

2009 SESSION

INTRODUCED

094414268

SENATE BILL NO. 1424

Offered January 14, 2009

A BILL to amend the Code of Virginia by adding a section numbered 18.2-268.13, relating to DUI prior offenses; penalties.

Patrons—Martin; Delegate: Cox

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-268.13 as follows:

§ 18.2-268.13. Definition of substantially similar laws for determining number of prior offenses.

A statute or ordinance of another state, the United States, or a political subdivision of either that criminalizes (i) driving or operating a motor vehicle while intoxicated, impaired, or under the influence and defines such intoxication or impairment as 0.08 percent or more by weight by volume or 0.08 grams or more per 210 liters of breath or (ii) driving or operating a motor vehicle under the influence of, or while impaired by, alcohol, a drug, or alcohol and a drug shall be deemed to be a substantially similar law for the purpose of determining the number of offenses committed by a person and the punishment appropriate pursuant to subsection E of § 18.2-270.

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 is \$0 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

SB1424