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SENATE BILL NO. 555

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 33.1-221.1:9, relating to the Commonwealth Transportation Safety Fund; court-ordered payments for certain offenses related to the operation of motor vehicles.*

 Patron—Stolle

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 33.1-221.1:9 as follows:**

§ 33.1-221.1:9. *Dangerous driving offenses; Commonwealth Transportation Safety Fund.*

A. *There is hereby established in the state treasury a special nonreverting fund to be known as the Commonwealth Transportation Safety Fund (the Fund). Any moneys remaining in the Fund at the end of each fiscal year, including interest, shall not revert to the general fund but shall remain in the Fund and be available for allocation in ensuing fiscal years. The Fund shall consist of any moneys collected by virtue of subsections B and C hereof, and any other public or private funds designated for the Fund, which shall be deposited into the Fund by the Comptroller. The Commonwealth Transportation Board shall administer the Fund. Moneys in the Fund shall be used solely to (i) fund transportation capital projects and operations necessary to maintain or improve the safety of the Commonwealth's surface transportation infrastructure, and (ii) provide for increased law-enforcement on the Commonwealth's interstates and primary roads through the Highway Safety Corridor Program.*

B. *Whenever a person is convicted by a court of competent jurisdiction of any of the dangerous driving offenses or traffic infractions enumerated in this section, the court shall, in addition to any fees, fines, or costs imposed, order the person to pay to the Commonwealth Transportation Safety Fund an amount as follows, for the purpose of defraying the costs of maintaining safe interstates and roads in the Commonwealth:*

1. *A \$100 payment for a violation of § 18.2-266.1, subsection D of § 18.2-270, subsection B of § 46.2-341.24, eluding a law-enforcement officer pursuant to subsection A of § 46.2-817, § 46.2-844, or driving more than 20 miles per hour over the allowed speed limit as set forth in Article 8 (§ 46.2-870 et seq.) of Chapter 8 of Title 46.2.*

2. *A \$200 payment for a violation of § 18.2-266, 18.2-268.3, 18.2-272, 18.2-36.1 or any other conviction of voluntary manslaughter or involuntary manslaughter involving the use of a vehicle, 18.2-51.4, subsection B of § 46.2-301, subsection E of § 46.2-301.1, § 46.2-302, 46.2-341.21, subsection A of § 46.2-341.24, § 46.2-357, 46.2-391, subsection B of § 46.2-817, § 46.2-818, overtaking or passing an emergency vehicle giving an audible signal and displaying activated warning lights pursuant to § 46.2-829, §§ 46.2-852 through 46.2-862, § 46.2-863 when violation of this section would be a felony pursuant to subsection B of § 46.2-868, §§ 46.2-864 through 46.2-866, and § 46.2-921.1 if the violation resulted in the death of another person.*

C. *The order to pay the specified amount into the Commonwealth Transportation Safety Fund shall also be applicable to a juvenile adjudicated delinquent of any of the offenses listed in subsection B.*

D. *The court-ordered payment to the Commonwealth Transportation Safety Fund shall be collected from the defendant by the court along with any other fines, costs, forfeitures, penalties, and restitution pursuant to Article 3 (§ 19.2-348 et seq.) of Chapter 21 of Title 19.2. The court shall remit the payment designated for the Fund to the Commonwealth.*

INTRODUCED

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