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SENATE BILL NO. 61

Offered January 8, 2014

Prefiled December 18, 2013

A *BILL to amend and reenact § 46.2-931 of the Code of Virginia, relating to solicitation of contributions on highways.*

Patron—Puller

Referred to Committee on Transportation

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. Any county, city, or town is hereby authorized to adopt 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 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 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 its boundaries or on public roadways and medians.

B. *A locality may by ordinance allow pedestrians over the age of 18 who are working for an organization granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to enter a highway for the purpose of soliciting contributions for charitable or community purposes. Such ordinances shall not exclude or give preference to particular individuals or organizations.*

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.

~~C.~~ 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.

INTRODUCED

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