

2008 SESSION

INTRODUCED

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SENATE BILL NO. 221

Offered January 9, 2008

Prefiled January 8, 2008

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

Patrons—McDougle; Delegate: Moran

Referred to Committee on Transportation

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.

A. Every person convicted of reckless driving under the provisions of this article ~~shall be~~ is 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. Every person convicted of reckless driving under the provisions of this article who knowingly operates a motor vehicle in a manner so gross, wanton, or culpable as to show a reckless disregard for human life and thereby causes serious bodily injury to another person resulting in permanent and significant physical impairment is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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