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HOUSE BILL NO. 2392

House Amendments in [] - February 6, 2023

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-1231.2, relating to towing and recovery operators; attorney fees and costs.*

Patron Prior to Engrossment—Delegate Austin

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 46.2-1231.2 as follows:

§ 46.2-1231.2. Attorney fees and costs; towing and recovery operators.

In any civil action brought by a towing and recovery operator to recover allowable costs pursuant to § 46.2-1212.1 or 46.2-1217 or to enforce a lien pursuant to § 46.2-644.03 related to towing and recovery services rendered as a result of a request made by any local or state law-enforcement officer or other government official acting in his official capacity, the towing and recovery operator may include reasonable attorney fees and costs for pursuing such civil action as a part of the damages. Such reasonable attorney fees and costs [~~shall~~ may] be awarded if the court finds that the towing and recovery operator is entitled to any monetary award for the underlying claim.

ENGROSSED

HB2392E