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SENATE BILL NO. 1192

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 21, 2013)

(Patron Prior to Substitute—Senator Hanger)

A BILL to amend the Code of Virginia by adding a section numbered 52-5.1, relating to the Department of State Police; reimbursement of expenses.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 52-5.1 as follows:

§ 52-5.1. Reimbursement of expenses incurred in providing law enforcement services in response to accidents.

A. A person shall be liable, at the time of sentencing or in a separate civil action, to the Department of State Police for restitution of reasonable expenses incurred by the Department when such person is convicted of driving or operating a motor vehicle, engine, train, or watercraft while under the influence in violation of § 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, when such driving or operation results in an accident;

B. Liability under subsection A shall be \$350 for any accident or arrest.

C. The provisions of this section shall not preempt or limit any remedy available to the Commonwealth to recover expenses of an appropriate emergency response to any other accident not involving a violation set forth in subsection A.

D. The provisions of this section shall not apply when a locality collects a fee through a local ordinance authorized under § 15.2-1716.

SENATE SUBSTITUTE

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