

**REPORT OF THE DEPARTMENT OF
STATE POLICE, THE DEPARTMENT OF
TRANSPORTATION, THE DEPARTMENT OF
MOTOR VEHICLES, AND THE STATE CORPORATION
COMMISSION'S BUREAU OF INSURANCE ON**

Vehicle Use on Tangier Island

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 17

**COMMONWEALTH OF VIRGINIA
RICHMOND
1994**



Colonel Carl R. Baker
Superintendent

COMMONWEALTH of VIRGINIA

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DEPARTMENT OF STATE POLICE

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Lt. Colonel Charles M. Robinson
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November 1, 1993

TO: The Honorable L. Douglas Wilder, Governor of Virginia
and Members of the General Assembly

House Joint Resolution 654, agreed to by the 1993 General Assembly, requested the Department of State Police, with the assistance of the Department of Transportation, the Department of Motor Vehicles, and the State Corporation Commission's Bureau of Insurance, to study vehicle use on Tangier Island.

In fulfillment of that request, enclosed for your review and consideration is the document titled *Vehicle Use on Tangier Island*.

Sincerely,

A handwritten signature in black ink that reads "Carl R. Baker".

Superintendent

Preface

This study was conducted as a result of House Joint Resolution 654 passed by the 1993 General Assembly. In part, the Resolution requested four agencies to study the use of vehicles closely resembling golf carts, but nevertheless which are not golf carts and which may be inappropriate for operation on the roads of Tangier. The study is to consider the legal, safety, and insurance implications of state laws and local ordinances governing use of such vehicles and make recommendations as appear appropriate.

The Department of State Police, with the assistance of the Department of Transportation, the Department of Motor Vehicles, and the State Corporation Commission's Bureau of Insurance were assigned the task of completing this project for the 1994 Session of the General Assembly. The study group consisted of the following:

| | |
|------------------------------|---|
| Department of Transportation | Mr. J. Lynwood Butner Mr. Jon C. DuFresne |
| Department of Motor Vehicles | Mr. James L. Hazelwood, Jr. Ms. Robin E. Brannon |
| State Corporation Commission | Ms. Patricia C. Zeevi Ms. JoAnne G. Scott |
| Department of State Police | Mr. Brian Chodrow |

The study group would also like to express their appreciation to the following:

Delegate Robert S. Bloxom
Mayor and Town Council of the Town of Tangier
Town of Tangier

A complete copy of the House Joint Resolution 654 may be found in Attachment A.

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Executive Summary

This report is the result of House Joint Resolution 654 passed by the 1993 Session of the General Assembly. The purpose of this report is for the Department of State Police and three other state agencies to review vehicle use on Tangier Island. Specifically, the task is to review the use of "golf cart-like" vehicles, trams, and "Cushman" vehicles operated by residents of the island and to determine how to regulate their use.

The committee, made up of individuals of the four agencies, toured Tangier Island and identified and discussed the problems with the Mayor and town council. It became apparent that the town council is concerned about the resident and island liability aspects of these vehicles and their operation around the town. The town council indicated that they had been grappling with this problem for several years and thought that it was solved with the revision to §46.2-676 of the *Code of Virginia*, exempting golf carts on Tangier Island from vehicle registration. Initially, there were only a few two-person golf carts that were imported onto the island for the residents' personal use. In the ensuing years, larger vehicles that could hold either more passengers or more cargo were introduced to the island. These new vehicles or trams are becoming a problem in terms of liability, insurance and safety.

The committee has proposed several recommendations that should assist the town of Tangier with their problem. The first and foremost recommendation is to exempt the town of Tangier from Title 46.2 of the *Code of Virginia*. This will prevent numerous revisions to the Code that will exempt vehicles located on Tangier Island and the peculiar situation brought about by the island. The committee has also suggested that the town consult with their town attorney or the Office of the Attorney General to obtain responses to their liability questions. Additionally, the committee has proposed a sample ordinance that may assist the town in the regulation of the trams.

I. Background

This study commenced with a resolution passed by the 1993 Session of the General Assembly upon a bill sponsored by Delegate Robert S. Bloxom of the 100th District. The study requested four agencies to study vehicle use on Tangier Island. The background of the resolution is concerned with the conditions of Tangier Island and how they are markedly different from the rest of the Commonwealth. The roads on Tangier Island are very narrow and rarely used by motor vehicles common to the rest of the Commonwealth. Transportation on the island is almost exclusively provided by bicycles, golf carts, and vehicles closely resembling golf carts. It is also noted that §46.2-676 of the *Code of Virginia* exempts golf carts used on the roads of Tangier Island from registration as motor vehicles. However, the evolution of transportation technology has resulted in the manufacture of new kinds of vehicles that closely resemble golf carts in some ways, but nevertheless are not golf carts. These may be inappropriate for the roadways of Tangier Island, and should be permitted to use the roads only if they can do so without jeopardizing the safety of other users of these roads. The study is to consider the legal, safety, and insurance implications of state laws and local ordinances governing the use of such vehicles and to make any recommendations as appear appropriate.

The study committee reviewed the history relating to the transportation and safety needs of Tangier Island, along with the current statutes relating to "golf cart" usage on the island. In addition, the committee toured Tangier Island to view firsthand the problems and needs of the Tangier town council and residents and to receive their concerns.

It is apparent to the committee that the town council is concerned with the liability issues that could affect the town and the council members. These issues revolve around the practice of larger "golf cart-like" vehicles transporting tourists and townspeople around the island and the lack of insurance available to these operators, as well as the liability that will incur if one of these vehicles strikes a tourist or town person. It was emphasized to the committee that the larger vehicles are becoming more prevalent on the island, whereas a few years ago, there was only a single vehicle that could transport more than two or three people. On tour, the committee saw several vehicles that could transport four to six passengers and one vehicle that could transport eight passengers.

Other concerns of the town council revolved around classification of these vehicles into one category. The *Code of Virginia* does not currently define these vehicles as golf carts, nor are there any other classifications available. Concern with the registration of these vehicles was also expressed. After this year, the Department of Motor Vehicles will no longer register these vehicles. Since the vehicles cannot be registered, they may not be able to readily obtain insurance through the voluntary market and will be ineligible for insurance through the Virginia Automobile Insurance Plan (VAIP). This presents other problems, as these vehicles are not subject to inspection under current procedure. The town council is unsure of how to effectively legislate these vehicles and is looking for assistance in this matter.

In order to alleviate congestion on the narrow streets of Tangier, the town council has imposed regulations banning the larger vehicles from parking in certain areas of the island for any length of time, i.e., the local restaurant and the dock area. They have also regulated that "golf cart-like" vehicles must have a local registration to be operated on the island.

II. Applicable Statutes

In order to fully understand the definitions and Code sections, they are defined as follows:

§ 46.2-100. "Golf cart" means a self-propelled vehicle which is designed to transport persons playing golf and their equipment on a golf course.

"Specially constructed vehicle" means any vehicle which was not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not a reconstructed vehicle as herein defined.

§ 46.2-676. 3. Nor shall any person be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart on, along, or across the roads of Tangier Island.

The town council has tried to resolve its registration problem for the past several years with little or no success. Therefore, the town council is divided, and at a loss for a resolution to these problems. The intent of House Joint Resolution 654 is to focus four agencies into a concerted effort to utilize resources and expertise in the resolution of this problem.

III. Discussion

The town council of Tangier is primarily concerned with the liability of operating these "golf cart-like" vehicles in the streets of Tangier. The current problem facing the town council is the apparent absence of Code sections that will adequately address the problem, from the perspective of the Department of Motor Vehicles, and from the State Corporation Commission's Bureau of Insurance regulations that pertain to the operation of motor vehicles in the Commonwealth. The liability issue will be addressed later in this section.

Some of the golf carts currently operated on Tangier Island have licenses and appear to be registered with the Department of Motor Vehicles. However, the Department of Motor Vehicles has indicated that licenses issued to these vehicles will be discontinued this year. Since the vehicles will not be registered, insurance may not be obtained readily in the

voluntary market. These vehicles will also be ineligible for insurance in the Virginia Automobile Insurance Plan. Hence, further discussion is needed concerning insurance requirements that are facing the residents of Tangier.

Insurance Options for Golf Carts and Other Similar Vehicles

Coverage may be available to owners of golf carts or other similar types of vehicles under the following policies as long as these vehicles are *not* used as public or livery conveyances:

1. **Family Automobile Policy -- A "Miscellaneous Type Vehicle Endorsement"** may be added to the Family Automobile Policy to cover golf carts or other similar types of vehicles. Insurers may require such vehicles to be registered with the Department of Motor Vehicles.
2. **Homeowners Policy -- Coverage under Homeowners Policies** generally excludes bodily injury or property damage arising out of the ownership, maintenance, operation, use, loading or unloading of any motor vehicle owned or operated by, or rented or loaned to any insured. The policy does provide coverage, however, for bodily injury or property damage occurring on the residence premises if the motor vehicle is kept in dead storage on the residence premises. The policy does not provide coverage for any recreational motor vehicles owned by any insured if the bodily injury or property damage occurs away from the residence premises, except that coverage is provided for golf carts while used for golfing purposes.
3. **Homeowners Policy -- An "Incidental Motorized Land Conveyances Endorsement"** may be available from some insurers to provide broadened bodily injury or property damage coverage for certain types of motorized land conveyances such as motorized bicycles, mopeds, and motorized golf carts. This type of endorsement may exclude coverage for certain vehicles if they:
 - a. have a maximum attainable speed of more than 15 miles per hour;
 - b. are subject to motor vehicle registration;
 - c. carry persons for a charge;
 - d. are used for "business" purposes;
 - e. are rented to others; or
 - f. are being operated in any prearranged or organized race, speed contest, or other competition.

4. **Recreational Vehicle Policy** -- Coverage may be available under a Recreational Vehicle Policy for golf carts and other similar vehicles which are not registered for road use.

Coverage may be available to owners of golf carts or other similar types of vehicles under the following policies if these vehicles *are used* as public or livery conveyances:

1. **Business Auto Policy** -- Coverage may be available under the Business Auto Policy by adding a Mobile Equipment Endorsement to provide coverage for vehicles which are not required to be licensed or for vehicles which are designed for use principally off public roads.
2. **Commercial General Liability Policy** -- Coverage may be available under a Commercial General Liability Policy for mobile equipment as defined in the policy. This would include vehicles not subject to motor vehicle registration or vehicles which are designed for use principally off public roads.

In addition, the Virginia Automobile Insurance Plan (VAIP) is Virginia's assigned risk plan that offers coverage to residents and non-residents who cannot obtain insurance in the voluntary market. Coverage is available in the VAIP for vehicles which are registered with the Department of Motor Vehicles or will be registered within 15 days. The VAIP also requires that the vehicle operator be licensed. Coverage under the VAIP is available whether or not the vehicle is used as a public or livery conveyance. Golf carts which are used as public transportation are considered commercial risks and would be rated accordingly. Golf carts which are used as private passenger vehicles and are not used as public or livery conveyances are eligible for coverage under the Family Automobile Policy.

Golf carts individually owned are not eligible for coverage under a Municipal Liability Policy. However, golf carts owned by the municipality may be eligible for such coverage.

Insurance Company Survey

In order to have a more accurate picture of the insurance companies' perspective on this issue, a survey was sent to 150 insurance companies licensed in Virginia. The purpose of the survey was to determine what types of insurance coverage would be available for golf carts or other similar vehicles used on the public roads of Tangier. [See Attachment B.]

None of the companies that responded to the survey indicated that they would write coverage for golf carts or other similar vehicles used on the public roads of Tangier if such vehicles were used as public or livery conveyances. In addition, most of the companies that responded to the survey said they would not be willing to write coverage for golf carts or similar vehicles used on the public roads of Tangier, even if such vehicles were not

used as public or livery conveyances. Only a small number of companies indicated that they would be willing to write this coverage as long as the vehicles were not used for public or livery conveyances. A list of companies willing to provide this coverage is in Attachment C.

Two of these companies (State Farm and Windsor) indicated on the survey that they would require such vehicles to be registered with the Department of Motor Vehicles as a prerequisite to providing coverage. One company (Armed Forces) said such vehicles could not be licensed. Three companies (Liberty Mutual, AMICA Mutual, and Erie) stated they would only provide this coverage as an accommodation to existing policyholders.

When asked if any underwriting restrictions would be imposed with regard to engine size, seating capacity, number of wheels, safety features, etc., four companies answered "yes". Of these, one company (Liberty Mutual) said it would want to verify that there had been no engine or body modifications to alter the exposure. Another company (Allstate) said it would extend coverage to the conventional, two-seat golf cart and that any modifications or "non-standard" carts would require underwriting restrictions. AMICA Mutual said requests would be underwritten on their individual merit and that the company would consider the age and experience of the operator as well as the vehicle condition. Great American said it would have to establish appropriate underwriting guidelines.

Highways

Having thoroughly discussed the insurance ramifications for the town of Tangier, the committee also discussed the existing highway system. While the roads of Tangier are maintained by the state, it should be noted that the roads are different than the roads found in the rest of the Commonwealth. The roads are narrower than most of the rest of the state's highways, and do not allow for two normal size vehicles to pass at one time. Additionally, there are no pedestrian walkways or safety zones. Hence, the roads also become sidewalks.

There are several bridges on the island that allow pedestrians and vehicles to pass over waterways. These bridges are also narrow and in some cases, a pedestrian and a motor vehicle could not pass simultaneously on a bridge.

After reviewing the road system on the island, the Department of Transportation made several suggestions to the town in reference to the current traffic signs. The Department did not, and will not recommend any additional changes to the roads as they are situated on the island, believing that the current system will adequately address the needs of the community related to this problem. The town's ordinances address current needs in relation to parking prohibitions concerning adequate passing lanes.

Legal

It is very difficult to address the legalities of this situation, especially in reference to the liability of the town and the town council. Rather than provide a legal remedy, the committee suggests to the town council that they may wish to pursue answers to their legal questions either through their town attorney, or through their representative to the Office of the Attorney General.

The questions that they will need to address concern the following:

What liability does the town of Tangier have with the golf cart-like vehicles currently operating within the town limits? As such, does the town incur any liability as to whether these vehicles are insured?

What is the duty of care by the town of Tangier in reference to the tourists that visit the island, and to what degree is the town responsible for assuring the safety of the tourists?

Motor Vehicle Code

Currently, golf carts do not have to be registered, as stated in §46.2-676 of the *Code of Virginia*. Therefore, by exempting Tangier Island from Title 46.2 will not affect these vehicles, as they are already exempt from vehicle registration requirements. Whatever situations golf cart owners currently face in obtaining insurance for these vehicles will therefore not change.

Other types of vehicles "similar to golf carts, but that are not golf carts" (trams, etc.) cannot be registered by the Department of Motor Vehicles (DMV) if the Manufacturer's Statement of Origin (MSO) states that "this vehicle is not designed for highway use". If the owner of such a vehicle has converted it for highway use, and if the vehicle complies with the Virginia Motor Vehicle Safety Inspection Program afterward, then DMV can register the vehicle.

DMV therefore recommends that any future registration requirement be applied via a town ordinance, rather than through the *Code of Virginia*. Approaching the registration problem in this manner would still allow the town of Tangier to be exempted from Title 46.2 of the *Code of Virginia*, which addresses all of the Code violations currently existing on the island as a result of its location and unique circumstances.

Otherwise, requiring owners of all types of vehicles on Tangier Island to comply with the registration requirement found in the *Code of Virginia* would prohibit exempting island vehicles from Title 46.2. This would continue exposing both the town of Tangier, as well as the Commonwealth at large, to liability resulting from failure to enforce compliance with statutes designed to protect the safety of both motorists and pedestrians.

After careful review and considerable discussion by the committee, it is suggested that the town of Tangier be exempted from Title 46.2 of the *Code of Virginia*. The town can adopt any of the Code sections that it feels necessary to continue its operations. The proposed Code section will be included in the recommendations section.

The reason for the above suggestion is two-fold. First, during the committee's discussions, it became apparent that the Code does not adequately address the needs of the town of Tangier. The Code does not define the golf cart-like vehicles that are practical and commonplace on the island. These vehicles are also known as trams or "Cushman" vehicles. The Cushman vehicles are manufactured for specific purposes, but are not made for highway use. Many of these vehicles were manufactured to be two-person vehicles, but they were modified by residents or other entities and brought to the island. Thus, when the modifications were done, they did not consider the safety aspects for the passengers. Additionally, many of these vehicles were not manufactured for use at night, and do not have proper equipment for night travel. It is noted that some of the more modern and larger "Cushman's" have some of these conveniences, but they are rarely used.

The second reason for exempting the town of Tangier, from this title of the Code is that the committee is of the impression that many Code sections will have to be modified for the convenience of Tangier Island. These modifications have wide repercussions throughout Title 46.2, and will perhaps invoke other towns with similar problems to want to become exempted from this title. The committee is of the opinion that for the particular circumstances of Tangier Island, it will be in their best interest to exempt the town from Title 46.2 of the *Code of Virginia*.

IV. Recommendations

1. Provide an exemption in Title 46.2 of the *Code of Virginia* for Tangier Island that provides for the town of Tangier to create and adopt those Code sections applicable to their particular circumstances.[See Attachment E.] Secondly, repeal paragraph 3 of §46.2-676 of the *Code of Virginia* that exempts registration of golf carts on Tangier Island.

As noted in the Motor Vehicle Code section of this report, this recommendation is the most viable solution to the problem of registration on Tangier Island, however it also provides for more regulation by the town concerning all of the vehicles on the island. This recommendation provides the town of Tangier the option of enforcing those Code sections necessary to the efficient and safe operation of motor vehicles on their island. From a practical standpoint, it is difficult to enforce current sections of the Motor Vehicle Code, and secondly, if a violation is noted, it can be addressed very quickly by the community.

2. Have the town council request an opinion from either their town attorney, or from the Office of the Attorney General concerning the liability aspects addressed earlier in the study. This opinion should be in written form. The questions are phrased in the legal section of this report.

This recommendation addresses the concerns of the town council in reference to their liability, the town's liability, and to the liability of the town residents. This recommendation should be pursued regardless of the other recommendations listed in this report.

3. The town council could legislate an ordinance similar to "Attachment D" that would allow the town to control the use of the trams within the town limits through licensing and a driver safety program. The ordinance applies to all of the possible fuels that vehicles could use on the island.

The idea behind this option is that the town could regulate the "golf-cart" type vehicles that are or could operate on the island. In this manner, the town could either allow or disallow particular vehicles to be used as "jitneys" provided that the town council's concerns are addressed.

The problem with this type of ordinance is that the town becomes a regulating agent, which will prompt more legislative processes which will burden the local government office. However, it is conducive with the first recommendation that would provide for the town to adopt and regulate those provisions of the Code which will benefit the town of Tangier.

4. The town council could adopt size limitations on the trams. For instance, they could allow only four-passenger trams to operate or they could legislate whatever size they saw fit.

Once again, this recommendation is provided for the town council in the regulation of the trams in the town. It is wholly dependent upon the amount of regulation that the town wishes to pursue concerning the larger trams currently operating within the town and the possibility of other large trams being imported onto the island.

5. The town council could adopt safety regulations concerning the trams that are used as passenger carriers. These safety regulations could require seat belts, lighting equipment, and other devices that would ensure the passengers' safety.

This recommendation is offered for guidance to the town council in its regulation of the trams. It is meant to be used in coordination with the first recommendation and the suggestions as set forth in this report.

ATTACHMENT A

GENERAL ASSEMBLY OF VIRGINIA--1993 SESSION

HOUSE JOINT RESOLUTION NO. 654

Requesting the Department of State Police, with the assistance of the Department of Transportation, the Department of Motor Vehicles, and the State Corporation Commission's Bureau of Insurance to study vehicle use on Tangier Island.

Agreed to by the House of Delegates, February 25, 1993

Agreed to by the Senate, February 23, 1993

WHEREAS, conditions on Tangier Island differ markedly in many ways from those in the rest of Virginia; and

WHEREAS, roads on Tangier Island are very narrow and rarely if ever used by motor vehicles of the sort common in the rest of the Commonwealth; and

WHEREAS, transportation on Tangier Island is almost exclusively provided by bicycles, golf carts, and vehicles closely resembling golf carts; and

WHEREAS, in recognition of these facts, § 46.2-676 of the Code of Virginia exempts golf carts used on the roads of Tangier Island from registration as motor vehicles; and

WHEREAS, evolution of transportation technology has resulted in the manufacture of new kinds of vehicles that, though closely resembling golf carts in some ways, are nevertheless not golf carts, and may be inappropriate for operation on the roads of Tangier Island; and

WHEREAS, it is highly desirable that these and other vehicles be permitted to use the roads of Tangier Island only if they can do so without jeopardizing the safety of other users of these roads; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of State Police, with the assistance of the Department of Transportation, the Department of Motor Vehicles, and the State Corporation Commission's Bureau of Insurance, be hereby requested to study vehicle use on Tangier Island. Such study shall consider the legal, safety, and insurance implications of state laws and local ordinances governing use of such vehicles and make such recommendations as appear appropriate.

The Department shall complete its work in time to submit its findings and recommendations to the Governor and the 1994 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

ATTACHMENT B

COMMONWEALTH OF VIRGINIA



STEVEN T. FOSTER
COMMISSIONER OF INSURANCE

BOX 1157
RICHMOND, VIRGINIA 23209
TELEPHONE: (804) 371-9741
TDD/VOICE: (804) 371-9375

STATE CORPORATION COMMISSION BUREAU OF INSURANCE

July 1, 1993

TO: Insurers Licensed to Write Automobile, Homeowners, and
Commercial Liability Insurance in Virginia

RE: House Joint Resolution No. 654

The State Corporation Commission's Bureau of Insurance has been requested by the Virginia General Assembly to assist with a study of vehicle use on Tangier Island. This is being conducted pursuant to House Joint Resolution No. 654 with the purpose of studying the legal, safety, and insurance implications regarding golf carts and other similar vehicles used on the island. A copy of the study resolution is attached.

Some of the vehicles on the island are used as public or livery conveyances in the transportation of tourists. Other vehicles are limited to personal use around the island. Some are registered with the Department of Motor Vehicles; others are not. The Motor Vehicle Code of Virginia does not require golf carts used on Tangier Island to be registered.

We are conducting a survey to determine what insurance coverage is available to owners of golf carts or other similar vehicles which may or may not be used as public or livery conveyances. Please complete the attached questionnaire and return this no later than July 23, 1993 to:

JoAnne Scott, CPCU, AIE, ARP
Bureau of Insurance
State Corporation Commission
P.O. Box 1157
Richmond, Virginia 23209

Thank you for your help with this project.

Sincerely,

Handwritten signature of Mary M. Bannister in cursive script.
Mary M. Bannister
Deputy Commissioner
Property and Casualty Division

HOUSE JOINT RESOLUTION NO. 654
Insurance Company Survey

1. Would your company be willing to write coverage for golf carts or other similar vehicles used on the public roads of Tangier Island if such vehicles were not used as public or livery conveyances?

Yes _____ No _____

2. If yes, what type of policy would this coverage be written under?

- ____ Family Automobile Policy
- ____ Family Automobile Policy with endorsement
- ____ Homeowners Policy
- ____ Homeowners Policy with endorsement
- ____ Recreational Vehicle Policy
- ____ Other (please describe) _____

3. If you answered "yes" to question #1, would your company require such vehicles to be registered with the Department of Motor Vehicles before offering coverage? (Please place a check mark beside the policies which would require the vehicle to be registered.)

- ____ Family Automobile Policy
- ____ Family Automobile Policy with endorsement
- ____ Homeowners Policy
- ____ Homeowners Policy with endorsement
- ____ Recreational Vehicle Policy
- ____ Other (please describe) _____

4. If you answered "yes" to question #1, would there be any underwriting restrictions with regard to engine size, seating capacity, number of wheels, safety features, etc.?

Yes _____ No _____

If yes, please explain: _____

5. Would your company be willing to write coverage for golf carts or other similar vehicles used on the public roads of Tangier Island if such vehicles were used as public or livery conveyances?

Yes _____ No _____

6. If you answered "yes" to question #5, what type of policy would this coverage be written under?

- Business Auto Policy
- Business Auto Policy with endorsement
- Commercial General Liability Policy
- Other (please describe) _____

7. If you answered "yes" to question #5, would your company require such vehicles to be registered with the Department of Motor Vehicles before offering coverage? (Please place a check mark beside the policies which would require the vehicle to be registered.)

- Business Auto Policy
- Business Auto Policy with endorsement
- Commercial General Liability Policy
- Other (please describe) _____

8. If you answered "yes" to question #5, would there be any underwriting restrictions with regard to engine size, seating capacity, number of wheels, safety features, etc.?

Yes _____ No _____

If yes, please explain: _____

Thank you for completing this survey. Please return this by July 23, 1993 to JoAnne Scott, P.O. Box 1157, Richmond, Va. 23209.

Company Name _____
Telephone Number _____
Name of Person Completing Survey _____

ATTACHMENT C

Insurance companies willing to provide coverage if the vehicles are not used for public or livery conveyances

| <u>Insurer</u> | <u>Type of policy</u> |
|-----------------------|--|
| Nationwide | Family Automobile |
| Federated Mutual | Family Automobile w/ endorsement and Business Auto w/ endorsement |
| Cincinnati | Family Automobile w/ endorsement |
| Erie | Family Automobile and Homeowners |
| USAA | Family Automobile w/ endorsement |
| Allstate | Homeowners w/ endorsement |
| Armed Forces | Personal Property Floater/physical damage only & only if unlicensed |
| AMICA Mutual | Family Automobile w/ endorsement |
| State Farm Mutual | Recreational Vehicle |
| Virginia Farm Bureau | Family Automobile w/ endorsement |
| Liberty Mutual | Auto Owners Policy |
| Great American | Homeowners Policy w/ endorsement |
| Windsor | Family Automobile w/ endorsement |

ATTACHMENT D

SAMPLE JITNEY SERVICE ORDINANCE

ORDINANCE NUMBER ____

Operation of a Jitney Service within the town limits of Tangier.

Section 1. Definition. As used in this ordinance, the following terms shall have the following meanings, unless the context indicates that a different meaning is intended:

Jitney: A motor vehicle designed to carry ten or fewer persons, including the driver, and used to carry passengers where any remuneration is received. Such vehicles may be powered by gasoline engine, battery, propane, or natural gas.

Town: The town of Tangier:

Section 2. The provisions of this ordinance shall apply to each person, firm, or corporation operating one or more jitneys in the town. This ordinance shall not apply to any transportation supplied by or on behalf of any school, church, apartment complex or other business or facility providing transportation for students, members of the congregation, customers or tenants. This ordinance shall not apply to taxicab services.

Section 3. No person, firm, or corporation shall operate any jitney service in the town without obtaining a license therefor.

Section 4. Applications for licenses shall be made to the town clerk, on forms provided by the town clerk. The applications shall contain a description of the proposed location of the route of each jitney, and the hours during which service is proposed to be provided. The fee for such license shall be ____ dollars per ____ for each vehicle operated.

Section 5. No person shall drive any jitney in the town without first having a driver's safety permit issued by the town.

Section 6. Each jitney shall comply with the following regulations:

- A. The route proposed to be followed shall be clearly posted.**
- B. The rates to be charged shall be clearly posted on the vehicle.**
- C. No person shall be charged more than the posted rate.**
- D. Each passenger shall be taken on the route posted, unless before paying the fare, the passenger agrees to a change in the route.**

Section 7. Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than five dollars (\$5.00), nor more than \$500.00 for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues.

ATTACHMENT E

NEW CODE SECTION EXEMPTING THE TOWN OF TANGIER

Proposed Bill Draft

A bill to enact §46.2-115 of the *Code of Virginia*, relating to the exemption of the town of Tangier from Title 46.2 of the *Code of Virginia*.

Be it enacted by the General Assembly of Virginia that §46.2-115 of the *Code of Virginia* be enacted as follows:

§46.2-115. Exemptions; Town of Tangier. -- The town of Tangier is exempt from the provisions of this title. The town may adopt any, or all of the sections of this Title for its specific purposes or situation; however, under no circumstances may the penalties imposed be increased above the penalties specified in this Title.