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HOUSE BILL NO. 2249

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Transportation
on February 17, 2005)

(Patron Prior to Substitute—Delegate Bell)

A BILL to amend and reenact § 46.2-931 of the Code of Virginia, relating to distribution of materials to and solicitation of funds from motorists on secondary highways.

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-931 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-931. Certain localities may prohibit or regulate distribution of handbills, etc., solicitation of contributions and sale of merchandise on highways within their boundaries.

A. Arlington and Henrico Counties *and the Town of Vienna* are hereby authorized to adopt ordinances prohibiting *or regulating*:

1. The distribution of handbills, leaflets, bulletins, literature, advertisements, or similar material to the ~~drivers occupants~~ of motor vehicles ~~or passengers therein on secondary highways located within such counties on secondary or urban highways located within their boundaries;~~

2. The solicitation of contributions of any nature from the ~~drivers occupants~~ of motor vehicles ~~or passengers therein on secondary highways located within such counties on secondary and urban highways located within their boundaries;~~

3. The sale of merchandise or the attempted sale of merchandise to the ~~drivers occupants~~ of motor vehicles ~~or passengers therein on secondary highways located within such counties on secondary and urban highways located within their boundaries.~~

B. Albemarle and Greene Counties are hereby authorized to adopt ordinances regulating:

1. The distribution of handbills, leaflets, bulleting, literature, advertisements, or similar material to the occupants of motor vehicle on public roadways and medians;

2. The solicitation of contributions of any nature from the occupants of motor vehicles on public roadways and medians; and

3. The sale of merchandise or the attempted sale of merchandise to the occupants of motor vehicles on public roadways and medians.

C. Ordinances adopted pursuant to this section may provide that any person violating the provisions of such ordinances shall be guilty of a traffic infraction.

D. The Virginia Department of Transportation may regulate activities within such streets and highways under its jurisdiction, subject to regulations promulgated by the Commonwealth Transportation Board. Nothing in this section shall be construed to allow any locality to permit activities within any highway under the maintenance and operational jurisdiction of the Virginia Department of Transportation.

SENATE SUBSTITUTE

HB2249S1