

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-272 of the Code of Virginia, relating to driving after forfeiture of*
3 *license.*

4 [S 798]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-272 of the Code of Virginia is amended and reenacted as follows:**8 **§ 18.2-272. Driving after forfeiture of license.**

9 A. Any person who drives or operates any motor vehicle *on any highway, as defined in § 46.2-100,*
10 *in the Commonwealth, or any engine or train in the Commonwealth,* during the time for which he was
11 deprived of the right to do so (i) upon conviction of a violation of § 18.2-268.3 or 46.2-341.26:3 or of
12 an offense set forth in subsection E of § 18.2-270, (ii) by § 18.2-271 or 46.2-391.2, (iii) after his license
13 has been revoked pursuant to § 46.2-389 or 46.2-391, or (iv) in violation of the terms of a restricted
14 license issued pursuant to subsection E of § 18.2-271.1, is guilty of a Class 1 misdemeanor except as
15 otherwise provided in § 46.2-391, and is subject to administrative revocation of his driver's license
16 pursuant to §§ 46.2-389 and 46.2-391. Any person convicted of three violations of this section
17 committed within a 10-year period is guilty of a Class 6 felony.

18 Nothing in this section or § 18.2-266, 18.2-270, or 18.2-271 shall be construed as conflicting with or
19 repealing any ordinance or resolution of any *county, city, or town or county which that* restricts still
20 further the right of such persons to drive or operate any such vehicle or conveyance.

21 B. Regardless of compliance with any other restrictions on his privilege to drive or operate a motor
22 vehicle, it shall be a violation of this section for any person whose privilege to drive or operate a motor
23 vehicle has been restricted, suspended or revoked because of a violation of § 18.2-36.1, 18.2-51.4,
24 18.2-266, 18.2-268.3, 46.2-341.24, or 46.2-341.26:3 or a similar ordinance or law of another state or the
25 United States to drive or operate a motor vehicle *on any highway, as defined in § 46.2-100, in the*
26 *Commonwealth* while he has a blood alcohol content of 0.02 percent or more.

27 Any person suspected of a violation of this subsection shall be entitled to a preliminary breath test in
28 accordance with the provisions of § 18.2-267, shall be deemed to have given his implied consent to have
29 samples of his blood, breath or both taken for analysis pursuant to the provisions of § 18.2-268.2, and,
30 when charged with a violation of this subsection, shall be subject to the provisions of §§ 18.2-268.1
31 through 18.2-268.12.

32 C. Any person who drives or operates a motor vehicle *on any highway, as defined in § 46.2-100, in*
33 *the Commonwealth* without a certified ignition interlock system as required by § 46.2-391.01 is guilty of
34 a Class 1 misdemeanor and is subject to administrative revocation of his driver's license pursuant to
35 §§ 46.2-389 and 46.2-391.

ENROLLED

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