

2004 SESSION

INTRODUCED

040730160

SENATE BILL NO. 23

Offered January 14, 2004

Prefiled December 12, 2003

A BILL to amend and reenact § 19.2-254.1 of the Code of Virginia, relating to prepayment of traffic infractions.

Patron—Marsh

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-254.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-254.1. Procedure in traffic infraction cases.

In a traffic infraction case, as defined in § 46.2-100, involving an offense included in the uniform fine schedule established pursuant to § 16.1-69.40:1, a defendant may elect to enter a written appearance and waive court hearing, ~~except in instances in which property damage or personal injury resulted.~~ Arraignment is not necessary when waived by the accused or his counsel, when the accused fails to appear, or when such written appearance has been elected.

An accused may plead not guilty, guilty, or nolo contendere; and the court shall not refuse to accept a plea of nolo contendere. A plea of guilty may be entered in writing without court appearance.

When an accused tenders payment without executing a written waiver of court hearing and entry of guilty plea, such tender of payment shall itself be deemed a waiver of court hearing and entry of guilty plea.

In districts with traffic violations bureaus on July 1, 1977, the chief judge of the district may designate the traffic violations bureau for the receipt of a written appearance, waiver of court hearing and guilty plea.

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