

SENATE BILL NO. 1145  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee for Courts of Justice  
on \_\_\_\_\_)  
(Patron Prior to Substitute—Senator French)

*A BILL to amend the Code of Virginia by adding a section numbered 8.01-44.01, relating to action for civil trespass; GPS; private road or driveway.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 8.01-44.01 as follows:**

***§ 8.01-44.01. Action for trespass; private road or driveway; GPS.***

*A. When a person operating a motor vehicle enters a private road or driveway, as defined in § 46.2-100, from a highway and (i) such person entered the private road or driveway for the purpose of traveling to a highway; (ii) the owner of such private road or driveway has posted a sign or signs in a place or places that such sign may be reasonably seen indicating that such road is a private road or driveway; and (iii) such person is not authorized or has not otherwise been invited by the property owner to enter such private road or driveway, such person is liable for trespass upon such private road or driveway.*

*B. Any corporation, company, or other entity responsible for the mapping function of a global positioning system (GPS), including a vehicle navigation or mapping system, upon which the defendant in such action for trespass relied and where such reliance on such GPS resulted in such trespass may be added as a party to such action.*

*C. Any company, corporation, or other entity added as a party to an action pursuant to subsection B may, prior to any hearing in the action, provide in writing evidence that such private road or driveway has been removed from the GPS. Upon such a showing that such private road or driveway has been removed, the court shall dismiss the action against such company, corporation, or other entity.*