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SENATE BILL NO. 1066

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 23, 2009)

(Patron Prior to Substitute—Senator Puller)

A BILL to amend and reenact § 18.2-160.1 of the Code of Virginia, relating to the illegal boarding or riding of transportation district train; fine.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-160.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-160.1. Boarding transportation district train without lawful payment of fare; penalty.

It shall be unlawful for any person to board or ride a train operated by or under contract with a transportation district created pursuant to Chapter 45 (§ 15.2-4500 et seq.) of Title 15.2 when such person ~~has failed or refused willfully and with intent to defraud~~ (i) fails to pay the posted fare published by the transportation district (ii) fails to properly validate a ticket, (iii) uses a fraudulent or counterfeit ticket, or (iv) uses a validated ticket outside the designated zone of the paid ride. A violation of this section ~~shall be punishable by a fine of not less than \$150 nor more than \$250~~ is punishable as a Class 2 misdemeanor. A violation of this section shall be deemed to continue from the point of boarding through termination of the train's scheduled trip.

B. Any person who has been convicted of violating ~~the provisions of § 18.2-160.1~~ this section shall be civilly liable to the Commonwealth and the transportation district for all costs incurred in prosecuting such person ~~under the provisions of § 18.2-160.1~~. The costs shall be limited to actual expenses, including the base wage of one employee acting as a witness for the Commonwealth and suit costs, but the total costs recovered shall not exceed ~~\$250~~ \$500.

HOUSE
SUBSTITUTE

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