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**SENATE BILL NO. 332**

Offered January 11, 2006

Prefiled January 11, 2006

*A BILL to amend the Code of Virginia by adding in Article 11 of Chapter 8 of Title 46.2 a section numbered 46.2-902.2, relating to additional penalties for traffic offenses.*

Patron—Obenshain

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 11 of Chapter 8 of Title 46.2 a section numbered 46.2-902.2 as follows:**

*§ 46.2-902.2. Certain traffic offenses; additional penalties.*

*A. Upon conviction of a right-of-way violation pursuant to § 46.2-820 through 46.2-829, or upon a conviction of § 46.2-805, 46.2-808, 46.2-830, 46.2-835, 46.2-836, or 46.2-852, when any of the convictions listed herein results in the death of another person or results in any injury involving permanent and significant physical impairment, the judge may, in addition to any other penalty prescribed by statute, sentence the convicted party to speak for up to 40 hours before driver education classes in the Commonwealth about the offense for which the driver was convicted and the consequences thereof to himself and the victim of the offense. Such hours shall be arranged through the Department of Education, Driver Education section, which shall notify the court of the convicted party's successful completion of such hours, or, upon failure to successfully complete such hours, the convicted party's failure to successfully complete such hours.*

*B. If the convicted party was operating a motorcycle at the time of the offense, the completion of the hours ordered shall be arranged by the Virginia Rider Training Program located within the Department of Motor Vehicles, which shall report to the court as directed in subsection A.*

*C. Upon receiving a report from either the Department of Education or the Department of Motor Vehicles that a convicted party has failed to successfully complete any portion of the hours ordered pursuant to this section, the court that ordered such hours shall order the convicted party to appear before the court in order to determine whether the convicted party unreasonably failed to complete the ordered hours. Any person whom the court finds unreasonably failed to complete the hours ordered pursuant to this section shall be guilty of a Class 1 misdemeanor with a mandatory minimum period of confinement of 30 days in jail and a mandatory minimum fine of \$500. In addition to the punishment prescribed herein, the court shall suspend for one year the privilege to drive of any person whom the court finds unreasonably failed to complete the hours ordered pursuant to this section. Such person shall not be eligible for a restricted driver's license.*

INTRODUCED

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