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SENATE BILL NO. 1466

Offered January 9, 2019

Prefiled January 8, 2019

A BILL to amend the Code of Virginia by adding a section numbered 18.2-371.1:1, relating to  
unattended children in motor vehicles; penalty.

Patron—Vogel

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 a section numbered 18.2-371.1:1 as follows:**

**§ 18.2-371.1:1. Leaving an unattended child in a motor vehicle; penalty.**

A. As used in this section, "unattended child" means a child four years of age or younger who has been left in a motor vehicle by the person responsible for the care of the child when such person is unable to continuously observe the child, unless a person 12 years of age or older is physically present in the motor vehicle with the child.

B. Any person responsible for the care of a child who leaves an unattended child in a motor vehicle where (i) the child's health, safety, and well-being are at risk or (ii) the vehicle's engine is on or running is guilty of a Class 1 misdemeanor.

C. A law-enforcement officer who observes or is alerted to the existence of an unattended child shall use whatever means are reasonably necessary to protect the child. If the law-enforcement officer removes the child from the immediate area, he shall leave an obvious written notice on the motor vehicle. The law-enforcement officer shall give notice of the unattended child to the child protective services unit of the local department of social services.

D. The provisions of this section shall not preclude prosecution under any other statute.

INTRODUCED

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