MOTOR VEHICLES: MOTOR VEHICLE AND EQUIPMENT SAFETY.

Snowmobile operated on highway must comply with safety equipment requirements established for motor vehicles operated on highways.

The Honorable M. Frederick King

Commonwealth's Attorney for the City of Salem

April 5, 1996

You ask whether a snowmobile must comply with the safety equipment requirements in Chapter 10 of Title 46.2 of the Code of Virginia for motor vehicles operated on highways when the snowmobile is operated on a highway.

The General Assembly has defined the following terms as they are used in Title 46.2:

"Motor vehicle" means every vehicle as defined in this section [§ 46.2100] which is self-propelled or designed for self-propulsion except as otherwise provided in this title.¼

"Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or runners, and supported in whole or in part by one or more skis, belts, or cleats.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks.[²]

It is well-settled that "[i]f the language of a statute is plain and unambiguous, and its meaning perfectly clear and definite, effect must be given to it."³ It is equally well-settled that "[a statute] which is plain needs no interpretation."⁴ Therefore, applying the definitions pertaining to the application of the provisions of Title 46.2, I am of the opinion that a snowmobile clearly is a motor vehicle for the purposes of Title 46.2. Furthermore I am of the opinion that, as a motor vehicle, a snowmobile operated on a highway would be subject to any safety equipment requirements established by the General Assembly in Chapter 10 of Title 46.2 for motor vehicles operated on highways.⁵

¹Sections 46.21000 to 46.21192, entitled "Motor Vehicle and Equipment Safety."

²Section 46.2100.

In Chapter 10 of Title 46.2, the General Assembly requires that a motor vehicle operated on a highway must have the following equipment installed and in good operating condition:

1. Two headlights, as approved by the Superintendent of State Police, "at the front of and on opposite sides of the motor vehicle" (§ 46.21011);

2. A red light at the rear of the motor vehicle "visible in clear weather from a distance of 500 feet to the rear" (§ 46.21013);

3. An indicator light to show when high beams are in use (§ 46.21033);

4. An exhaust system (§ 46.21049);

5. Windshield wipers (if the motor vehicle is equipped with a permanent windshield) (§ 46.21055);

6. A horn (§ 46.21059);

7. A steering gear (§ 46.21065);

8. Brakes (§ 46.21066);

9. A mirror that reflects a view to the rear of at least 200 feet (§ 46.21082); and

10. A fixed seat for the driver (§ 46.21084).

In addition to such safety equipment, all motor vehicles operated on highways also must have a motor number and a permanent serial or identification number assigned by the manufacturer or the Commissioner of the Department of Motor Vehicles (§ 46.21072), and if normally operated at speeds below twenty-five miles per hour, must display a slow moving vehicle emblem (§ 46.21081(A)).