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HOUSE BILL NO. 2238

House Amendments in [] — January 29, 1997

A BILL to amend the Code of Virginia by adding a section numbered 29.1-738.6, relating to the removal of a vessel from scene of arrest.

Patrons—Dudley, Albo, Drake, Griffith, Ingram, Katzen, Ruff, Rust, Tata and Wardrup

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 29.1-738.6 as follows:

§ 29.1-738.6 When arrested person operating a vessel; how vessel removed from scene of arrest.

In any case in which a law enforcement officer arrests the operator of a vessel, and there is no legal cause for the retention of the vessel by the officer, the officer shall allow the person arrested to designate another person who is present at the scene of the arrest to operate the vessel from the scene to a place designated by the person arrested. If such a designation is not made, the officer may cause the vessel to be taken to the nearest appropriate place for safekeeping. [~~Persons furnishing services involving the towing, recovery, and storage of such vessels shall be covered by the provisions regarding lawful liens on boats in § 43-32 and by the enforcement provisions of § 43-34.~~]

ENGROSSED

HB2238E