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HOUSE BILL NO. 2236

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend and reenact §§ 46.2-1243, 46.2-1254, and 46.2-1255 of the Code of Virginia, relating to change in nomenclature from security guards to security officers.

 Patron—Valentine

 Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1243, 46.2-1254, and 46.2-1255 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1243. Enforcement by private security officers in certain localities.

The local governing bodies of Franklin County, Henry County, and the Cities of Danville and Martinsville may by ordinance provide that, in privately owned parking areas open to the public, a summons for violation of an ordinance promulgated under § 46.2-1242 may be issued by (i) private security ~~guards~~ *licensed officers registered* under the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 and deputized to issue a summons for the offense by the chief law-enforcement officer of the county or city in which the private parking area is located or (ii) any owner of the private parking area of a nursing home, as defined in § 32.1-123, or agent or employee thereof, provided that such owner has registered in writing on his own behalf or on behalf of his agent or employee with the chief law-enforcement officer of the locality his intention to issue summonses pursuant to this section.

§ 46.2-1254. Photo identification.

Any law-enforcement officer or private security ~~guard~~ *officer* acting pursuant to § 46.2-1243 may request to examine the driver's license, state identification card, or other form of photo identification of any person using disabled parking privileges afforded by this chapter.

§ 46.2-1255. Confiscation of disabled parking placards.

A. Any law-enforcement officer or private security ~~guard~~ *officer* acting pursuant to § 46.2-1243 who issues a summons to or arrests an individual for any violation of §§ 46.2-1247 through 46.2-1249 and §§ 46.2-1251 through 46.2-1253 may confiscate the defendant's permanent, temporary, or organizational removable windshield placard and shall notify, by mail or facsimile, the Department of Motor Vehicles of such confiscation and the number of the placard involved.

B. After receiving notice specified in subsection A of this section, the Department may prohibit the issuance of any form of disabled parking license plate or placard to the defendant until the defendant's charge under §§ 46.2-1247 through 46.2-1249 and §§ 46.2-1251 through 46.2-1253 reaches final disposition, including appeals.

C. Upon the defendant's acquittal for any violation of §§ 46.2-1247 through 46.2-1249 and §§ 46.2-1251 through 46.2-1253, the law-enforcement officer or private security ~~guard~~ *officer* shall return the confiscated placard to the defendant and the court shall notify the Department of such acquittal by electronic or other means. Upon the defendant's conviction for any violation of §§ 46.2-1247 through 46.2-1249 and §§ 46.2-1251 through 46.2-1253, the law-enforcement officer or private security ~~guard~~ *officer* shall send the confiscated placard to the Department and the court shall notify the Department pursuant to § 46.2-1256.

INTRODUCED

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