

Article I – In General

CHAPTER 62 – TRAFFIC AND VEHICLES

Sec. 62-1. – State traffic laws adopted.

Pursuant to the authority of Code of Virginia, § 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, Title 46 (§ 46.2-100 et seq.), and in Code of Virginia, Title 18.2 Chapter 7, Article 2 (§ 18.2-266 et seq.) except those provisions and requirements, the violation of which constitutes a felony or by nature can have no application to or within the county, are hereby adopted and incorporated in to this chapter and made applicable within all parts of the county not incorporated. The adoption of the above referenced statutes is to include all future amendments to those aforementioned statutes as authorized by Code of Virginia, § 1-13.39:2. Such provisions and requirements are hereby adopted mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person within the unincorporated portions of the county to violate, fail, neglect or refuse to comply with any of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, Title 46 (§ 46.2-100 et seq.) and in Code of Virginia, Title 18.2 Chapter 7, Article 2 (§ 18.2-266 et seq.), which are adopted by this section.

(Ord. of 6-10-1997(1); Ord. of 6-10-2003; Ord. of 6-14-2005(4))

Sec. 62-2. – Reimbursement of expenses incurred in responding to DUI and other traffic incidents.

(a) Any person who is convicted of violating any of the following provisions shall at the time of sentencing, be liable to Orange County or to any responding volunteer fire or rescue

squad, or both, for restitution of reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue and emergency services, including those incurred by the sheriff's office of the county, or by any volunteer fire or rescue squad, or by any combination of the foregoing, when providing an appropriate emergency response to any accident or incident related to such violation. Further, a person convicted of violating any of the following provisions shall, at the time of sentencing, be liable to the county or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county when issuing any related arrest warrant or summons, including the expenses incurred by the sheriff's office of the county, or by any volunteer fire or rescue squad, or by any combination of the foregoing:

Violations:

- (1) The provisions of Code of Virginia, §§ 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02 or 46.2-341.24, or a similar ordinance, 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, Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
- (3) The provisions of Code of Virginia, Article 1 (§ 46.2-300 et seq.) of Chapter 3 of Title 46.2 relating to driving without a license; and
- (4) The provisions of Code of Virginia, § 46.2-894 relating to improperly leaving the scene of an accident.

(b) Personal liability under this section for reasonable expenses of an appropriate emergency response pursuant to subsection (a) shall not exceed \$1,000.00 in the aggregate for a particular accident, arrest, or incident occurring in the county. In determining the "reasonable expenses," the county may bill a flat fee of \$350.00 or a minute-by-minute accounting of the actual costs incurred. As used in this section, "appropriate emergency response" includes all costs of providing law enforcement, firefighting, rescue and emergency medical services. The court may order as restitution the reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the commonwealth, to the county or to any volunteer rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving, operation of a vehicle or other conduct as set forth herein.

State Law reference- Code of Virginia, § 15.2-1716, as amended.

(Ordinance of 07-14-15)

Secs. 62-3-62-35. – Reserved.