

2011 SESSION

INTRODUCED

11103448D

SENATE BILL NO. 1181

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend and reenact § 18.2-51.4 of the Code of Virginia, relating to driving while intoxicated; serious bodily injury; penalty.*

Patron—Norment

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-51.4 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-51.4. Maiming, etc., of another resulting from driving while intoxicated.

A. Any person who, as a result of driving while intoxicated in violation of § 18.2-266 or any local ordinance substantially similar thereto in a manner so gross, wanton and culpable as to show a reckless disregard for human life, unintentionally causes the serious bodily injury of another person ~~resulting in permanent and significant physical impairment shall be~~ is guilty of a Class 6 felony.

B. Any person who, as a result of driving while intoxicated in violation of § 18.2-266 or any local ordinance substantially similar thereto in a manner so gross, wanton and culpable as to show a reckless disregard for human life, unintentionally causes the serious bodily injury of another person ~~resulting in permanent and significant physical impairment is~~ guilty of a Class 4 felony.

C. The driver's license of any person convicted under this section shall be revoked pursuant to subsection B of § 46.2-391.

D. The provisions of Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 shall apply, mutatis mutandis, upon arrest for a violation of this section.

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 at least \$241,609 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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SB1181