

1994 SESSION

INTRODUCED

LD7532739

SENATE BILL NO. 451

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding a section numbered 15.1-132.1, relating to driving while impaired.

Patrons—Stolle, Earley, Holland, C.A. and Quayle; Delegates: McDonnell, Purkey, Tata, Wagner and Wardrup

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.1-132.1 as follows:

§ 15.1-132.1. Reimbursement for expenses of driving while impaired in certain cities.

Any city with a population of 350,000 or greater may provide by ordinance that any person who drives or operates a motor vehicle, engine, train, motorboat, watercraft, or aircraft while under the influence of (i) alcohol, (ii) any narcotic drug or other self-administered intoxicant or drug of whatever nature, or (iii) any combination of such drugs to a degree which impairs his ability to drive or operate such vehicle or craft, when such impairment is the proximate cause of any accident or incident resulting in an appropriate emergency response, shall be civilly liable to the city and to any volunteer rescue squad which may provide such emergency response for the reasonable expense thereof, in an amount not to exceed \$1,000 for a particular accident or incident. As used in this section, "appropriate emergency response" includes all costs of providing law-enforcement, fire fighting, rescue, and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the Commonwealth, to the city, or to any volunteer rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving or operation of a vehicle or craft as set forth herein. For purposes of this section, the presumptions from alcohol content of blood set forth in § 18.2-269 shall apply. No policy or contract of bodily injury or property damage liability insurance relating to the ownership, maintenance, or use of a motor vehicle, motorboat, watercraft, or aircraft issued or issued for delivery in the Commonwealth shall insure against any civil liability under this section.

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