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SENATE BILL NO. 712

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 6, 2024)

(Patron Prior to Substitute—Senator Marsden)

A BILL to amend and reenact §§ 18.2-132.1 and 46.2-889 of the Code of Virginia, relating to release of hunting dogs; state or local roadway.

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-132.1 and 46.2-889 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-132.1. Trespass by hunters using dogs on lands of another or on state or local roadway; penalties.

A. Any person who intentionally releases hunting dogs on the lands of another ~~which~~ *that* have been posted in accordance with the provisions of § 18.2-134.1 to hunt without the consent of the landowner or his agent is guilty of a Class 3 misdemeanor. A second or subsequent violation of this ~~section~~ *subsection* within three years is a Class 1 misdemeanor and, upon conviction, the court shall revoke such person's hunting or trapping license for a period of one year. The fact that hunting dogs are present on the lands of another alone is not sufficient evidence to prove that the person acted intentionally.

B. *Any person who releases hunting dogs on or within 15 feet of the edge of a roadway owned or maintained by the Department of Transportation or a local government is guilty of a Class 3 misdemeanor. A second or subsequent violation of this subsection is a Class 1 misdemeanor.*

§ 46.2-889. Location of parked vehicles.

No vehicle shall be stopped except close to and parallel to the right edge of the curb or roadway, except that a vehicle may be stopped close to and parallel to the left curb or edge of the roadway on one-way streets or may be parked at an angle where permitted by the Commonwealth Transportation Board, the Department, or local authorities with respect to highways under their jurisdiction.

Nothing in this section shall prevent the retrieval of a companion animal as defined in § 3.2-6500 from a highway or area adjacent to a highway.