

2003 SESSION

INTRODUCED

036650748

HOUSE BILL NO. 2505

Offered January 8, 2003

Prefiled January 8, 2003

A BILL to amend and reenact § 15.2-1716 of the Code of Virginia, relating to expenses incurred in responding to certain traffic incidents.

Patron—Griffith

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1716 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1716. Reimbursement of expenses incurred in responding to DUI incident and other traffic incidents.

Any locality may provide by ordinance that any person who is convicted of a violation of (i) §§ 18.2-51.4, 18.2-266 or § 29.1-738, or a similar ordinance, when his operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of any accident or incident, (ii) *the reckless driving provisions of Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2*, (iii) *improperly leaving the scene of an accident pursuant to § 46.2-894*, or (iv) *driving without a license or with a suspended or revoked license pursuant to Article 1 (§ 46.2-300 et seq.) of Chapter 3 of Title 46.2*, resulting in an appropriate emergency response, shall be liable in a separate civil action to the locality or to any volunteer rescue squad, or both, which may provide such emergency response for the reasonable expense thereof, in an amount not to exceed \$1,000 in the aggregate for a particular accident or incident occurring in such locality. In determining the "reasonable expense," a locality may bill a flat fee of \$100 or a minute-by-minute accounting of the actual costs incurred. As used in this section, "appropriate emergency response" includes all costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the Commonwealth, to the locality or to any volunteer rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving or operation of a vehicle as set forth herein.

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