

2017 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1406

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 30, 2017)

(Patrons Prior to Substitute—Senators Vogel and Black)

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

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.

A. Notwithstanding the foregoing provisions of this article, upon the trial of any person charged with reckless driving where the degree of culpability is slight, the court 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 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.

B. Any county, city, or town shall be permitted to adopt a local ordinance that any person who drives a vehicle on any highway while failing to provide the attention necessary for the safe operation of the vehicle but when such conduct does not constitute reckless driving is guilty of improper driving. A violation of any ordinance adopted pursuant to this subsection shall be punishable as a traffic infraction punishable by a fine of not more than \$300.

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