

## 2009 SESSION

INTRODUCED

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### SENATE BILL NO. 979

Offered January 14, 2009

Prefiled January 12, 2009

A *BILL to amend and reenact § 46.2-1308 of the Code of Virginia, relating to disposition of fees in traffic cases.*

\_\_\_\_\_  
Patron—Stuart

\_\_\_\_\_  
Referred to Committee on Transportation

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

#### **1. That § 46.2-1308 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-1308. Disposition of fines in traffic cases; failure or neglect to comply with section.

In counties, cities, and towns whose governing bodies adopt the ordinances authorized by §§ 46.2-1300 and 46.2-1304, all fines imposed for violations of such ordinances shall be paid into the county, city or town treasury. Fees shall be disposed of according to law.

In all cases, however, in which the arrest is made or the summons is issued by an officer of the Department of State Police or of any other division of the state government, for violation of the motor vehicle laws of the Commonwealth, the person arrested or summoned shall be charged with and tried for a violation of some provision of this title and all fines and forfeitures collected upon convictions or upon forfeitures of bail of any person so arrested or summoned shall be credited to the Literary Fund.

*The governing body of any locality may by ordinance provide for the imposition of a fee, not to exceed \$10, on a person convicted of a violation of any provision of Chapter 8 (§ 46.2-800 et seq.) or local ordinance governing the operation of motor vehicles. Such fee shall be distributed to the locality and shall be earmarked for the purchase of fuel for law-enforcement vehicles.*

Willful failure, refusal or neglect to comply with this provision shall constitute a Class 4 misdemeanor and may be grounds for removal of the guilty person from office. Charges for dereliction of the duties here imposed shall be tried by the circuit court of the jurisdiction served by the officer charged with the violation.

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