

2008 SESSION

INTRODUCED

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SENATE BILL NO. 556

Offered January 9, 2008

Prefiled January 9, 2008

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-863.1, relating to violating right-of-way resulting in death; penalty.*

Patrons—Obenshain and Vogel; Delegate: Lohr

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-863.1 as follows:

§ 46.2-863.1. Violation of right-of-way resulting in death of another; penalty.

A person shall be guilty of reckless driving who, while operating a motor vehicle on the highways of the Commonwealth, violates the right-of-way of any motor vehicle causing the death of another person. Upon conviction the court shall sentence the person to a term of confinement in jail of not less than 90 days and shall suspend the driver's license of such person for a period of not less than six months or more than three years and shall order the surrender of the license to be disposed of in accordance with the provisions of § 46.2-398.

The penalties imposed herein may be suspended by the court only upon the condition that the person completes a period of community service of not less than 24 hours. If the victim of the offense was operating or was the passenger on a motorcycle, the community service shall be monitored and supervised by the Department of Motor Vehicles through the Virginia Rider Training Program. Nothing herein shall prohibit the court from imposing other such conditions of suspension as the court deems appropriate.

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