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SENATE BILL NO. 1251

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding in Article 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.5, relating to placement of electronic tracking devices in or on vehicles through deceptive means; penalty.*

Patrons—Vogel; Delegate: Cole

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 in Article 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.5 as follows:

§ 18.2-60.5. Unauthorized installation or placement of electronic tracking device in vehicle; penalty.

A. It shall be unlawful for any person to install or place, through intentionally deceptive means, an electronic tracking device in or on a vehicle or cause an electronic tracking device to be installed or placed, through intentionally deceptive means, in or on a vehicle. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

B. The provisions of this section shall not apply to the installation of an electronic tracking device by:

1. A law-enforcement officer, judicial officer, probation or parole officer, or employee of the Department of Corrections in the lawful performance of his official duties; or

2. The parent or legal guardian of a minor on any vehicle owned or leased by that parent or guardian or the minor and operated by the minor.

C. For the purposes of this section:

"Electronic tracking device" means an electronic or mechanical device that, when placed on or installed in a vehicle, permits other persons to remotely determine or track the position and movement of such vehicle.

"Vehicle" has the same meaning set forth in § 46.2-100.

INTRODUCED

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