

VIRGINIA ACTS OF ASSEMBLY -- 2011 RECONVENED SESSION

CHAPTER 768

An Act to amend and reenact § 29.1-113 of the Code of Virginia, relating to parking violations on Department of Game and Inland Fisheries' properties; civil penalty.

[H 1629]

Approved April 6, 2011

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-113 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-113. Admittance, parking, and use at certain Department-owned facilities or Department-leased land; civil penalty.

A. No person shall make use of, gain admittance to, or attempt to use or gain admittance to those certain Department-owned facilities where the Department charges a fee established by the Board pursuant to § 29.1-103, unless the person pays such fee. However, such fee shall not apply to (i) any person holding a valid hunting, trapping, or fishing permit, or a current certificate of boat registration issued by the Department, (ii) persons 16 years of age or younger, or (iii) the use of Department-owned boat ramps.

B. No person shall hunt on private lands managed by the Department through a lease agreement or other similar memorandum of agreement where the Department issues an annual hunting stamp without having purchased a valid annual hunting stamp.

C. *Any person violating subsections A or B may, in lieu of any criminal penalty, be assessed a civil penalty of up to \$50 by the Department. Civil penalties assessed under this section shall be paid into the Game Protection Fund. No owner or driver shall cause or permit a vehicle to stand:*

1. On property owned or managed by the Department outside of designated parking spaces, except for a reasonable time in order to receive or discharge passengers or in the case of an emergency;

2. In any designated parking space on property owned or managed by the Department in violation of any posted rule regarding use of the space; or

3. In any space on property owned or managed by the Department designated for use by persons with disabilities unless the vehicle displays a license plate or decal issued by the Commissioner of the Department of Motor Vehicles, or a similar identification issued by a similar authority of another state or the District of Columbia, which authorizes parking in such a designated space. Notwithstanding the provisions of § 29.1-554, any regulation of the Board, or any other trespass provision in the Code of Virginia, any person violating this subsection shall not be subject to a criminal penalty. Any person violating this subsection may, in lieu of any criminal penalty, be assessed a civil penalty of \$25, which shall be paid into the Game Protection Fund.

Any person violating this section may, in lieu of any criminal penalty, be assessed a civil penalty of up to \$50 by the Department. Civil penalties assessed under this section shall be paid into the Game Protection Fund.