

2002 SESSION

INTRODUCED

023529902

HOUSE BILL NO. 1261

Offered January 17, 2002

A *BILL* to amend the Code of Virginia by adding a section numbered 46.2-921.1, relating to approaching stationary emergency vehicles on highways; penalties.

Patrons—Rapp, Carrico, Devolites, Kilgore, O'Bannon and Suit

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-921.1 as follows:

§ 46.2-921.1. Drivers to yield right-of-way or reduce speed when approaching stationary emergency vehicles on highways; penalties.

The driver of any motor vehicle, upon approaching a stationary emergency vehicle, as defined in § 46.2-920, that is displaying a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022, 46.2-1023, and 46.2-1024, shall (i) on a highway having at least four lanes, at least two of which are intended for traffic proceeding as the approaching vehicle, proceed with caution and, if possible, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to that occupied by the stationary emergency vehicle or (ii) if changing lanes would be impossible or unsafe, proceed with due caution, reduce speed and maintain a safe speed for highway conditions.

Violation of any provision of this section shall constitute a Class 1 misdemeanor. If the violation resulted in damage to property of another person, the court shall, in addition, order the suspension of the driver's privilege to operate a motor vehicle for not less than 90 days nor more than one year. If the violation resulted in injury to another person, the court shall, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for not less than 180 days nor more than two years. If the violation resulted in the death of another person, the court shall, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for two years.

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