

**AN ORDINANCE OF THE COUNTY OF MIDDLESEX,  
VIRGINIA PERTAINING TO FEES FOR  
REIMBURSEMENT OF EXPENSES INCURRED IN  
RESPONDING TO DUI INCIDENTS AND OTHER  
TRAFFIC INCIDENTS**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF  
MIDDLESEX COUNTY, VIRGINIA, THAT THE FOLLOWING  
ORDINANCE IS HEREBY ADOPTED:

**Recovery of expenses for emergency response.**

1. Any person who is convicted of violating any of the following provisions shall be liable for restitution at the time of sentencing or in a separate civil action to the county or to any responding volunteer fire or rescue squad, or both, for reasonable expenses incurred by the county for responding law enforcement fire-fighting, rescue and emergency services, including 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:
  - a. The provisions of Virginia Code Sections 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, or 29.1-738.02, when such operation of a motor vehicle, engine, train, or watercraft while so impaired is the proximate cause of the accident or incident;
  - b. The provisions of Virginia Code Section 46.2-852 et seq. relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
  - c. The provisions of Virginia Code Section 46.2-300 et seq. relating to driving without a license or driving with a suspended or revoked license;
  - d. The provisions of Virginia Code Section 46.2-894 relating to improperly leaving the scene of an accident.

2. Personal liability under this section for reasonable expenses of an appropriate emergency response shall not exceed \$1,000 in the aggregate for a particular accident or incident occurring in the county. In determining the “reasonable expenses,” the county may bill a flat fee of \$250. As used in this section, “appropriate emergency response” includes all costs of providing law enforcement, fire-fighting, rescue, and emergency medical services. The court may order as restitution the reasonable expenses incurred by the county for responding law enforcement, fire-fighting, 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

Adopted this 19<sup>th</sup> day of September 2006.

This ordinance shall be in effect upon adoption.

Robert A. Crump  
John D. Miller, Jr.  
Kenneth W. Williams  
Fred S. Crittenden  
Wayne H. Jessie, Sr.

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A Copy Teste  
Charles M. Culley, Jr., Clerk