

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 439

An Act to amend and reenact § 18.2-266 of the Code of Virginia, relating to charging the offense of driving while intoxicated.

[H 1103]

Approved March 31, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-266 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-266. Driving motor vehicle, engine, etc., while intoxicated, etc.

It shall be unlawful for any person to drive or operate any motor vehicle, engine or train (i) while such person has a blood alcohol concentration of 0.08 percent or more by weight by volume or 0.08 grams or more per 210 liters of breath as indicated by a chemical test administered as provided in this article, (ii) while such person is under the influence of alcohol, (iii) while such person is under the influence of any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature, or any combination of such drugs, to a degree which impairs his ability to drive or operate any motor vehicle, engine or train safely, or (iv) while such person is under the combined influence of alcohol and any drug or drugs to a degree which impairs his ability to drive or operate any motor vehicle, engine or train safely. *A charge alleging a violation of this section shall support a conviction under clauses (i), (ii), (iii), or (iv).*

For the purposes of this section, the term "motor vehicle" includes mopeds, while operated on the public highways of this Commonwealth.