

SENATE BILL NO. _____ HOUSE BILL NO. _____

A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.5, relating to placement of electronic tracking devices in or on vehicles through deceptive means; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.5 as follows:

§ 18.2-60.5. Unauthorized installation or placement of electronic tracking device in vehicle.

A. It shall be unlawful for any person to install or place, through intentionally deceptive means, an electronic tracking device in or on a vehicle, or cause an electronic tracking device to be installed or placed, through intentionally deceptive means, in or on a vehicle. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

B. This provision of this section shall not apply to the installation of an electronic tracking device by:

1. A law-enforcement officer, judicial officer, probation or parole officer, or employee of the Department of Corrections in the lawful performance of his official duties; or

2. The parent or legal guardian of a minor on any vehicle owned or leased by that parent or guardian or the minor, and operated by the minor.

C. For the purposes of this section:

"Electronic Tracking Device" means an electronic or mechanical device which, when placed on or installed in a vehicle, permits other persons to remotely determine or track the position and movement of such vehicle.

"Vehicle" has the same meaning set forth in § 46.2-100.

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SUMMARY

Electronic tracking devices; penalty. Prohibits a person from placing, through intentionally deceptive means, an electronic tracking device in or on a vehicle. The prohibition would not apply to law-enforcement officers, judicial officers, probation or parole officers, or employees of the Department of Corrections in the lawful performance of their duties, or to parents or guardians of minors. A violation of the section is a class 3 misdemeanor.