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HOUSE BILL NO. 289

House Amendments in [] — February 8, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-800.3, relating to local regulation driving in flooded areas; no wake.*

Patron Prior to Engrossment—Delegate Helsel

Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 46.2-800.3 as follows:****§ 46.2-800.3. Driving in flooded areas prohibited.**

The governing body of any locality may by ordinance prohibit any person from operating a motor vehicle or watercraft on a flooded highway, street, alley, or parking lot, regardless of whether such highway, street, alley, or parking lot is publicly or privately owned in such a manner as to increase the level of floodwaters to a level that causes or could reasonably be expected to cause damage to any real or personal property.

Such ordinance shall not apply to any law-enforcement officer, firefighter, or emergency medical services personnel engaged in the performance of his duties nor to the operator of any vehicle owned or controlled by the Department of Transportation [or a public utility company as defined in § 56-265.1. Any locality adopting such an ordinance shall provide for adequate notice including signs that, at a minimum, warn operators of motor vehicles and watercraft of the prohibition and penalties] .

A violation of such ordinance shall constitute a Class 4 misdemeanor.

ENGROSSED

HB289E