

2012 SESSION

INTRODUCED

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SENATE BILL NO. 500

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend and reenact § 46.2-1308 of the Code of Virginia, relating to charging of traffic offenses; local ordinances.*

Patron—Watkins

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. *However, when an arrest is made or a summons is issued by a county, city, or town for violations that occur on any portion of an interstate highway system component or on any portion of a highway that is receiving or has ever received funding under the federal-aid system, the summons or warrant shall be for a violation of a state statute.*

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.

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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