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SENATE BILL NO. 1338

Offered January 11, 2017

Prefiled January 10, 2017

A BILL to amend and reenact § 46.2-854 of the Code of Virginia, relating to passing in a bicycle lane; penalty.

Patrons—Surovell and DeSteph

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-854 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-854. Passing on a curve or in a bicycle lane.

A. A person ~~shall be~~ *is* guilty of reckless driving who, while driving a vehicle, overtakes and passes another vehicle proceeding in the same direction, on or approaching the crest of a grade or on or approaching a curve in the highway, where the driver's view along the highway is obstructed, except where the overtaking vehicle is being operated on a highway having two or more designated lanes of roadway for each direction of travel or on a designated one-way roadway or highway.

B. *A person is guilty of reckless driving who, while driving a vehicle, travels in a bicycle lane as defined in § 46.2-100 to pass or attempt to pass another vehicle.*

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 780 of the Acts of Assembly of 2016 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

SB1338