

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 46.2-808.3, relating to moving*  
3 *violations; highway work zones.*

4  
5 Approved

[H 282]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 46.2-808.3 as follows:**

8 ***§ 46.2-808.3. Violations committed within highway work zone; penalty.***

9 *Operation of any motor vehicle in a manner constituting a moving violation of any provision of this*  
10 *chapter in a highway work zone, as defined in § 46.2-878.1, when workers are present and when such*  
11 *highway work zone is indicated by appropriately placed signs shall be unlawful and shall constitute a*  
12 *traffic infraction punishable by a fine of not less than \$300 for the first offense and not less than \$500*  
13 *for any subsequent offense. However, if any such subsequent offense occurs within the same 12-month*  
14 *period as any other moving violation of any provision of this chapter while operating a motor vehicle in*  
15 *a highway work zone, as defined in § 46.2-878.1, such fine shall be not less than \$750.*

16 *A prosecution or proceeding under § 46.2-878.1 is a bar to a prosecution or proceeding under this*  
17 *section for the same act, and a prosecution or proceeding under this section is a bar to a prosecution*  
18 *or proceeding under § 46.2-878.1 for the same act.*

19 *Nothing in this section shall preclude the prosecution or conviction for reckless driving of any motor*  
20 *vehicle operator whose operation of any motor vehicle in a highway work zone demonstrates a reckless*  
21 *disregard for life, limb, or property.*

ENROLLED

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