

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-73 of the Code of Virginia, relating to issuance of summons in lieu*
3 *of warrant for DUI.*

4 [H 2668]

5 Approved

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7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 19.2-73 of the Code of Virginia is amended and reenacted as follows:**

9 § 19.2-73. Issuance of summons instead of warrant in certain cases.

10 A. In any misdemeanor case or in any class of misdemeanor cases, or in any case involving
11 complaints made by any state or local governmental official or employee having responsibility for the
12 enforcement of any statute, ordinance or administrative regulation, the magistrate or other issuing
13 authority having jurisdiction may issue a summons instead of a warrant when there is reason to believe
14 that the person charged will appear in the courts having jurisdiction over the trial of the offense charged.

15 B. *If any person under suspicion for driving while intoxicated has been taken to a medical facility*
16 *for treatment or evaluation of his medical condition, the arresting officer at the medical facility may*
17 *issue, on the premises of the medical facility, a summons for a violation of § 18.2-266, 18.2-266.1,*
18 *18.2-272 or 46.2-341.24 and for refusal of tests in violation of subsection A of § 18.2-268.3 or*
19 *subsection A of § 46.2-341.26:3, in lieu of securing a warrant.*

20 C. Any person on whom such summons is served shall appear on the date set forth in same, and if
21 such person fails to appear in such court at such time and on such date then he shall be treated in
22 accordance with the provisions of § 19.2-128, regardless of the disposition of, and in addition to, the
23 charge upon which he was originally arrested.

ENROLLED

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