

# 2006 SPECIAL SESSION I

INTRODUCED

062130316

## HOUSE BILL NO. 5046

Offered September 14, 2006

*A BILL to amend and reenact § 46.2-868 of the Code of Virginia, relating to reckless driving; fee.*

Patron—Hamilton

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-868 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-868. Reckless driving; penalties; fee.

A. Every person convicted of reckless driving under the provisions of this article shall be guilty of a Class 1 misdemeanor.

B. Every person convicted of reckless driving under the provisions of this article who, when he committed the offense, (i) was driving without a valid operator's license due to a suspension or revocation for a moving violation and, (ii) as the sole and proximate result of his reckless driving, caused the death of another, is guilty of a Class 6 felony.

C. *In addition to any penalty assessed under subsection A or B, any person convicted of reckless driving, when such reckless driving resulted in a traffic accident that a judge determined to have created a significant traffic delay on any highway, bridge, or tunnel within the system of highways in Virginia, shall be required to pay an additional "Traffic Congestion Fee" to be determined by the judge, but not to exceed \$10,000, into the Transportation Trust Fund.*

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HB5046