

2005 SESSION

INTRODUCED

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HOUSE BILL NO. 2687

Offered January 12, 2005

Prefiled January 12, 2005

A BILL for the relief of Judy Boysha.

Patron—Pollard

Referred to Committee on Appropriations

Whereas, Judy Boysha (Ms. Boysha) is a resident of King George, Virginia, and the owner of a 2004 Chevrolet Aveo vehicle; and

Whereas, on or about November 13, 2004, at approximately 6:30 p.m., Ms. Boysha was traveling on State Route 3 also known as King George Highway; and

Whereas, as she went over a railroad crossing, Ms. Boysha's vehicle struck a large hole in the roadway that damaged the right front tire, wheel, and hubcap making the car inoperable; and

Whereas, she immediately informed the King George County Sheriff's Department (Sheriff's Department) of the hazardous road condition; and

Whereas, the deputy sheriff who arrived on the scene placed flares on the road to subsequently warn other motorists of the danger; and

Whereas, the Sheriff's Department subsequently informed the Virginia Department of Transportation (VDOT) of the hazardous road condition; and

Whereas, Ms. Boysha was informed by the Sheriff's Department that at least six other vehicles had previously been damaged by the same hazardous road condition; and

Whereas, despite being made aware of the hazardous road condition, VDOT did not place markings or indicators to warn approaching motorists and it was not until the sheriff's deputy placed the markings on November 13, 2004, after the damage to Ms. Boysha's vehicle that the area was marked; and

Whereas, Ms. Boysha had to spend a total of \$229.24 to repair her vehicle; and

Whereas, while Ms. Boysha filed a damage claim with VDOT, the claim has not been resolved to her satisfaction; and

Whereas, VDOT's failure to mark the hazardous road condition despite repeated notification led to the damage being caused to Ms. Boysha's vehicle; and

Whereas, VDOT has failed to timely resolve Ms. Boysha's damage claim; and

Whereas, Ms. Boysha has no other means to obtain adequate relief except by this body; now, therefore,

Be it enacted by the General Assembly of Virginia:**1.***§ 1. That there is hereby appropriated from the general fund of the state treasury the sum of \$229.24 for the relief of Judy Boysha, to be paid by check issued by the State Treasurer on warrant of the Comptroller upon execution by Judy Boysha of a release and waiver forever releasing (i) the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision thereof; (ii) any legal counsel appointed pursuant to § 19.2-159 of the Code of Virginia; and (iii) all other parties of interest from any present or future claims she may have against such enumerated parties in connection with the aforesaid occurrence.*

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HB2687