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HOUSE BILL NO. 1932

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend the Code of Virginia by adding a section numbered 52-5.1, relating to the Department of State Police; reimbursement of expenses.*

Patron—Morris

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 52-5.1 as follows:

§ 52-5.1. Reimbursement of expenses incurred in providing law enforcement services in response to incidents.

A. A person shall be liable, at the time of sentencing or in a separate civil action, to the Department of State Police for restitution of reasonable expenses incurred by the Department when such person is convicted of violating any of the following:

1. Driving or operating a motor vehicle, engine, train, or watercraft while under the influence in violation of § 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, when such driving or operation is the proximate cause of the accident or incident;

2. Reckless driving in violation of Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 when such reckless driving is the proximate cause of the accident or incident;

3. Driving without a license or with a suspended or revoked license in violation of Article 1 (§ 46.2-300 et seq.) of Chapter 3 of Title 46.2; or

4. Departing from the scene of an accident in violation of § 46.2-894.

For purposes of this section, "reasonable expenses" incurred by the Department related to such violation shall include (i) providing the appropriate emergency response to any accident or incident and (ii) issuing any arrest warrant or summons.

B. Liability under subsection A shall not exceed \$1,000 in the aggregate for any accident, arrest, or incident. The Department may include in its expenses a fee, not to exceed \$350, billed on a flat or per-minute basis, for accounting for reasonable expenses incurred.

C. The provisions of this section shall not preempt or limit any remedy available to the Commonwealth to recover expenses of an appropriate emergency response to any other accident or incident not involving a violation set forth in subsection A.

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