

2007 SESSION

INTRODUCED

076373340

HOUSE BILL NO. 2762

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend and reenact § 46.2-888 of the Code of Virginia, relating to stopping on highways; penalty.

Patron—Hurt

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-888 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-888. Stopping on highways; general rule.

A. No person shall stop a vehicle in such manner as to impede or render dangerous the use of the highway by others, except in the case of an emergency, an accident, or a mechanical breakdown. In the event of such an emergency, accident, or breakdown, the emergency flashing lights of such vehicle shall be turned on if the vehicle is equipped with such lights and such lights are in working order. If the driver is capable of doing so and the vehicle is movable, the driver may move the vehicle only so far as is necessary to prevent obstructing the regular flow of traffic; provided, however, that the movement of the vehicle to prevent the obstruction of traffic shall not relieve the law-enforcement officer of his duty pursuant to § 46.2-373. A report of the vehicle's location shall be made to the nearest law-enforcement officer as soon as practicable, and the vehicle shall be moved from the roadway to the shoulder as soon as possible and removed from the shoulder without unnecessary delay. If the vehicle is not promptly removed, such removal may be ordered by a law-enforcement officer at the expense of the owner if the disabled vehicle creates a traffic hazard. *Violation of any provision of this subsection shall constitute a traffic infraction.*

B. *However, within the boundaries of any county, city, or town authorized under former § 46.2-833.01 to use a photo-monitoring system to enforce traffic light signals, any violation of subsection A of this section, when such violation is committed within a highway intersection, shall constitute a traffic infraction punishable by a mandatory minimum fine of \$500, which shall not be suspended in whole or in part.*

INTRODUCED

HB2762