

ROCKBRIDGE COUNTY CODE

Chapter 20

MOTOR VEHICLES AND TRAFFIC

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ARTICLE I. IN GENERAL

Sec. 20-1. Authority to enforce provisions of state motor vehicle laws.

The sheriff has the authority to enforce all the provisions of Title 46.2 of the Code of Virginia punishable as felonies, misdemeanors, or traffic infractions, as authorized by Code of Virginia, §46.2-102.

State law reference(s)--General authority of county to regulate traffic, Code of Virginia, §46.2-1300 et seq. Authority of local law enforcement officers to enforce state motor vehicle laws, Code of Virginia, §46.2-102.

Sec. 20-2. State Motor Vehicular Laws.

Pursuant to the authority of Section 46.2-1313, Code of Virginia, 1950, as amended, all of the provisions and requirements of the laws of the State as of July 1st, 2004, contained in Title 46.2, Code of Virginia, 1950, as amended, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, 1950, as amended, except those provisions and requirements in the violation of which constitutes a felony and except those provisions and requirements by which, by their very nature, can have no application to or within the County, are adopted and incorporated by reference and made applicable within the County. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the County. Such provisions and requirements are hereby adopted, *mutatis mutandis*, and made part of this chapter as fully as those set forth at length herein; and it shall be unlawful for any person within the County to violate or fail, neglect or refuse to comply with any provision of Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, which is adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement adopted exceed the penalty imposed for a similar offense under Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia.

(Ord. of 07-26-04)

Sec. 20-3. Reimbursement of expenses incurred for emergency response to DUI and other traffic accidents or incidents and to terrorism hoax incidents.

(a) Any person convicted of violating any of the following provisions shall be liable for restitution at the time of sentencing by order of the Court, or in a separate civil action to the County of Rockbridge or to any responding volunteer fire or rescue squad, or both, for reasonable expenses incurred by the County or by any volunteer fire or rescue squad, or any combination thereof, when providing an appropriate emergency response to any accident or incident related to such violation:

1. The provisions of Code of Virginia §18.2-51.4, §18.2-266, §18.2-266.1, §29.1-738, or §19.1-738.02, as amended, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;
2. The provisions of Code of Virginia §46.2-894, as amended, relating to improperly leaving the scene of an accident;
3. The provisions of Code of Virginia §18.2-46.6, subsections B or C, as amended, when such terrorism hoax incident is the proximate cause of any incident resulting in an appropriate emergency response.

(b) Any person convicted of violating any of the following provisions shall be liable for restitution at the time of sentencing by order of the Court, or in a separate civil action to the

County of Rockbridge or to any responding volunteer fire or rescue squad, or both, for reasonable expenses incurred by the County or by any volunteer fire or rescue squad, or any combination thereof, when providing an appropriate emergency response to any accident related to such violation:

1. The provisions of Article 7 (Code of Virginia §46.2-852, et seq.) of Chapter 8 of Title 46.2, as amended, relating to reckless driving, when such reckless driving is the proximate cause of the accident;
2. The provisions of Article 1 (Code of Virginia §46.2-300, et seq.) of Chapter 3 of Title 46.2, as amended, relating to driving without a license or driving with a suspended or revoked license.

(c) In determining “reasonable expenses”, the County may bill a flat fee of \$250.00, or a minute-by-minute accounting of the actual costs incurred, which shall not exceed \$1,000.00 in the aggregate for a particular accident or incident occurring in the County.

(d) As used in this section, “appropriate emergency response” includes all costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services.

(e) The provisions of this section shall not preempt or limit any remedy available to the Commonwealth, the County, or any fire or rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving a violation of any of the above mentioned state code sections as set forth herein.

(This Section added by Ord. of 7-24-06, effective August 1, 2006.)

State law reference(s) -- Code of Virginia, §15.2-1716 and §15.2-1716.1

Secs. 20-4--20-20. Reserved.

ARTICLE II. FAILURE TO MAINTAIN PROPER CONTROL OF VEHICLE-- DELETED

Secs. 20-21--20-35. Deleted, pursuant to Rockbridge County Ordinance (Sec. 20-2) adopted July 26, 2004. Secs. 20-21--20-35 now reserved.

ARTICLE III. UNLAWFUL PARKING OF VEHICLES*--DELETED

Secs. 20-36--20-55. Deleted, pursuant to Rockbridge County Ordinance (Sec. 20-2) adopted July 26, 2004. Secs. 20-36--20-55 now reserved.

***Cross reference(s)**--Streets, sidewalks and public places, Ch. 24.

State law reference(s)--General authority of county to regulate parking, stopping and standing of vehicles, Code of Virginia, §§46.2-1220,-1221, and -1224.

**ARTICLE IV. DRIVING UNDER THE INFLUENCE OF ALCOHOL, ETC.
(RESERVED)--DELETED**

Secs. 20-56--20-85. Deleted, pursuant to Rockbridge County Ordinance (Sec. 20-2) adopted July 26, 2004. Secs. 20-56--20-85 now reserved.

ARTICLE V. STATE TRAFFIC REGULATIONS*--DELETED

Secs. 20-86--20-422. Deleted, pursuant to Rockbridge County Ordinance (Sec. 20-2) adopted July 26, 2004. Secs. 20-86--20-422 now reserved.

***Editor's note--**Article V derives from Tit. 46.2, Ch. 8, Arts. 1--18 (§46.2-800 et seq.). These provisions have been designated as County Code sections for purposes of indexing. Following each section in this article is a citation showing the state regulation from which it derives.

