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SENATE BILL NO. 919**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Transportation

on January 31, 2018)

(Patron Prior to Substitute—Senator Ebbin)

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-816.1, relating to infliction of injury on vulnerable road users; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-816.1 as follows:

§ 46.2-816.1. Infliction of injury on vulnerable road users; penalty.

A. As used in this section, "vulnerable road user" means a pedestrian or a person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, wheelchair or wheelchair conveyance, skateboard, roller or in-line skates, foot-scooter, or animal-drawn vehicle or riding an animal.

B. Any person who, as a result of operating a motor vehicle in violation of § 46.2-802, 46.2-803, 46.2-804, 46.2-805, 46.2-806, 46.2-807, 46.2-812, 46.2-814, 46.2-816, 46.2-817, 46.2-818.1, 46.2-820, 46.2-821, 46.2-822, 46.2-824, 46.2-825, 46.2-826, 46.2-828, 46.2-828.1, 46.2-828.2, 46.2-829, 46.2-830, 46.2-830.1, 46.2-833, 46.2-833.1, 46.2-835, or 46.2-836, Article 4 (§ 46.2-837 et seq.), § 46.2-845, 46.2-846, 46.2-848, 46.2-850, 46.2-851, 46.2-870, 46.2-873, 46.2-873.1, 46.2-873.2, 46.2-874, 46.2-875, 46.2-876, 46.2-877, 46.2-878.1, 46.2-878.2, or 46.2-881, Article 9 (§ 46.2-884 et seq.), or § 46.2-908.3, 46.2-909, 46.2-912, 46.2-924, 46.2-932.1, or 46.2-933 and who causes serious bodily injury or death to a vulnerable road user who is lawfully present on the highway at the time of injury is guilty of a Class 2 misdemeanor.

C. The court may suspend the driver's license of a person convicted of a violation of subsection B for a period of not more than six months. If the court suspends a person's driver's license for a violation of subsection B, the court shall order the surrender of the license, to be disposed of in accordance with the provisions of § 46.2-398.

D. A violation of this section shall constitute a separate and distinct offense. The provisions of this section shall not preclude prosecution under any other statute.