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HOUSE BILL NO. 1139

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend and reenact § 46.2-931 of the Code of Virginia, relating to local regulation of handbill distribution and other activities on highways.*

Patrons—Morgan; Senator: McDougle

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-931 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-931. Certain localities may prohibit or regulate distribution of handbills, etc., solicitation of contributions, and sale of merchandise on highways within their boundaries.

A. Arlington, Hanover, Henrico, and Spotsylvania Counties, the Cities of Falls Church and Richmond, and the ~~Town~~ *Towns* of Vienna and West Point are hereby authorized to adopt ordinances prohibiting or regulating:

1. The distribution of handbills, leaflets, bulletins, literature, advertisements, or similar material to the occupants of motor vehicles on highways located within their boundaries;

2. The solicitation of contributions of any nature from the occupants of motor vehicles on highways located within their boundaries; and

3. The sale of merchandise or the attempted sale of merchandise to the occupants of motor vehicles on highways located within their boundaries.

B. Albemarle, Greene, Hanover, Loudoun, and Spotsylvania Counties ~~and~~, the Cities of Falls Church and Richmond, *and the Town of West Point* are hereby authorized to adopt ordinances regulating:

1. The distribution of handbills, leaflets, bulletins, literature, advertisements, or similar material to the occupants of motor vehicles on public roadways and medians;

2. The solicitation of contributions of any nature from the occupants of motor vehicles on public roadways and medians; and

3. The sale of merchandise or the attempted sale of merchandise to the occupants of motor vehicles on public roadways and medians.

C. Ordinances adopted pursuant to this section may provide that any person violating the provisions of such ordinances shall be guilty of a traffic infraction.

D. The Virginia Department of Transportation may regulate activities within such streets and highways under its jurisdiction, subject to regulations promulgated by the Commonwealth Transportation Board. Nothing in this section shall be construed to allow any locality to permit activities within any highway under the maintenance and operational jurisdiction of the Virginia Department of Transportation.

INTRODUCED

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