

2004 SESSION

INTRODUCED

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HOUSE BILL NO. 773

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact § 46.2-819.2 of the Code of Virginia, relating to failing to pay for motor fuel; penalty.

Patron—McDougle

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-819.2 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-819.2. Driving a motor vehicle from establishment where motor fuel offered for sale; suspension of license; penalty.

A. ~~No~~ Any person ~~shall drive who drives~~ a motor vehicle off the premises of an establishment at which motor fuel offered for retail sale was dispensed into the fuel tank of such motor vehicle ~~unless payment for such fuel has been made and who willfully fails to pay for the fuel is guilty of larceny.~~

B. Any person who violates this section shall be liable for a civil penalty not to exceed \$100.

C. The driver's license of any person found to have violated this section ~~(i) may~~ shall be suspended; (i) for the first offense, for a period of ~~up to 30~~ not less than 60 days and not more than six months and (ii) shall be suspended for a period of 30 days for the second and subsequent offenses for a second or subsequent offense, for a period of not less than 60 days and not more than one year.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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