

18101409D

**HOUSE BILL NO. 181**

Offered January 10, 2018

Prefiled December 23, 2017

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

Patrons—Collins, Mullin, Webert, Yancey, Bell, John J., Gooditis, Ransone and Reid

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 where the degree of culpability is slight, the court in its discretion may find the accused not guilty of reckless driving but any person who drives a vehicle on any highway (i) in a negligent manner but does not endanger the life, limb, or property of another or (ii) while using a handheld personal communications device where such use substantially diverts the driver's attention from the operation of the vehicle is guilty of improper driving. However, an~~ 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.

INTRODUCED

HB181