles, motorized skateboards and motorized scooters should not exceed the manufacturer's design capacity for the device.

D. *Riding on sidewalk.*

1. A person may ride a bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter upon any sidewalk, except for those sidewalks designated by the County Manager or designee on which bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter-riding is prohibited. Signs indicating such prohibition shall be posted in general areas where sidewalk-riding is prohibited. The use of sidewalks for operating bicycles, electric-power assisted bicycles, motorized skateboards and motorized scooters is prohibited along streets where protected bicycle lanes are available in the direction of travel. A person riding a bicycle, electric personal assistive mobility device, motorized skateboard or scooter, motor-driven cycle, or electric power-assisted bicycle on a sidewalk or across a roadway on a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian. Violations of this section shall be subject to a civil penalty of not more than Fifty Dollars (\$50.00).

E. *Bicycle lane.* Where a bicycle lane is present, a motor vehicle may cross a bicycle lane for the purpose of entering or exiting adjacent property, for making a turn, or for the purpose of parking, but no person shall stop, stand or park a motor vehicle in a bicycle lane, nor shall any person drive a motor vehicle in a bicycle. Bicycles, electric power-assisted bicycles, motorized skateboards and motorized scooters may use bicycle lanes when operating in the intended direction of travel.

F. *Parking.*

1. No person shall stand or park a bicycle, electric power-assisted bicycle, motorized skateboard or motorized scooter:

- a. upon the street other than upon the street roadway against the curb, or in a corral marked and designated for the purpose;
- b. upon the sidewalk other than in a rack to support the vehicle, or attached to a street sign or light post, or at the curb, at the back edge of the sidewalk;
- c. where they would obstruct curb ramps, pedestrian access within bus stops, or fire access;
- d. on private property without the owner's permission; or
- e. on Public Places other than streets and sidewalks as noted above, unless where specifically designated through signage or provision of racks.

2. Bicycles, electric power-assisted bicycles, motorized skateboards and motorized scooters shall be parked upright, in such a manner as to afford the least obstruction to pedestrian and vehicular traffic.
3. Violations of this section shall be subject to a civil penalty of not more than Fifty Dollars (\$50.00).

(Ord. No. 92-33, 7-11-92; Ord. No. 99-5, 2-20-99; Ord. No. 12-06, 5-19-12, Ord. No. 19-12, 11-16-2019)

**§ 14.2-66. Penalties.**

It shall be unlawful to violate any of the provisions of this Article. If a fine or penalty is not otherwise specified, any person who violates any of these provisions shall be subject to punishment by a fine of not more than Two Hundred and Fifty Dollars (\$250.00).

(12-7-74; Ord. No. 92-33, 7-11-92; Ord. No. 93-12, 7-1-93; Ord. No. 99-5, 2-20-99; Ord. No. 12-06, 5-19-12, Ord. No. 19-12, 11-16-2019)

**ARTICLE III.**

**RESERVED.**

**§ 14.2-67 – 14.2-79. Reserved.**

(22-13, 5-14-22, effective 1-1-22;)

**ARTICLE IV.**

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

**§ 14.2-80. Prohibited Conduct.**

A. For the purposes of this article, and unless otherwise specified herein, a "rail transit station" is a regular rail stopping place for the pick-up and discharge of passengers in regular route service, contract service, special or community type service, including the fare-paid areas and roofed areas of the rail transit stations (not bus terminals or bus stops) owned, operated, or controlled by the Washington Metropolitan Area Transit Authority (WMATA).

It shall be unlawful for passengers or occupants, while aboard a public passenger vehicle, including buses and rapid rail passenger cars capable of seating twelve (12) or more passengers, owned, operated, or controlled by WMATA while said public passenger vehicle is transporting passengers in regular route service, contract service, special or community type service, or any person in a rail transit station owned, operated, or controlled by WMATA to:

1. Park, operate, carry, wheel or chain to any fence, tree, railing, or other structure not specifically designated for such use, or cause to be parked, operated, carried, wheeled, or chained to any fence, tree, railing or other structure not specifically designed for such use, bicycles, tricycles, unicycles, mopeds, motor bikes, or any other such vehicle, unless said person has in his possession a valid current permit issued by WMATA for the transporting of non-collapsible bicycles by rail transit and said person is complying with all terms and conditions of said permit.

B. It shall be unlawful for passengers or occupants while aboard a public passenger vehicle or a person in a rail transit station owned and/or operated by WMATA, within the corporate (designated) limits of Arlington County to:

1. Smoke or carry lighted or smoldering pipe, cigar, or cigarette;
2. Consume food or drink;
3. Spit;

4. Discard litter;
5. Play any radio, tape recorder, or similar instrument, unless the same is connected to an earphone that limits the sound to the individual user;
6. Carry any flammable liquids, live animals, birds, reptiles, explosives, acid, and other hazardous materials as defined in the Code of Virginia, § 44-146.34, except for guide dogs properly harnessed and accompanied by handicapped passengers and small animals properly packaged;
7. Stand in front of the white line marked on the forward and end of the floor of any bus, or otherwise conduct himself in such manner as to obstruct the vision or function of the operator;
8. Board any bus through the rear exit door, unless so directed by an employee or agent of the carrier;
9. Refuse to leave a bus or rail vehicle after having been ordered to do so by the operator or other designated agent of the WMATA;
10. Run, climb through windows or on seats, obstruct passage, obstruct the use of elevators or escalators, or otherwise endanger a passenger;
11. Wear or use roller skates, skateboards, baby carriages or strollers that are not readily collapsible, wagons or carts, unless permitted by an operator;
12. Walk with bare feet;
13. Sell or try to sell anything;
14. Be on a track, tunnel, catwalk, or any other part of the rail transit system without the express written permission of WMATA;
15. Ride on top of or on the side of any vehicle or between two (2) rail transit cars without the express written permission of WMATA; and
16. Mark or draw on a station or vehicle.

C. It shall be unlawful, except in an emergency, for any person while aboard a public passenger vehicle owned, operated, or controlled by WMATA while said vehicle is transporting passengers in regular route service, contract service, special service, or community type service, within the corporate (designated) limits of Arlington County; to open, stop, impede, or interfere with the doors of a public passenger vehicle, or otherwise obstruct the operation of public passenger vehicles or transit facilities.

(6-4-77; 6-20-81; Ord. No. 85-33, 8-17-85; Ord. No. 87-21, 7-11-87; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-81. Failure to Pay Fares.**

It shall be unlawful for any person to knowingly board a public passenger vehicle of the WMATA which is transporting passengers in regular route service, without paying the established fare, board a rail transit car or enter the paid area of the WMATA rail system without the farecard required for such entry and boarding or leave the paid area without having presented a valid farecard or otherwise paying the established fare or board without presenting a valid transfer or pass for transportation on a public passenger vehicle or on a rail transit car.

(6-4-77; Ord. No. 84-28, 9-8-84; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### **§ 14.2-82. Violations.**

Violations of this article shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for a first offense, and not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00)

or ten (10) days in jail, or both, for each second or subsequent offense.  
(11-9-74; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

## ARTICLE V.

### TRAFFIC EMERGENCY PLAN

#### § 14.2-83. Weather or Snow Emergency Street.

The County Manager or his designee is authorized and directed to designate street areas within the County as weather or snow emergency streets which, by reason of the volume of vehicular traffic upon the streets, the location, or the condition of the streets require that there be vehicular restrictions on such streets in the event of snow, sleet, hail, freezing rain, ice, water, flood, high wind or storm, or the threat thereof.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### § 14.2-84. Traffic Emergency Plan #4.

The County Manager or his designee is authorized to establish a traffic emergency plan to be known as "Plan #4." Such plan shall designate the names of street areas within the County which, by reason of the volume of vehicular traffic, the location or the condition of such streets, require that there be no parking of vehicular traffic thereon in the likelihood of event of the aforementioned adverse weather conditions.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### § 14.2-85. Unlawful Actions on Weather or Snow Emergency Streets.

In the event of snow, sleet, hail, freezing rain, ice, water, flood, high wind or storm, or threat thereof, it shall be unlawful to obstruct or impede traffic on a street designated as a weather or snow emergency street by reason of a failure to have any vehicle operated thereon equipped with snow tires or chains, or to abandon a vehicle on such street.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### § 14.2-86. Declaring and Invoking of Plan #4.

Whenever there is a firm forecast from the U.S. Weather Bureau of snow, sleet, hail, freezing rain, ice, water, flood, high wind or storm likely to result in hazardous traffic conditions within Arlington County, or whenever the traffic conditions within Arlington County have become hazardous due to such weather conditions, the County Manager or his designee is authorized to declare and invoke Plan #4.

Whenever Plan #4 is declared and invoked, the County Manager or his designee shall make announcement through at least two (2) radio or television stations with a normal operation covering Arlington County and, if possible, through the press.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### § 14.2-87. Unlawful Actions During Plan #4.

It shall be unlawful for any person to park any vehicle on any of the streets designated pursuant to § 14.2-84 during the time that Plan #4 is in effect.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 97-12, 6-21-97; Ord. No. 12-06, 5-19-12)

#### § 14.2-88. Designation of Weather or Snow Emergency Streets.

All such streets which shall be designated pursuant to §§ 14.2-84 and 14.2-85 shall be posted with appropriate signs designating such streets as weather or snow emergency streets. Such signs shall be placed not more than five thousand (5,000) feet apart in either direction.  
(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-89. Administrative Regulations.**

The County Manager is authorized to publish administrative regulations relating to the provisions of this article.

(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-90. Removal of Vehicles.**

In the event of snow, sleet, hail, freezing rain, ice, water, flood, high wind or storm, or the threat thereof, the County Police Department or the County Department of Environmental Services is hereby authorized to remove or cause to be removed and to store any vehicle that is stalled, stuck, parked, or abandoned on any street designated pursuant to §§ 14.2-84 and 14.2-85. The owner or operator of any such vehicle shall be required to pay, in addition to any fine, the reasonable charges for such removal and storage.

(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 04-25, 10-2-04; Ord. No. 12-06, 5-19-12)

**§ 14.2-91. Exemptions.**

The following vehicles shall be exempted from the provisions of this article:

- A. Ambulances or vehicles carrying sick or injured persons;
- B. Vehicles engaged in snow removal operations or sanding streets;
- C. Tow trucks;
- D. Physicians responding to medical calls;
- E. Police vehicles;
- F. Fire vehicles;
- G. Vehicles carrying United States mail;
- H. Commercial vehicles making emergency deliveries of fuel and motor oils, coal, gasoline, goods, milk, and medicines;
- I. Municipal vehicles declared essential by the County Manager or his designee; and
- J. Hearses and motor vehicles in funeral processions.

(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-92. Penalties.**

Any person convicted of violating the provisions of this article shall be punished by a fine not to exceed fifty dollars (\$50.00) for each offense.

(1-7-78; 2-11-78; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 97-12, 6-21-97; Ord. No. 12-06, 5-19-12)

**ARTICLE VI.****ADMINISTRATION AND ENFORCEMENT****§ 14.2-93. Violations Bureau.**

Any owner or operator of a vehicle issued a summons for a traffic violation or infraction may appear before



the Violations Bureau of the Arlington County General District Court and make payment of any uncontested summons which is prepayable as provided for by a schedule of fines established by law, provided that nothing herein shall prohibit any person from making payment to the Violations Bureau by mail in lieu of an appearance. (2-11-78; 2-24-79; Ord. No. 82-27, § 1, 6-28-82; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

**§ 14.2-94. Reserved.**

**Editors Note:** Ord. No. 98-17, adopted June 6, 1998 repealed § 14.2-94, which pertained to exemption of vehicles with special handicapped or disabled veterans plates and licenses from certain parking laws.

**§ 14.2-95. Collection of Fines for Parking Violations and Contests of Citations.**

A. The County Treasurer shall be responsible for the collection of parking citation fines and the fees.

B. The owner or operator of a vehicle charged with a parking offense contained in Chapter 14.2 of the Arlington County Code or in § 33.D of the Zoning Ordinance shall appear before the Office of the Treasurer of Arlington County during normal business hours on weekdays or at the Police Department on weekends and after normal business hours on weekdays and make payment of any uncontested parking citation, in accordance with the payment schedule set forth in § 14.2-7.1. An owner or operator may elect to make such payment to the Treasurer by mail in lieu of a personal appearance.

C. Any person desiring to contest a parking citation for which no date for court appearance is specified on the citation shall register his intent to contest the violation to the General District Court within thirty (30) days of the issuance.

Upon proper notification of a person's intention to contest a parking citation before the General District Court, a notice shall be issued which shall summon the person to appear before the General District Court on an appointed date. Signing of the notice by the person contesting the parking citation shall constitute acknowledgement of receipt of the notice. Notice of such action shall be certified in writing on an appropriate form to the General District Court.

D. The County Manager shall designate who shall be authorized to abrogate parking citations for good cause shown based on 1) clerical error, or 2) for violations of § 14.2-2.A.1-3, provided that the vehicle owner can demonstrate a) that the violation(s) had not existed for more than ninety days when the citation was issued; and b) the failure has been corrected since the issuance of the citation.

E. The Treasurer shall collect delinquent citations by any lawful means. (Ord. No. 82-27, § 2, 6-28-82; Ord. No. 87-10, 4-4-87; Ord. No. 88-11, 6-25-88; Ord. No. 92-5, 3-7-92; Ord. No. 92-33, 7-11-92; Ord. No. 93-16, 7-10-93; Ord. No. 94-10, 7-1-94; Ord. No. 03-22, 10-18-03; Ord. No. 08-18, 9-13-08; Ord. No. 09-01, 1-27-09; Ord. No. 12-06, 5-19-12; Ord.No. 15-02, 3-14-15)

**§ 14.2-95.1. Reserved**

**Editors Note:** Ord. No. 16-01, adopted January 28, 2016 repealed § 14.2-94, which pertained to failure to pay Arlington Transit ("ART") fares. (Ord. No. 03-18, 7-19-03; Ord. No. 12-06, 5-19-12; Ord. No 16-01, 1-28-16)

**§ 14.2-95.2. Failure to Pay Public Transit Fare**

It shall be unlawful for any person to:

- A. knowingly board a public transit vehicle, which is transporting passengers in regular route service without paying the established fare.; or
- B. refuse to pay the established fare; or
- C. refuse to produce valid proof of payment of the fare upon request of a fare enforcement inspector.

Any person who violates this section shall be liable for a civil penalty in the amount of one hundred dollars (\$100).  
(Ord. No. 16-01, 1-28-16)

## ARTICLE VII.

### METROPOLITAN WASHINGTON AIRPORT AUTHORITY

#### § 14.2-96. Parking at Washington National Airport.

A. No person may park a motor vehicle at the airport, except in an attended parking area, for a period longer than seventy-two (72) hours, without the specific approval of the Washington National Airport Manager.

B. No person may park a motor vehicle in a restricted or reserved area on the airport unless a parking permit, issued by the Airport Manager is displayed.

C. Parking meter zones now in existence at Washington National Airport, as heretofore established, shall continue to be maintained upon specific portions or areas of highways, streets, parking lots and roads heretofore designated by action of the Airport Manager, unless and until the County Manager, in his discretion based upon an engineering study and investigation and consultation with the Airport Manager, shall determine that removal of the meters would improve the flow of traffic, provide for more efficient use of the parking spaces or otherwise increase the capacity or safety on the roads or parking spaces and shall eliminate the existing parking meter zones or any of them or any parking meter zones hereafter designated by the County Manager.  
(Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

#### § 14.2-97. Speeding at Washington National Airport.

A. No person shall drive any vehicle upon the streets of Washington National Airport, which are hereby designated as public highways, in excess of twenty-five (25) miles per hour, except upon the following highways or portions thereof on which the speed limits shall be as follows:

Thirty-five (35) miles per hour upon:

*Smith Boulevard* from George Washington Memorial Parkway to one thousand (1,000) feet to the south.

Thirty (30) miles per hour upon:

*Abingdon Drive* from George Washington Memorial Parkway to Warehouse Road.

B. In any event, irrespective of the type or use of vehicle driven, no person shall drive a vehicle in excess of the following speeds upon the following highways or portions thereof:

Twenty (20) miles per hour upon:

*Abingdon Drive* from Warehouse Road to Virginia Route 233.

Fifteen (15) miles per hour upon:

*Thomas Avenue* from Smith Boulevard to where Thomas Avenue passes under the main terminal of Washington National Airport; and

*East Abingdon Drive* from Smith Boulevard to Abingdon Drive.

Ten (10) miles per hour upon:

*Thomas Avenue* where it passes under the main terminal of Washington National Airport.

(Ord. No. 87-19, 6-7-87; Ord. No. 88-11, 6-25-88; Ord. No. 92-33, 7-11-92; Ord. No. 12-06, 5-19-12)

## ARTICLE VIII.

## RESIDENTIAL PERMIT PARKING PROGRAM

\* **Editor's Note:** Ord. No. 21-01, adopted February 20, 2021, repealed, reenacted, and recodified Article VIII of Chapter 14.2, effective April 1<sup>st</sup>, 2021.

**§ 14.2-98. Purpose and Intent.**

The Residential Permit Parking (RPP) Program is intended to manage parking demand in residential neighborhoods in a fair and equitable manner among residents; reduce the volume and impact of non-resident and non-visitor vehicles in neighborhoods; achieve a balance between maximizing on street parking utilization and protecting residents from unreasonable burdens in gaining access to their residence; preserve neighborhood living within an urban environment by reducing motor vehicle travel, noise, pollution and other adverse environmental impacts within neighborhoods; maintain the convenience and attractiveness of urban residential living; and promote the general health, safety, and welfare of the public.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-99. Authority to Administer RPP Program**

The County Manager or his designee shall administer this Article and shall set forth the guidelines and standards for carrying out this Article in the RPP Program Administrative Guidelines.

To those ends, whenever the County Manager or his designee shall determine, based on a parking occupancy study, that on the streets of a particular district or discrete portion of a district in which residential uses are permitted and commercial and industrial uses are not permitted, except transitional uses or by conditional use permit, the total number of parking spaces actually occupied by any vehicles exceeds eighty-five percent (85%) of the number of spaces on any such streets, the County Manager or his designee shall restrict parking as hereafter provided for in this Article on those streets of the districts or portions thereof during the hours when such parking occupancy has been found to be present. Block faces adjacent to RPP eligible housing containing a commercial/retail establishment on the first floor shall not be restricted for residential permit parking.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-100. Zone Boundaries**

In determining the boundaries of particular zones and portions thereof, the County Manager or his designee should use the following factors: limiting size of zones to no greater than one-half (1/2) mile diameter to avoid cross commuting within zones; consideration of zoning designations and land use characteristics; location of major and minor arterials, natural boundaries, traffic generators, and civic association boundaries; the parking capacity of the street; and other such neighborhood characteristics that the County Manager or his designee may determine to be relevant in carrying out the purposes of this chapter. The boundaries of a zone and the hours of restriction in existence as of the effective date of this Article are considered grandfathered.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-101. Permit Eligibility**

In such cases the County Manager shall cause appropriate signs giving notice of the prohibition to be posted on those streets restricting all parking except parking by the holders of permits granted only under the following conditions:

A. To all households, including accessory dwelling unit households, of any particular area in which parking is so restricted and do not reside in a development built by Site Plan, Unified Residential Development, Unified Commercial Mixed-Use Development, Commercial Centers Form-Based Code Use Permit, or Neighborhoods Form-Based Code Use Permit, to be limited to that particular area in which parking is so restricted for a limited number of vehicles owned by those households and registered in the County. Each household shall be provided up to two (2)

permits when off-street parking is appurtenant to the household (e.g. driveway, garage, carport, or parking lot or parking garage) and up to four (4) permits when no off-street parking is appurtenant to the household. Households may choose to obtain all annual permits as vehicle-specific permits or obtain one (1) as a FlexPass in lieu of the first vehicle-specific permit to be administered pursuant to the RPP Program Administrative Guidelines. In addition, households may receive up to five (5) short-term visitor pass books to be valid for a stated period to serve the visitors or persons who do business with them.

- B. To persons who own but do not reside at a property in any particular area in which parking is so restricted, to be limited to that particular area in which the property is located, and to be limited to one (1) landlord pass per property.
- C. To persons who are employees of group homes or any elementary, middle, and high schools in areas so restricted, to be administered pursuant to the RPP Program Administrative Guidelines.
- D. To construction contractors who are working on a premise in an area so restricted and who do not have a vehicle marked with their company’s logo, to be administered pursuant to the RPP Program Administrative Guidelines.
- E. To individuals with organizations that provide health and social services at homes in areas so restricted, limited to one (1) good-in-all-zones permit, to be administered pursuant to the RPP Program Administrative Guidelines.
- F. The parking prohibitions of this Article VIII shall not apply to clearly-marked service or delivery vehicles which are being used to provide services or make deliveries to households or to car-share vendors authorized by the free-floating and reserved-space car-share program (§ 14.2-109; §14.2-110).

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No 16-08, 12-13-16; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-102. Permit Fees**

- A. The fee for each type of permit is:

<b>Material</b>	<b>Fee</b>
<b>1<sup>st</sup> Vehicle Specific Permit</b>	\$40
<b>2<sup>nd</sup> Vehicle Specific Permit</b>	\$55
<b>3<sup>rd</sup> Vehicle Specific Permit</b>	\$65
<b>4<sup>th</sup> Vehicle Specific Permit</b>	\$150
<b>FlexPass</b>	\$40
<b>Landlord pass</b>	\$40
<b>1<sup>st</sup> Short-term Visitor-Pass Book</b>	\$5
<b>2<sup>nd</sup>-5<sup>th</sup> Short-term Visitor-Pass Book</b>	\$10
<b>School Staff Permit</b>	\$40
<b>Group Home Staff Permit</b>	\$40
<b>Temporary (3-month) Contractor Permit</b>	\$10
<b>Good-in-all-Zones Permit</b>	\$40

- B. Eligible applicants pursuant to § 14.2-101.A. may receive a 50% discount for each of the vehicle specific permits, FlexPass, Landlord pass, and short-term-visitor-pass books if they qualify for a federal or state assistance programs for low-income households as set forth in RPP Program Administrative Guidelines.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-103. Proof of Eligibility**

Any such person shall show to the County Manager or his designee satisfactory evidence that he fulfills all the conditions for such a permit or fee discount. Whenever the conditions no longer exist, the person holding such a permit issued under § 14.2-101.A to 14.2-101.E. shall surrender it to the County Manager or his designee. It shall be unlawful for any person to represent that he is entitled to such a permit when he is not so entitled, or to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it. No permit issued hereunder shall be valid for more than one (1) year.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-104. Continuation of Metered or Paid Parking Restrictions on Parking Spaces Newly Subject to RPP Restrictions**

Wherever metered or other paid parking restrictions are in effect in any portion of a district that becomes subject to the restrictions of Article VIII, the parking spaces so restricted may be used by permit holders with properly displayed permits for that zone and are not required to pay for that parking. However, vehicles without properly displayed permits for that zone may park in the restricted spaces and must pay with the exception of vendors authorized by the free-floating car-share program and authorized car-share vehicles parked at car-share parking stations as described in §14.2-109 and §14.2-110, respectively.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 16-08, 12-13-16; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-105. Removal or Reduction of Restrictions, Change of Restrictions, or Reduction Size of a Zone**

On any block of any street where the conditions of § 14.2-99 above calling for restricted parking exist, the County Manager may reduce or remove the restriction under the following conditions: (1) If residents of the restricted area file a petition, and at least eighty percent (80%) of households on restricted block sign the petition, the County Manager may reduce or remove the restrictions without further study; or (2) if the County Manager finds that conditions no longer support RPP restrictions pursuant to the RPP Program Administrative Guidelines.

The County Manager may change the hours of restriction if at least eighty percent (80%) of households on restricted block or blocks sign the petition, administered pursuant to the RPP Program Administrative Guidelines. Thereafter, the County Manager may conduct a parking occupancy study to determine the conditions on the block or blocks during the set of hours requested in the petition. If the study shows that, during the set of hours requested in the petition, the total number of spaces occupied by any vehicles exceeds eighty-five percent (85%) of the number of spaces on such streets, the County Manager may change the hours of restrictions.

Additionally, the County Manager may, pursuant to the RPP Administrative Guidelines, split a RPP zone into smaller zones if the zone boundary is larger than ½ mile in diameter.

(Ord. No. 05-08, 07-09-05; Ord. No. 12-06, 5-19-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

**§ 14.2-106. Enforcement and Penalties.**

It shall be unlawful for any person to park a motor vehicle in violation of the provisions of this Section.

- A. It shall be unlawful to improperly display or not display a Residential Parking Zone decals/passes. Failure to properly display decals/passes pursuant to the RPP Program Administrative Guidelines shall be punishable by a fine specified in Section 14.2-7.1.
- B. It shall be unlawful to park in a two-hour time limited space without payment or displaying the proper RPP decals/passes. Failure to provide payment or properly display decals/passes shall be punishable by a fine specified in Section 14.2-7.1.

- C. It shall be unlawful to stay in excess of the two-hour time limit without displaying the proper RPP program permit. Failure to comply with the time-limit shall be punishable by a fine specified in Section 14.2-7.1.
- D. Enforcement of Residential Parking Zone regulations shall be under the jurisdiction of the Arlington County Police Department, which shall issue citations against those persons who violate the provisions of this subsection.
- E. Vehicles parked in violation of these provisions may be towed at the owner's expense.
- F. The Arlington County Treasurer shall collect and account for all uncontested payments of parking citations under this Article; and any contest by any person of any parking citation shall be certified by the said Treasurer, in writing, on an appropriate form, to the Arlington County General District Court.
- G. The Arlington County Treasurer shall enforce payment of delinquent parking citations.  
(Ord. No. 05-08, 7-9-05; Ord. No. 06-03, 3-14-06; Ord. No. 12-06, 5-19-12; Ord. No.12-10, 9-15-12, effective 10-1-12; Ord. No. 21-01, 2-20-21, effective 4-1-2021)

### Article IX.

#### CAR-SHARING\*

**Editor's Note:** Ord. No. 16-08, adopted December 13, 2017, added new Article IX to establish a permanent car-sharing program.

#### § 14.2-107. Purpose

The creation of the car-share programs as set forth in this Article is intended to promote the long range transportation planning directives as described in the Arlington County Master Transportation Plan. Car-sharing has been shown to have positive transportation, environmental, and economic impacts on communities by improving the access to public transportation, extending and enhancing the integrated transportation network, increasing travel convenience and mobility, and reducing unnecessary personal motor vehicle travel and related environmental impacts, such as air pollution, congestion and/or hazardous traffic conditions in neighborhoods.

#### § 14.2-108. Definitions.

The following words and terms, when used in this Article, shall have the following meanings unless the context clearly indicates otherwise:

"Car-sharing service" is a membership-based service available to the general public which provides access to a dispersed fleet of vehicles intended for short-term use, for which members are charged based on actual use as determined by time, mileage, or the like.

"Car-share vendor" is an organization that provides its members with access to a fleet of shared-use vehicles at geographically distributed locations.

"Car-share fleet" refers to the total amount of vehicles made accessible by a car-share vendor for the use of its members.

"Car-share vehicle" is a vehicle made accessible by a car-share vendor for use by its members.

"Car-share parking station" refers to one or more on-street spaces within Arlington County designated, reserved, and maintained by the County for the provision of car-sharing services.

“Free -floating car-share program” is a program that authorizes car -share vendors to provide car-sharing services in the public right of way throughout the County.

“Reserved-space car-share program” is a program that authorizes car-share vendors to provide car-sharing services in car-share parking stations.

#### **§ 14.2-109. Free-Floating Car-share Program**

A. The County Manager is authorized to establish a free-floating car-share program allowing vehicles of a car-share fleet to be parked in any legal on-street parking space, including residential permit zone and at parking meters without payment at the time of parking as described in § 14.2-44. Authorized car-share vendors must be chosen through a competitive process pursuant to the County’s Purchasing and pay a fee for use of the street space in an amount designed to reasonably recover the County’s cost of administering the program as determined by the County Manager.

B. Car-share vendors authorized by the free-floating car-share program are exempt from depositing payment at a meter as described in § 14.2-44, and may park their vehicles in excess of a location’s specific parking duration, as described in § 14.2-45.

C. The authorized car-share vehicles shall clearly display the company’s logo.

D. Car-share vehicles are not allowed to park in tour bus parking zones.

#### **§ 14.2-110. Reserved-Space Car-share Program**

A. The County Manager is authorized to establish a reserved-space car-share program allowing public on-street space to be reserved for the exclusive use by authorized car-share vendors. Authorized car-share vendors must be chosen through a competitive process pursuant to the County’s Purchasing Resolution and pay a fee for use of the street space in an amount designed to reasonably recover the County’s cost of administering the program as determined by the County Manager.

B. The County Manager may identify areas within Arlington County where car-share parking stations may be located. The County Manager may determine the amount of parking spaces assigned to each car-share parking station.

C. Car-share parking stations will be for the exclusive use of authorized car-share vendor(s) by the reserved-space car-share program.

D. Car-share vendors authorized by the reserved-space car-share program are exempt from depositing payment at a meter as described in § 14.2-44 if the meter is located at a car-share parking station, and may park their vehicles in excess of a location’s specific parking duration, as described in § 14.2-45.

E. The authorized car-share vehicles shall clearly display the company’s logo.

### **ARTICLE X. Shared Micro-Mobility Services For-Hire, Permit Program**

**Editor’s Note:** Ord. No. 19-11, adopted November 16, 2019, added new Article X

#### **§ 14.2-111. Purpose and Persons Covered**

*A. Purpose.* The purpose of this section is to regulate shared Micro-Mobility Services for-hire in Arlington County, the operation of such services for-hire, the qualification of businesses providing such services through this issuance of Permits, and the compliance and enforcement of such Permits in order to preserve the health, safety, and welfare of Arlington County citizens and the public at-large, achievement of County transportation goals and

objectives, as well as assuring competition among providers that results in high quality Micro-Mobility Services throughout Arlington County.

*B. Persons covered.* Any person who engages in Micro-Mobility Business, as defined below, provides Micro-Mobility Service, or applies to provide such service in Arlington County shall be governed by the provisions of this section.

#### **§ 14.2-112. Definitions**

The following words and terms, when used in this section, shall have the following meaning unless context clearly indicates otherwise:

“Accessible Micro-Mobility Device” also known as “adaptive” means a device with features designed to make it comfortable to ride for persons with various temporary or permanent physical disabilities. Such devices may include, but not be limited to – electric-assisted or not – recumbent bicycles, handcycles, tricycles, recumbent tricycles, side-by-side tandem bicycles and cargo tricycles. It is possible that certain motorized scooters may also be classified accessible if they have features which make them useable by persons with disabilities.

“Applicant” means any individual, company, corporation, partnership or other such legal entity that seeks a Permit, or an amendment, modification, or revision to such Permit.

“Corral” means a space in the roadway designated, through signage or marking, specifically for parking of Micro-Mobility Devices.

“Micro-Mobility Business” means the entity providing Micro-Mobility Devices for-hire. These Businesses rely on the right-of-way to store Micro-Mobility Devices for customer access and use. Micro-Mobility Businesses shall not include regional multi-jurisdictional or County-provided shared transportation services.

“Micro-Mobility Device” or “Device” means a human-powered, partially human-powered, or fully motorized small Vehicle, such as bicycles, power-assisted bicycles, motorized scooters, motorized skateboards as defined in the Code of Virginia, or as otherwise designated as such by the County Manager or designee. The Master Transportation Plan also refers to several of these as “Small Electric Vehicles”.

“Micro-Mobility Service” means the service provided by a Micro-Mobility Business.

“Permit” means the permit issued by Arlington County to a Micro-Mobility Business as provided in this section.

“Permit-holder” means any entity that has been granted a Micro-Mobility Business Permit.

“Permit Term” means the calendar period for which a Permit is effective, as defined by the County Manager or designee in the Permit application.

"Revoke" or "revocation" means the removal of rights and privileges conferred through a Permit.

“Suspend” or “suspension” means the temporary removal of rights and privileges conferred through a Permit.

“Multi-Use Trail”, “Protected Bicycle Lane”, and “Vehicle” shall have the same meaning as defined in Article II.

#### **§ 14.2-113. Micro-Mobility Business Permit Application**

*A. Permit Required.* A Micro-Mobility Business seeking to operate a fleet of Micro-Mobility Devices for public hire must first contact the County Manager or designee to request a Micro-Mobility Business Permit (Permit) application.

*B. Application Process*



1. Each application package shall be made, under oath, by a Micro-Mobility Business by filing an application form and application fee with the County Manager or designee, upon forms provided by the County for such purpose.

2. A separate application form and application fee shall be filed for each unique type of Micro-Mobility Device desired to be publicly offered by the Applicant.

3. Upon receipt of an application package, the County Manager or designee shall notify each Applicant in writing that an application has been filed and whether it is complete. Only complete applications will be considered. A complete application is valid for up to one year from date of notification of completion, at which point a new application may be required before Permit consideration or issuance.

4. It shall be unlawful for any person knowingly to make or cause to be made, either directly or indirectly, any materially false statement on any application, accompanying documents or reports submitted pursuant to this chapter. Any such application containing a materially false statement may be rejected by the County Manager or designee. Upon rejection of the application due to such a false statement, the Applicant shall not be permitted to resubmit an application for a period of two (2) years after the date of the application containing the false statement(s).

*C. Application Fee* A non-refundable application fee of One Thousand Dollars (\$1,000.00) shall be paid upon submission of an application for a new Permit. The amount shall be paid to the Treasurer of Arlington County.

#### **§ 14.2-114. Establishing Countywide Permit Cap; Evaluation of Applications; Initial Micro-Mobility Device Permit Allocations**

*A. Countywide Permit Cap.* Subject to Sections 14.2-115 B, C, and D, this ordinance authorizes the County Manager or designee to establish, modify, or eliminate a cap on the total number of Micro-Mobility Devices permitted to operate under this program when the County Manager or designee determines that such action is appropriate considering factors such as the public's safety, health and welfare, as well as any other factors or considerations under section 14.2-114.B below.

*B. Application Evaluation.* The County Manager or designee, will evaluate each application and notify the Applicant in writing about its decision to approve or deny an application. In making such an approval or denial, the County Manager or designee may consider the established Countywide Permit Cap on total number of Micro-Mobility Devices in Arlington County, demand for services, support for an open marketplace, and the following goals from the Master Transportation Plan (or subsequent goals as the Plan is amended), in no particular order:

1. *Quality Transportation Services:* How the Micro-Mobility Business provides high-quality transportation services for all users and modes.

2. *Move More People Without More Traffic:* How the Micro-Mobility Business provides more travel choices and reduce the relative proportion of single occupant-vehicle (SOV) travel.

3. *Advance Environmental Quality:* How the Micro-Mobility Business reduces the impact of travel on community resources including air and water quality and increase energy efficiency.

4. *Promote Safety:* How the Micro-Mobility Business provides transportation system operations that are safe and secure.

5. *Establish Equity:* How the Micro-Mobility Business serves the mobility and accessibility needs of all residents regardless of age, income, or ability.

6. *Manage Effectively and Efficiently:* How the Micro-Mobility Business supports the County in efforts to fund, develop, manage, and maintain transportation facilities and services in an equitable and cost-effective manner.

The County Manager or designee may also consider any other relevant information as he/she deems appropriate.

*C.* An Applicant must request an initial allocation of Micro-Mobility Devices. In consideration of 14.2-114.B. above, the County Manager or designee will determine the initial number of Micro-Mobility Devices approved under the Permit. The Applicant must pay an initial annual operations fee of Eighty Dollars (\$80) per each approved Micro-Mobility Device for a three-hundred and sixty-five (365) day Permit Term. This fee will be pro-

rated if an application is processed and approved for any Permit Term of less than three-hundred and sixty-five (365) days.

D. With approval by the County Manager or designee, a Permit-holder may include Accessible Micro-Mobility Devices (e.g. handcycles, tricycles) in its Permit application, and such devices will neither incur a per-device annual operations fee nor be counted towards the Permitted fleet size or against any applicable Countywide cap. If an Applicant proposes a fleet the majority of which is made up of Accessible Micro-Mobility Devices, the County Manager or designee may apply established fees and fleet caps as deemed reasonable based on the application.

#### **§ 14.2-115. Changes in the Number of Permitted Micro-Mobility Devices per Permit-holder**

A. The Permit-holder is responsible for maintaining its fleet size within Arlington County to no more than one hundred and five percent (105%) of their permitted number of Micro-Mobility Devices, subject to B and C below.

*B. Increases.*

1. A Permit-holder may request in writing to the County Manager or designee, no more than once a month, a Permit Amendment to expand its fleet by a maximum of fifty (50) Micro-Mobility Devices. For amendment approval, the Permit-holder shall demonstrate:

a. at least an average of three (3) trips per device per day for the entire prior month (when operating at least an average of ninety percent (90%) of its maximum permitted fleet size during the entire prior month), and

b. compliance with this Chapter's requirements.

2. The request must be accompanied by an amendment application fee of One Hundred Dollars (\$100.00). For every approved additional Micro-Mobility Device, the Eighty-Dollar (\$80.00) per-device annual operations fee must be paid but will be pro-rated with respect to the original Permit Term.

3. Such expansion requests may or may not be approved pursuant to considerations under Section 14.2-114.A or B.

*C. Decreases.*

1. The County Manager or designee may decrease the Permit-holder's permitted fleet size by any amount when the Permit-holder cannot demonstrate at least an average of two (2) trips per permitted Micro-Mobility Device per day for the entire prior month.

2. The County Manager may also decrease the Permit-holder's permitted fleet size at renewal pursuant to considerations under Section 14.2-114.A or B.

D. With approval by the County Manager or designee, a Permit-holder may include Accessible Micro-Mobility Devices (e.g. handcycles, tricycles) in its Permit expansion amendment application, and such Micro-Mobility Devices will neither incur a per-device annual operations fee nor be counted towards the Permitted fleet size or against any applicable Countywide cap. If an Applicant proposes an entire fleet of Accessible Micro-Mobility Devices, the County Manager or designee may apply established fees and fleet caps as deemed reasonable based on the application.

#### **§ 14.2-116. Permit Annual Renewal Fee and Terms**

*A. Term.* Subject to compliance with the requirements of this Chapter, each Permit is valid for a Permit Term as defined by the County Manager or designee in the Permit application.

*B. Renewal.*

1. To continue service for an additional term, the Permit-holder shall send a written request to the County Manager or designee with its annual operations fee at least thirty (30) calendar days before the end of the Permit Term. Upon renewal, the Permit-holder is responsible for paying the per-device annual operations fee as specified in their Permit, or as amended by the County Board. Such fee is nonrefundable.

2. The County Manager or designee may limit the fleet size eligible for renewal pursuant to considerations under Section 14.2-114.A or B.

*C. Non-renewal.* If the Permit-holder decides not to renew the Permit, Permit-holder must provide the County at least thirty (30) calendar days written notice prior to the end of the Permit Term of its intent not to renew. Failure to remove all Micro-Mobility Devices from the County right-of-way and streets prior to expiry of the non-

renewed Permit may result in confiscation of the Micro-Mobility Devices. The County has the right to charge for the costs of removal.

#### § 14.2-117. Business License Requirement

A. All applicants shall possess a valid Arlington County Business, Professional and Occupational License.

#### § 14.2-118. Insurance Requirements

A. The Permit-holder must provide to the County Manager or designee a Certificate of Insurance indicating that the Permit-holder has in force at a minimum the coverages below to cover damages for any liability incurred on account of any injury to persons or damage to property resulting from the operation of Micro-Mobility Devices, and which holds the County harmless for any such claims. The Permit-holder must maintain this coverage until the completion of the Permit. All required insurance coverage must be acquired from insurers that are authorized to do business in the Commonwealth of Virginia, with a rating of "A-" or better and a financial size of "Class VII" or better in the latest edition of the A.M. Best Co. Guides.

1. Workers Compensation - Virginia statutory workers compensation (W/C) coverage, including Virginia benefits and employer's liability with limits of \$100,000/\$100,000/\$500,000. Arlington County will not accept W/C coverage issued by the Injured Worker's Insurance Fund, Towson, MD.

2. Commercial General Liability – One Million Dollars \$1,000,000 per occurrence, with Two Million Dollars \$2,000,000 annual aggregate covering all premises and operations and including personal injury, completed operations, contractual liability, independent contractor, and products liability. The general aggregate limit must apply. Evidence of contractual liability coverage must be typed on the certificate.

3. Business Automobile Liability – One Million Dollars \$1,000,000 combined single-limit (owned, non-owned and hired).

4. Additional Insured – Arlington County and its officers, elected and appointed officials, employees and agents must be named as additional insureds on all policies except workers compensation and automotive and professional liability; and the additional insured endorsement must be typed on the certificate.

5. Cancellation - If there is a material change or reduction in or cancellation of any of the above coverages during the term, the Permit-holder must notify the County Manager, or designee, immediately and must, with no lapse in coverage, obtain replacement coverage that is consistent with the terms of this ordinance. Not having the required insurance throughout the permitted term is grounds for termination of the Permit.

6. Claims-Made Coverage - Any "claims made" policy must remain in force, or the Permit-holder must obtain an extended reporting endorsement, until the applicable statute of limitations for any claims has expired.

7. Contract Identification - All insurance certificates must state the permit's title. If a purchased insurance policy is furnished, the minimum amount of coverage will be:

- a. For injury to one (1) person in any one (1) accident: one hundred thousand dollars (\$100,000.00)
- b. For injury to two (2) or more persons in any one (1) accident: three hundred thousand dollars (\$300,000.00)
- c. For property damage in any one (1) accident: fifty thousand dollars (\$50,000.00)
- d. If a combination of self-insurance and a policy of insurance is approved, such combination will provide the coverage specified above.
- e. The Permit-holder must disclose to Arlington County the amount of any deductible or self-insurance component of any of the required policies. With Arlington County's approval, the Permit-

holder may satisfy its obligations under this section by self-insurance for all or any part of the insurance required, provided that the Permit-holder can demonstrate sufficient financial capacity. To do so, the Permit-holder must provide Arlington County with its most recent actuarial report and a copy of its self-insurance resolution.

8. Arlington County may request additional information to determine if the Permit-holder has the financial capacity to meet its obligations under a deductible and may require a lower deductible; that funds equal to the deductible be placed in escrow; a certificate of self-insurance; collateral; or another mechanism to guarantee the amount of the deductible and ensure protection for Arlington County.

9. Arlington County's acceptance or approval of any insurance, or any event of cancellation of the policy, will not relieve the Permit-holder from any liability or obligation imposed by Permit documents.

10. The Permit-holder is responsible for the for all materials, tools, equipment, appliances and property used in connection with the Permit. The Permit-holder assumes all risks for direct and indirect damage or injury to the property used or persons employed in connection with any activities associated with the Permit and for all damage or injury to any person or property, wherever located, resulting from any action, omission, commission or operation under the Permit or in connection in any way whatsoever with the activities performed pursuant to the Permit. The Permit-holder's insurance shall be the primary non-contributory insurance for any work performed or activities or services provided for under the Permit.

11. The Permit-holder is as fully responsible to Arlington County for the acts and omissions of its sub-contractors and of persons employed by them as it is for acts and omissions of persons whom the Permit-holder employs directly.

#### **§ 14.2-119. Surety Bond**

A. The Permit-holder shall maintain a surety bond which Arlington County may use to pay costs related to removing and storing devices that are abandoned or do not comply with these Permit requirements, if such costs are not borne by the Permit-holder.

B. The amount of the surety bond shall be Twenty-Five Dollars (\$25.00) for each Micro-Mobility Device. The Permit-holder shall increase the amount of the surety bond to reflect any approved amendment that increases the Permitted fleet size.

#### **§ 14.2-120. Suspension or Revocation of Permits; Hearing Procedure**

A. The County Manager or designee may revoke or suspend a Permit for any violations of this Chapter.

1. *Notice of Possible Suspension or Revocation.* The County Manager or designee shall notify the Permit-holder, by certified mail or hand delivery, that the County Manager or designee is considering a suspension or revocation of the Permit-holder's Permit. The notice shall state the reasons for the possible suspension or revocation and shall provide an appropriate cure period as solely determined by the County Manager or designee by which the Permit-holder shall remedy all failure(s) and violation(s) giving rise to the possible suspension or revocation.

2. *Notice of Hearing for Suspension or Revocation.* Upon the expiration of the cure period, the County Manager or designee shall notify the Permit-holder, by certified mail or hand delivery, of the date and time and place for a hearing before the County Manager or designee. During such hearing the Permit-holder shall be given an opportunity to be heard, including the opportunity to present relevant evidence against any suspension or revocation.

3. If, after the hearing and consideration of the facts, the County Manager or designee determines that a suspension or revocation is warranted, then the Permit-holder shall be so notified in writing and the Permit shall be suspended or revoked as provided in such notice. Such action shall be effective upon receipt by the Permit-holder of such written notice, by certified mail or hand delivery.

4. When the County Manager or designee determines that the period for suspension has concluded and/or such suspension is no longer warranted, the County Manager or designee will provide written permission to resume Micro-Mobility Business under the Permit and the Permit-holder shall not be required to reapply for a Permit.

5. If the County Manager or designee revokes a Permit, then the prior holder of the revoked Permit shall not engage in the Micro-Mobility Business in Arlington County, unless and until the prior Permit-holder reapplies for a Permit in accordance with the application process of this Chapter and is issued a Permit. The prior Permit-holder shall be entitled to reapply for a Permit not sooner than three hundred and sixty-five (365) calendar days after the effective date of the revocation.

#### **§ 14.2-121. Appeal from Suspension, Revocation, or Denial of a Permit**

A. The appeal of a decision of the County Manager or designee concerning the suspension, revocation or denial of a Permit shall be by notice of appeal, made in writing, signed by the Permit-holder, stating an address at which the Permit-holder will receive subsequent notifications. The notice of appeal shall be filed with the Clerk of the County Board no later than fourteen (14) calendar days after the date a notice of the decision of the County Manager or designee has been hand-delivered or mailed by certified mail. The notice of appeal shall clearly and specifically state: the decision appealed from, all reasons why the decision is claimed to not be in accordance with this Chapter, and the requested relief. Any such notice which is not timely filed or fails to provide such required information may be denied.

B. The Clerk of the County Board will notify the County Manager or designee of the filing of a notice of appeal. After the receipt by the Clerk of a valid notice of appeal, the Permit-holder will be entitled to a hearing by the County Board which shall be held no sooner than ten (10) calendar days after the filing of the notice of appeal. The Permit-holder will have the right to present his or her case in person or by counsel licensed to practice law in the Commonwealth of Virginia.

C. The Board will consider information and documents offered by the Permit-holder and County staff. The hearing need not be conducted according to technical rules relating to evidence and witnesses, provided, however, that the Board only need consider relevant information and documents. The Board may affirm, reverse, or modify the decision of the County Manager or designee.

D. If the Board reverses the County Manager's or designee's decision so as to restore a Permit, then the Board will direct the County Manager to restore the Permit in accordance with the order of the Board.

E. During the pendency of an appeal, the decision of the County Manager or designee shall remain in full force and effect.

#### **§ 14.2-122. Service Requirements**

A. *User safety training.* Upon registration, the Permit-holder shall require each rider to review the Permit-holder's safety and etiquette rules and regulations, rider requirements pursuant to the Arlington County Code, including but not limited to the maximum speed on sidewalks of six (6) miles per hour, and any State laws applicable to the operation of these Micro-Mobility Devices. The Permit-holder shall regularly offer free instruction to interested persons on how to use their Micro-Mobility Devices.

B. *Customer Service.* The Permit-holder shall have a customer service phone number for reporting safety concerns, complaints and questions that is live twenty-four (24) hours a day and has a Spanish language ability.

C. *Parking.*

1. The Permit-holder shall ensure that its Micro-Mobility Devices are parked in accordance with the requirements of this Chapter, and in compliance with all State and local laws.

2. Micro-Mobility Devices are not permitted to park in one location longer than three (3) consecutive days without moving.

3. Within two (2) hours of reporting by Arlington County or others, the Permit-holder shall correct a Micro-Mobility Device parked in violation of this section or otherwise in conflict with applicable laws and regulations.

4. Failure to adhere to these parking requirements may result in Arlington County removing the Micro-Mobility Device, with the Permit-holder responsible for all costs associated with removal and storage of Micro-Mobility Devices so removed, in addition to any applicable fines or fees, or other penalties as appropriate under the law. Arlington County may consider Permit-holder's Micro-Mobility Devices abandoned and dispose of them if the Permit-holder fails to retrieve the Device within seven (7) days upon being notified of removal and storage. Notwithstanding, the County's ability to remove improperly parked Micro-Mobility Devices, such removal shall not waive any other legal remedies available to the County, including but not limited to, the County Manager's or designee's authority to pursue suspension or revocation of a Permit-holder's Permit for any violation of this Chapter.

*D. Service Requirements in the Interest of Equity:* The County Manager or designee may establish, in consultation with Permit-holders, equity plans to ensure that access to these services is made as broad as possible among members of the community. The baseline requirements of the plan are as follows:

1. A minimum of fifteen percent (15%) of Permit-holder's Micro-Mobility Devices in service must be deployed each morning in locations that are outside of the Rosslyn-Ballston and Richmond Highway Metro corridors, as identified on the General Land Use Plan's (GLUP) Map. The County Manager or designee may amend the percentage or geographic specificity of the distribution requirement based on performance data from ongoing operations.

2. Permit-holders shall provide discounted access programs to encourage use by lower-income community members.

3. Permit-holders shall not discriminate against non-drivers by requiring a driver's license as the only form of acceptable proof of minimum age, but shall accept one or more legal alternate forms of proof of minimum age.

After such consultation, baseline elements of the equity plan may be modified at the County Manager's or designee's discretion.

*E. Emergencies.* Upon the request of the County Manager or designee, due to emergency, severe weather, construction, parade, public gathering or other situation affecting the normal operation of the right-of-way including sidewalks and trails, the Permit-holder shall collect and secure all of, or a portion of, its owned or controlled Micro-Mobility Devices to a location outside of the public right-of-way or to a location that does not otherwise impede Arlington County's access and response to the situation for the duration of the situation.

*F. Communication.* Except as otherwise specified in this Chapter, the Permit-holder shall respond within five (5) business days regarding issues or questions raised by Arlington County, in meetings, through telephone inquiries, or any other form of correspondence.

*G. Operations Center.* The Permit-holder shall have a staffed operations center in the Washington, D.C. region to adequately and timely address any operational concerns that arise from providing service in Arlington County.

#### **§ 14.2-123. Micro-Mobility Devices; Equipment Requirements**

*A. Equipment requirements.* The following requirements shall apply to all Micro-Mobility Devices:

1. Every Device shall be so constructed and shall be maintained as to provide for the safety of the rider and the public, for continuous and satisfactory operation and otherwise in compliance with all federal and state vehicle requirements.

2. Every Device shall be equipped with a properly installed speedometer, maintained in good working order and exposed to view.

3. Every Device shall comply with Virginia Code §46.2-1015 requiring both headlight and

taillight. The headlight and taillight shall illuminate for at least ninety (90) seconds after the Device comes to a complete stop.

4. Every Device in operation shall have functioning brakes and a bell.

5. The Permit-holder shall provide visible safety language on every Device.

6. The Permit-holder shall ensure each deployed Device is fully operable, free of defects, conforms to relevant safety standards and is well-maintained and clean.

7. If a Permit-holder's Device is reported in need of maintenance and/or cleaning, the Permit-holder shall immediately prevent further use of the Device, and within one (1) day of notification, shall remove it from Arlington County right-of-way.

8. *New Device or Device Component.* The Applicant or Permit-holder shall not deploy any Device or Device component before receiving approval by the County Manager or designee. The Applicant or Permit-holder shall furnish specifications, any applicable certifications of compliance with safety standards and illustrative images of the Device or Device components. Upon request by Arlington County, the Applicant or Permit-holder shall provide an opportunity for the County Manager or designee to physically inspect and test-ride the same model proposed for deployment. Such inspecting or testing shall not constitute any warranty by the County.

B. *Electric Power-Assisted Bicycles.* The following requirements shall apply to specifically to electric power-assisted bicycles:

1. They shall meet the federal standards under the Code of Federal Regulations (CFR) Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles.
2. They shall meet the definition in the Virginia Code §46.2-100 et seq. and shall be subject to the same requirements as Bicycles.
3. They shall have fully operable pedals that allow propulsion by human power, and an electric motor with an input of no more than one thousand (1,000) watts and be set by the Permit-holder(s) to have a top motor-powered speed not to exceed twenty (20) miles per hour.

C. *Motorized Scooters.* The following requirements shall apply to motorized scooters:

1. They shall meet the definition of a motorized foot-scooter in Virginia Code §46.2-100 et seq.
2. They shall be powered by an electric motor having an input of no more than one thousand (1,000) watts and be set by the Permit-holder(s) to have a top motor-powered speed of fifteen (15) miles per hour.

D. *Vehicle Identification.* The Permit-holder shall have its customer service phone number, email address, website, company logo on every Micro-Mobility Device that is in service within Arlington County. This information shall be provided in a minimum size of sixteen (16) point font. Each Micro-Mobility Device shall also have a unique identifying number which shall be in at least forty-eight (48) point font. All the information in this paragraph shall also be provided on the Micro-Mobility Device in braille, which shall be on the stem near the handlebars if handlebars are present.

#### **§ 14.2-124. Records and Reports**

The Permit-holder shall maintain and provide to the County Manager or designee information, plans, documents, and data at a level of detail, format, and frequency as determined by the County Manager or designee to allow the County Manager or designee to accurately determine permit compliance, evaluate system performance and impact, and answer other planning, research, regulatory, and compliance questions.

**§ 14.2-125. Public Safety**

A. The Permit-holder shall report to the County Manager or designee, or shall respond to reports by the County Manager or designee, within twenty-four (24) hours, of any known issues which could affect public safety, including but not limited to reports of maximum sidewalk speed violations, reports of criminal activity involving their Micro-Mobility Devices, reports of any crash with a fatality or hospitalized injury involving the Permit-holder's Micro-Mobility Devices, any contact with the Arlington County Police Department, any contact with Arlington County Fire or EMS, or any defects in equipment including but not limited to fires, tampering, damaged/leaking batteries, electrical issues or charging issues.

B. *Restricting Services.* In the interest of public safety and welfare, the County Manager or designee may determine certain areas of the County in which no Micro-Mobility Devices may operate, as well as, determine certain times during which no Micro-Mobility Devices may be made available for operation by the Permit-holder(s). A list of such time and place restrictions shall be maintained by the County Manager or designee, shall be subject to amendment by the County Manager or designee, and shall be made available to the public.