

2007 SESSION

INTRODUCED

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HOUSE BILL NO. 2055

Offered January 10, 2007

Prefiled January 8, 2007

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-160.2, relating to prohibition on trespassing on public transportation; penalty.*

Patron—McQuigg

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 18.2-160.2 as follows:

§ 18.2-160.2. Trespassing on public transportation; penalty.

Any person who, while he is upon property owned or operated by a public transportation service, commits a crime or violates the rules of conduct promulgated by the public transportation service may be forbidden, either orally or in writing, to enter upon such property. If, after having been forbidden to do so, he then enters upon or remains upon such property, he is guilty of a Class 4 misdemeanor.

Any person who has been convicted of violating the provisions of this section is civilly liable for actual expenses incurred by the public transportation service in prosecuting the person. The expenses shall include the base wage of one employee acting as a witness for the Commonwealth. Total expenses, fees and costs recoverable for both the criminal and civil case shall not exceed \$250.

For purposes of this section, "public transportation" means passenger transportation by rubber-tired, rail or other surface conveyance, which provides shared ride services open to the general public on a regular and continuing basis. Property owned or operated by a public transportation service shall include, but not be limited to, tracks, rights-of-way, bridges, tunnels, subways, rolling stock for rail, motor vehicle, marine and air transportation, stations, terminals and ports, areas for parking, buildings, structures and all equipment, fixtures and business activities reasonably required for the performance of public transportation service.

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