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**HOUSE BILL NO. 1370**

Offered January 14, 2015

Prefiled December 5, 2014

A *BILL to amend and reenact § 46.2-869 of the Code of Virginia, relating to improper driving; jury.*

Patrons—Lindsey and Surovell

Referred to Committee for Courts of Justice

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

**1. That § 46.2-869 of the Code of Virginia is amended and reenacted as follows:**

**§ 46.2-869. Improper driving; penalty.**

Notwithstanding the foregoing provisions of this article, upon the trial of any person charged with reckless driving *under any provision of this article* where the degree of culpability is slight, the court *or jury* in its discretion may find the accused not guilty of reckless driving but guilty of improper driving. However, an attorney for the Commonwealth may reduce a charge of reckless driving to improper driving at any time prior to the court's *or jury's* decision and shall notify the court of such change. Improper driving shall be punishable as a traffic infraction punishable by a fine of not more than \$500.

INTRODUCED

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