

VIRGINIA ACTS OF ASSEMBLY -- 2008 SESSION

CHAPTER 818

An Act to amend and reenact § 46.2-921.1 of the Code of Virginia, relating to yielding right-of-way to stationary emergency vehicles; penalties.

[S 799]

Approved April 2, 2008

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-921.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-921.1. Drivers to yield right-of-way or reduce speed when approaching stationary emergency vehicles on highways; penalties.

The driver of any motor vehicle, upon approaching a stationary emergency vehicle, as defined in § 46.2-920, that is displaying a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022, 46.2-1023, and 46.2-1024, shall (i) on a highway having at least four lanes, at least two of which are intended for traffic proceeding as the approaching vehicle, proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to ~~that occupied by~~ the stationary emergency vehicle or (ii) if changing lanes would be unreasonable or unsafe, proceed with due caution and maintain a safe speed for highway conditions.

Violation of any provision of this section shall constitute a Class 1 misdemeanor. If the violation resulted in damage to property of another person, the court may, in addition, order the suspension of the driver's privilege to operate a motor vehicle for not more than one year. If the violation resulted in injury to another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for not more than two years. If the violation resulted in the death of another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for two years.

2. That an emergency exists and this act is in force from its passage.