

# 2004 SESSION

INTRODUCED

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## HOUSE BILL NO. 452

Offered January 14, 2004

Prefiled January 13, 2004

*A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 46.2 a section numbered 46.2-116, relating to leaving certain children unattended in motor vehicles; penalty.*

Patron—McQuigg

Referred to Committee on Transportation

### Be it enacted by the General Assembly of Virginia:

**1. That the Code of Virginia is amended by adding in Chapter 1 of Title 46.2 a section numbered 46.2-116 as follows:**

*§ 46.2-116. Leaving certain children unattended in motor vehicles prohibited; penalty.*

*It shall be unlawful for any person who is responsible for a child who is eight years old or younger to leave such child unsupervised by a person who is at least 14 years old in a motor vehicle if (i) the conditions within or in the immediate vicinity of such motor vehicle present a risk to the health or safety of the child or (ii) the motor vehicle's motor is running or the keys to the motor vehicle are present anywhere in the passenger compartment of the motor vehicle.*

*Any person who violates any provision of this section shall, for a first offense, be guilty of a Class 4 misdemeanor and, for any second or subsequent offense, be guilty of a Class 3 misdemeanor. The court may, however, in its discretion, in lieu of imposing any other penalty, require any person convicted of a violation of this section to attend and satisfactorily complete a community education program that includes instruction on the dangers of leaving young children unattended in motor vehicles. Persons required to attend and complete such programs shall, upon completion, provide to the court satisfactory written evidence of such completion.*

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