

2010 SESSION

HOUSE SUBSTITUTE

10105529D

SENATE BILL NO. 35

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 23, 2010)

(Patron Prior to Substitute—Senator Lucas)

A *BILL to amend and reenact § 46.2-931 of the Code of Virginia, relating to distribution of handbills, etc., solicitation of contributions, and sale of merchandise or services on highways, public roadways, and medians.*

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. Localities may prohibit or regulate distribution of handbills, etc., solicitation of contributions, and sale of merchandise or services on highways within their boundaries or on public roadways and medians.

A. ~~Arlington, Hanover, Henrico, and Spotsylvania Counties, the Cities of Falls Church and Richmond, and the Town of Vienna are~~ *Any county, city, or town is* hereby authorized to adopt ~~ordinances an ordinance~~ 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~~ *its* boundaries ~~or on public roadways and medians~~;

2. The solicitation of contributions of any nature from the occupants of motor vehicles on highways located within ~~their~~ *its* boundaries ~~or on public roadways and medians~~; and

3. The sale of merchandise ~~or services~~ or the attempted sale of merchandise ~~or services~~ to the occupants of motor vehicles on highways located within ~~their~~ *its* boundaries ~~or on public roadways and medians~~.

B. Albemarle, Greene, Hanover, Loudoun, and Spotsylvania Counties and the Cities of Falls Church and Richmond 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.

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