

New Virginia laws take effect this month

Focus on New Laws to Take Effect July 1, 2010 including McDougle's Key Legislation –

Richmond, Virginia: Senator Ryan McDougle (R-Hanover) recognizes citizens are often not aware of new changes to the state Code. He stresses the importance of several new laws taking effect today, July 1, 2010 as a result of legislation passed earlier in the year at the 2010 General Assembly session.

The speed limit in certain rural areas will increase and drivers in Virginia may drive a little faster. The statute change increases the general highway speed limit on highways from 65 mph to 70 mph where indicated by lawfully placed signs. Traffic engineering studies and analysis of available and appropriate accident law-enforcement data will determine which highways in mainly rural will have the increased speed limit.

A new law to protect law enforcement and highway workers also takes affect and requires drivers on four-lane highways to “move-over” and yield the right-of-way when approaching vehicles displaying flashing blue, red, or amber lights by moving to a lane not adjacent to the vehicle displaying these lights if possible. The offense is punished as a traffic infraction, formerly a Class 1 misdemeanor. A second or subsequent offense is punishable as a Class 1 misdemeanor. The Code now also includes tow trucks or any roadside rescue vehicle with the lights described above. The provisions do not apply in highway work zones.

Turning to subject of insurance, this year a hot issue in the General Assembly was the Health Care Freedom Act, which passed as a result of the new federal health care legislation adopted earlier this year in Congress and signed by the President. The new law provides that a resident of the Commonwealth will not be required to obtain or maintain a policy of individual insurance coverage. The measure also states that

no provision of Title 38.2 of the Code of Virginia renders a resident liable for any penalty, assessment, fee or fine as a result of the failure to procure or obtain health insurance coverage.

On to the area of education, a new law making changes to the approval process for establishing a charter school takes effect July 1st. Currently, local school boards have the final say in approving charter school applications. Under the new law, local school boards will still have the final say, but any time they deny an application they will have to put their reasons for doing so in writing. Also, the new law requires charter school applicants to first submit their applications to the State Board of Education to make sure they meet the minimum criteria.

In an expansion of the absentee voting law, as of July 1st general registrars are required, once printed ballots are available, to send an absentee ballot within three business days of receiving a properly completed application. Failure to do so through willful neglect of duty and with malicious intent is a Class 1 misdemeanor. Another new law requires that absentee ballots be available 45 days before most elections. Military and other voters outside the country entitled to vote absentee can use a write-in absentee ballot for all elections, not just federal elections. The ballot may also serve as a voter registration application for state and local elections. Absentee ballots cast by such voters received after the polls close but at least two business days before the State Board of Elections ascertains the results of the elections may now be counted.

Relating to concealed handguns, several new laws take effect on July 1st. Of note is a new law which allows a valid concealed weapons permit holder to carry a concealed handgun on into a restaurant or club but prohibits that person from consuming alcoholic beverages. A person who does consume alcohol in violation of the provisions of the law is guilty of a misdemeanor.

Several of the bills Senator McDougle sponsored this year

will also become law on July 1, 2010. A bill Senator McDougle worked closely with the business community to successfully pass through the legislature aims to protect Virginia residents and businesses from potentially significant electricity rate increases due to newly-proposed federal regulations. As a result of the new law, Virginia electricity generators will be able to meet current and future demand despite the enactment of new, more stringent ozone standards proposed by the U.S. Environmental Protection Agency (US-EPA).

A public safety initiative Senator McDougle sponsored which will newly become law this week requires Virginia's prisoners to utilize income from correctional work programs to be used towards debt owed to the state for court imposed fines, costs, forfeitures, restitution or penalties. The new law encourages positive use of the inmates' time and supports a quicker assimilation into society.

Senator McDougle urges citizens to contact him with any questions or comments about new laws taking effect July 1, 2010. He may be reached at district04@senate.virginia.gov or by phone at 804-730-1026. Please have a safe and happy Fourth of July week as we celebrate and remember the founding of our great Nation.