VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 46.2-867 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-865.1, relating to certain racing conduct punishable as involuntary manslaughter.

[H 993]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-867 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 46.2-865.1 as follows:

§ 46.2-865.1. Injuring persons while engaging in a race; penalties.

Any person who, while engaging in a race in violation of § 46.2-865 in a manner so gross, wanton and culpable as to show a reckless disregard for human life, causes serious bodily injury to another person who is not involved in the violation of § 46.2-865 is guilty of a Class 6 felony. Upon conviction, the court shall suspend the driver's license of such person for a period of not less than one year nor more than three years and shall order the surrender of the license to be disposed of in accordance with the provisions of § 46.2-398.

§ 46.2-867. Racing; seizure of motor vehicle.

If the owner of a motor vehicle *(i)* is convicted of racing such vehicle in a prearranged, organized, and planned speed competition in violation of § 46.2-865, ~~or~~ *(ii)* is present in the vehicle which is being operated by another in violation of § 46.2-865, and knowingly consents to the racing, *or (iii) is convicted of a violation of § 46.2-865.1,* the vehicle shall be seized and disposed of in the manner provided in §§ 4.1-339 through 4.1-348 for seizure and forfeiture of conveyances or vehicles used in the illegal transportation of alcoholic beverages. Such sections shall apply mutatis mutandis.

The penalties imposed by these sections are in addition to any other penalty imposed by law.

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 cannot be determined 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.