

989447126

HOUSE BILL NO. 1152

Offered January 26, 1998

A BILL to amend and reenact §§ 16.1-69.40:1 and 16.1-69.40:2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 16.1-69.40:4 and 16.1-69.40:5, relating to prepayable traffic infractions and nontraffic offenses; penalties.

Patrons—Barlow, Grayson and Ingram

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-69.40:1 and 16.1-69.40:2 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 16.1-69.40:4 and 16.1-69.40:5, as follows:

§ 16.1-69.40:1. Traffic infractions within authority of traffic violations clerk; prepayment of local ordinances.

A. ~~The Supreme Court shall by rule, which may from time to time be amended, supplemented or repealed, but which shall be uniform in its application throughout the Commonwealth, designate the traffic infractions for which a pretrial Pretrial~~ waiver of appearance, plea of guilty and fine payment may be accepted. ~~Such infractions shall not include only as authorized under this section as expressed in the schedule provided under § 16.1-69.40:4 for any traffic infraction, except:~~

(a) Indictable offenses;

(b) Infractions resulting in an accident;

(c) Operation of a motor vehicle while under the influence of intoxicating liquor or a narcotic or habit-producing drug, or permitting another person, who is under the influence of intoxicating liquor or a narcotic or habit-producing drug, to operate a motor vehicle owned by the defendant or in his custody or control;

(d) Reckless driving;

(e) Leaving the scene of an accident;

(f) Driving while under suspension or revocation of driver's license;

(g) Driving without being licensed to drive.

(h) [Repealed.]

B. An appearance may be made in person or in writing by mail to a clerk of court or in person before a magistrate, prior to any date fixed for trial in court. Any person so appearing may enter a waiver of trial and a plea of guilty and pay the fine and any civil penalties established for the offense charged, with costs. He shall, prior to the plea, waiver, and payment, be informed of his right to stand trial, that his signature to a plea of guilty will have the same force and effect as a judgment of court, and that the record of conviction will be sent to the Commissioner of the Department of Motor Vehicles or the appropriate offices of the State ~~state~~ where he received his license to drive.

C. ~~The Supreme Court, upon the recommendation of the Committee on District Courts, shall establish a schedule, within the limits prescribed by law, of the amounts of fines and any civil penalties to be imposed, designating each infraction specifically. The schedule, which may from time to time be amended, supplemented or repealed, provided under § 16.1-69.40:4 shall be uniform in its application throughout the Commonwealth. Such However, such~~ schedule shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial. ~~The rule of the Supreme Court establishing the schedule shall be prominently posted in the place where the fines are paid.~~ Fines and costs shall be paid in accordance with the provisions of this Code or any rules or regulations promulgated thereunder.

D. Fines imposed under local traffic infraction ordinances which do not parallel provisions of state law and fulfill the criteria set out in subsection A of this section may be prepayable in the manner set forth in subsection B if such ordinances appear in a schedule entered by order of the local circuit courts. The judges of each circuit may establish a schedule of the fines, within the limits prescribed by local ordinances, to be imposed for prepayment of local ordinances designating each offense specifically. Upon the entry of such order it shall be forwarded within ten days to the Supreme Court of Virginia by the clerk of the local circuit court. The schedule, which from time to time may be amended, supplemented or repealed, shall be uniform in its application throughout the circuit. Such schedule shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial. This schedule shall be prominently posted in the place where fines are paid. Fines and costs shall be paid in accordance with the provisions of this Code or any rules or regulations

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60 promulgated thereunder.

61 § 16.1-69.40:2. Nontraffic offenses for which prepayment authorized; schedules, fines; prepayment of
62 local ordinances.

63 A. The Supreme Court shall by rule, which may from time to time be amended, supplemented or
64 repealed, but which shall be uniform in its application throughout the Commonwealth, designate the
65 nontraffic offenses for which a pretrial *Pretrial* waiver of appearance, plea of guilty and fine payment
66 may be accepted. Such offenses shall not include only as authorized under this section as expressed in
67 the schedule provided under § 16.1-69.40:5 for any nontraffic offense, except:

- 68 1. Indictable offenses;
- 69 2. Class 1 or Class 2 misdemeanors;
- 70 3. Offenses which involve moral turpitude;
- 71 4. Any offenses involving injury to persons;
- 72 5. Any offense punishable by incarceration or by a fine of more than \$500.

73 B. An appearance may be made in person or in writing by mail to a clerk of court or in person
74 before a magistrate, prior to any date fixed for trial in court. Any person so appearing may enter a
75 waiver of trial and plea of guilty and pay the fine established for the offense charged, with costs. He
76 shall, prior to the plea, waiver and payment, be informed of his right to stand trial and that his signature
77 to a plea of guilty will have the same force and effect as a judgment of court.

78 C. The Supreme Court, upon the recommendation of the Committee on District Courts, shall
79 establish a schedule, within the limits prescribed by law, of the amounts of fines to be imposed upon
80 prepayment of nontraffic offenses authorized as prepayable under subsection A of this section,
81 designating each offense specifically. The schedule, which may from time to time be amended,
82 supplemented or repealed, provided under § 16.1-69.40:5 shall be uniform in its application throughout
83 the Commonwealth. ~~Such~~ However, such schedule shall not be construed or interpreted so as to limit the
84 discretion of any trial judge trying individual cases at the time fixed for trial. ~~The Rule of the Court~~
85 ~~establishing the schedule shall be prominently posted in the place where the fines are paid.~~ Fines and
86 costs shall be paid in accordance with the provisions of this Code or any rules or regulations
87 promulgated thereunder.

88 D. Local ordinances fulfilling the criteria set out in subsection A of this section may be prepayable
89 in a like manner if such ordinances appear in a schedule entered by order of the local circuit courts. The
90 judges of each circuit may establish a schedule of the fines, within the limits prescribed by local
91 ordinances to be imposed for prepayment of local ordinances designating each offense specifically. Upon
92 the entry of such order it shall be forwarded within ten days to the Supreme Court of Virginia by the
93 clerk of the local circuit court. The schedule, which may from time to time be amended, supplemented
94 or repealed, shall be uniform in its application throughout the circuit. Such schedule shall not be
95 construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time
96 fixed for trial. This schedule shall be prominently posted in the place where the fines are paid. Fines
97 and costs shall be paid in accordance with the provisions of this Code or any rules or regulations
98 promulgated thereunder.

99 § 16.1-69.40:4. *Traffic infractions and uniform fine schedule.*

100 For any offense listed below, whether prescribed by the specified state statute or by a parallel local
101 ordinance adopted pursuant to the authority granted in § 46.2-1300, where such offense does not result
102 in an accident, a driver may enter a written appearance, waiver of court hearing, and plea of guilty,
103 and pay fines and costs. Court hearing may not be waived for any offense that results in an accident,
104 even if it is listed here. For traffic offenses not listed below, a court hearing is required. Nothing in this
105 section affects bonding procedures for those offenses not listed below. Likewise, nothing in this section
106 shall be construed to alter the operation of or the penalties prescribed pursuant to §§ 46.2-1220 through
107 46.2-1230 and §§ 46.2-1235 and 46.2-1237.

108 This schedule shall be applied uniformly throughout the Commonwealth, and a clerk or magistrate
109 shall not impose a fine different from the amounts shown here. The schedule does not restrict the fine a
110 judge may impose for an offense listed here in any case for which there is a court hearing. The
111 descriptions of offense or infractions contained herein are for reference only and are not intended as a
112 legal definition of the offense or infraction cited.

113

114 Description

115

116 of Offense

Statute

Fine

117

118

119 1. Speed Violations

120

121	Exceeding the speed limit	46.2-870 to	\$3 per
122			
123		46.2-876	mile over
124			
125			speed
126			
127			limit
128			
129	Exceeding speed limits		\$3 per
130			
131	set by Transportation		mile over
132			
133	Commissioner		speed
134			
135		46.2-878	limit
136			
137	Exceeding the speed		\$3 per
138			
139	limit on bridge		mile over
140			
141			speed
142			
143		46.2-881	limit
144			
145	Impeding traffic by		
146			
147	slow speed	46.2-877	\$40
148			
149	Failure to drive		
150			
151	approximate speed		
152			
153	authorizedfor lane		
154			
155	in which vehicle		
156			
157	moving, on highway		
158			
159	where "slow moving		
160			
161	traffic" lane is		
162			
163	designated at	46.2-804(1)	\$40
164			
165			
166	2. Other Moving		
167			
168	Offenses		
169			
170	Failure to obey high-		
171			
172	way sign	46.2-830	\$40
173			
174	Coasting on downgrade		
175			
176	with gears in neutral	46.2-811	\$40

177
178 *Driving more than 13*
179
180 *hours in a 24-hour*
181
182 *period* 46.2-812 \$40
183
184 *Causing or permitting*
185
186 *vehicle to be driven*
187
188 *more than 13 hours in*
189
190 *a 24-hour period* 46.2-812 \$40
191
192 *Improper failure to drive*
193
194 *on right side of highway* 46.2-802 \$40
195
196 *Failure to move in*
197
198 *designated direction*
199
200 *on one-way roadway* 46.2-806 \$40
201
202 *Failure to drive to right*
203
204 *of rotary traffic island* 46.2-807 \$40
205
206 *Improper failure to keep*
207
208 *right in crossing highway*
209
210 *intersection* 46.2-803 \$40
211
212 *Improper failure to keep*
213
214 *right in crossing highway*
215
216 *intersection by railroad*
217
218 *rightof way* 46.2-803 \$40
219
220 *Improper failure to observe*
221
222 *lanes marked for traffic:*
223
224 - *failure of slow moving* 46.2-804(1) \$40
225
226 *traffic to keep right*
227
228 - *improperly driving*
229
230 *in center* 46.2-804(2) \$40
231
232 - *changing lane without*
233

234	first ascertaining		
235			
236	safety of move	46.2-804(2)	\$40
237			
238	- improperly driving in		
239			
240	center lane of 3-lane		
241			
242	highway	46.2-804(3)	\$40
243			
244	- improperly crossing		
245			
246	solid line driver's lane	46.2-804(5)	\$40
247			
248	- improperly crossing		
249			
250	double solid line	46.2-804(6)	\$40
251			
252	Disregard of lane di-		
253			
254	rection control signal:		
255			
256	- entering or traveling		
257			
258	in lane over which red		
259			
260	signal is shown	46.2-805	\$40
261			
262	Failure to obey traffic		
263			
264	lights	46.2-833	\$60
265			
266	Improper passing:		
267			
268	- failure to remain on		
269			
270	right side of highway		
271			
272	when meeting vehicle		
273			
274	proceeding in opposite		
275			
276	direction	46.2-837	\$40
277			
278	- driving too close to		
279			
280	vehicle being overtaken		
281			
282	in same direction	46.2-838	\$40
283			
284	- returning to right		
285			
286	side of highway before		
287			
288	safely clear of over-		
289			

290	taken vehicle	46.2-838	\$40
291			
292	- improperly passing to		
293			
294	the right of a vehicle		
295			
296	proceeding in same		
297			
298	direction	46.2-841	\$40
299			
300	- failure to give way		
301			
302	to the right to over-		
303			
304	taking vehicle	46.2-842	\$40
305			
306	- improperly increasing		
307			
308	speed when passed by		
309			
310	overtaking vehicle	46.2-842	\$40
311			
312	- failure to give way		
313			
314	to overtaking vehicle		
315			
316	when driving abreast on		
317			
318	divided highway	46.2-842.1	\$40
319			
320	- passing when left lane		
321			
322	is not clearly visible	46.2-843	\$40
323			
324	- passing on left when		
325			
326	oncoming traffic is too		
327			
328	near to permit it in		
329			
330	safety	46.2-843	\$40
331			
332	- truck or tractor and		
333			
334	trailer impeding passage		
335			
336	of following traffic by		
337			
338	passing another truck or		
339			
340	tractor and trailer on		
341			
342	upgrade	46.2-843	\$40
343			
344	Following too closely:		
345			
346	- motor vehicle following		

347
 348 another more closely than
 349
 350 is reasonable or prudent 46.2-816 \$40
 351
 352 Improper U turn:
 353
 354 - within business district,
 355
 356 city or town, U turn other
 357
 358 than at intersection 46.2-845 \$40
 359
 360 - U turn on a curve or
 361
 362 approaching crest of hill
 363
 364 where not visible to
 365
 366 vehicles approaching in any
 367
 368 direction within 500 feet 46.2-845 \$40
 369
 370 Improper position or method
 371
 372 of turning at intersection:
 373
 374 - unauthorized right turn
 375
 376 from other than right hand
 377
 378 curb or edge of roadway 46.2-846(A)(1) \$40
 379
 380 - on a two-way roadway,
 381
 382 unauthorized left turn
 383
 384 from other than lane
 385
 386 nearest center line 46.2-846(A)(2) \$40
 387
 388 - on other than two-way
 389
 390 roadway, unauthorized
 391
 392 left turn from other than
 393
 394 left-most available lane 46.2-846(A)(3) \$40
 395
 396 - failure to follow marker,
 397
 398 button or sign of local
 399
 400 authority 46.2-846(B) \$40
 401
 402 Starting, backing, stopping

403
404 *or turning without first*
405
406 *seeing that such a move can*
407
408 *be made in safety* 46.2-848 \$40
409
410 *Starting, backing, stopping*
411
412 *or turning without giving*
413
414 *required signal* 46.2-848 \$40
415
416 *Improper signals* 46.2-849 \$40
417
418 *Improper change of course*
419
420 *after giving signal* 46.2-850 \$40
421
422 *Failure to signal prior*
423
424 *to moving standing vehicle*
425
426 *into traffic* 46.2-851 \$40
427
428 *Failure to yield right of way:*
429
430 - *failure of driver on left*
431
432 *to yield to driver on right*
433
434 *entering intersection at*
435
436 *same time* 46.2-820 \$40
437
438 - *failure to obey "yield*
439
440 *right of way" sign at*
441
442 *intersection* 46.2-821 \$40
443
444 - *failure of driver*
445
446 *approaching or entering*
447
448 *traffic circle to yield to*
449
450 *driver already in traffic*
451
452 *circle* 46.2-822 \$40
453
454 - *failure to yield at un-*
455
456 *controlled "T" inter-*
457
458 *section* 46.2-824 \$40
459

460 - failure of driver
 461
 462 turning left to yield to
 463
 464 oncoming vehicle 46.2-825 \$40
 465
 466 - failure to yield to left
 467
 468 turning vehicle given right
 469
 470 of way automatic signal
 471
 472 device 46.2-825 \$40
 473
 474 - failure to stop and yield
 475
 476 when entering public
 477
 478 highway or sidewalk from
 479
 480 private road, etc. 46.2-826 \$40
 481
 482 - failure to yield to U.S.
 483
 484 Armed Services, National
 485
 486 Guard, etc. 46.2-827 \$40
 487
 488 - failure to yield to
 489
 490 funeral procession under
 491
 492 police escort 46.2-828 \$40
 493
 494 - failure to yield right of
 495
 496 way to emergency vehicle 46.2-829 \$40
 497
 498 - following too near fire
 499
 500 apparatus 46.2-921 \$40
 501
 502 - driving over fire hose 46.2-922 \$40
 503
 504 - failure to yield to
 505
 506 pedestrian in clearly
 507
 508 marked crosswalk or at
 509
 510 intersection 46.2-924 \$40
 511
 512 - failure to yield to
 513
 514 pedestrian boarding or
 515

516	<i>alighting from a bus</i>	46.2-927	\$40
517			
518	<i>- failure to stop and</i>		
519			
520	<i>yield when approaching</i>		
521			
522	<i>intersection of highway</i>		
523			
524	<i>controlled by stop sign</i>	46.2-821	\$40
525			
526	<i>- failure to slow down or</i>		
527			
528	<i>stop and yield when</i>		
529			
530	<i>approaching intersection</i>		
531			
532	<i>on highway controlled by</i>		
533			
534	<i>"yield right of way" sign</i>	46.2-821	\$40
535			
536	<i>Driving through pedestrian</i>		
537			
538	<i>safety zone</i>	46.2-814	\$40
539			
540	<i>Failure to obey railroad</i>		
541			
542	<i>warning signal</i>	46.2-884	\$40
543			
544	<i>Proceeding improperly at</i>		
545			
546	<i>railroad grade crossing:</i>		
547			
548	<i>- generally</i>	46.2-885	\$40
549			
550	<i>- vehicles carrying</i>		
551	<i>passengers for hire, school</i>		
552			
553	<i>bus or truck with flammable</i>		
554			
555	<i>or explosive cargo</i>	46.2-886	\$40
556			
557	<i>- tractor, steam</i>		
558			
559	<i>shovel, etc.</i>	46.2-887	\$40
560			
561	<i>Stopping bus or truck on</i>		
562			
563	<i>highway to unload passenger</i>		
564			
565	<i>or cargo</i>	46.2-893	\$40
566			
567	<i>Unlawful use of all-terrain</i>		
568			
569	<i>vehicle</i>	46.2-915.1	\$40
570			
571	<i>Failure to display head-</i>		
572			

573 lights at night or during
 574
 575 time of poor visibility 46.2-1030 \$40
 576
 577 Driving with excessive
 578
 579 lights for purpose of
 580
 581 general illumination
 582
 583 ahead of vehicle 46.2-1030 \$40
 584
 585 Failure to display warning
 586
 587 lights properly 46.2-1030 \$40
 588
 589 Failure to dim headlights 46.2-1034 \$40
 590
 591 Driving in violation of
 592
 593 HOV Lane Restrictions 33.1-46.2 \$60
 594
 595 3. Equipment
 596
 597 Violations
 598
 599 Insufficient lighting
 600
 601 equipment: 46.2-1010 \$40
 602
 603 - less than two proper
 604
 605 headlights on autos,
 606
 607 trucks, busses, etc. 46.2-1011 \$40
 608
 609 - motorcycle without
 610
 611 proper headlight 46.2-1012 \$40
 612
 613 - motorcycle with more
 614
 615 than two headlights 46.2-1012 \$40
 616
 617 - improper rear lights 46.2-1013 \$40
 618
 619 - improper brake lights 46.2-1014 \$40
 620
 621 - improper lighting
 622
 623 equipment on all other
 624
 625 mobile equipment 46.2-1016 \$40
 626
 627 Failure of car to be
 628

629	equipped with supplemental		
630			
631	high mount stop light	46.2-1014.1	\$40
632			
633	Improper dimension or		
634			
635	marker lights:		
636			
637	- generally	46.2-1017	\$40
638			
639	- vehicles or loads		
640			
641	exceeding 35 feet	46.2-1018	\$40
642			
643	Spotlights or ditchlights		
644			
645	- more than two	46.2-1019	\$40
646			
647	- aimed left of highway		
648			
649	center or more than 100		
650			
651	feet ahead of vehicle	46.2-1019	\$40
652			
653	- unapproved type	46.2-1019	\$40
654			
655	- use in conjunction with		
656			
657	or in place of headlights,		
658			
659	except in emergency	46.2-1019	\$40
660			
661	- improper use of auxiliary		
662			
663	lamps on emergency		
664			
665	vehicles	46.2-1028	\$40
666			
667	Headlights improperly aimed or		
668			
669	of improper intensity:		
670			
671	- single beam headlights	46.2-1031	\$40
672			
673	- multiple beam		
674			
675	headlights	46.2-1032	\$40
676			
677	Failure of car to be		
678			
679	equipped with windshield		
680			
681	defroster or defogger	46.2-1055.1	\$40
682			
683	Inadequate brakes:		
684			
685	- generally	46.2-1066	\$40

686			
687	- bicycles	46.2-1066	\$25
688			
689	- holding device	46.2-1068	\$40
690			
691	- motorcycles	46.2-1069	\$40
692			
693	- trailers or semi-		
694			
695	trailers	46.2-1070	\$40
696			
697	Improper alteration of		
698			
699	suspension system	46.2-1063	\$40
700			
701	Inadequate steering gear	46.2-1065	\$40
702			
703	Inadequate horn	46.2-1059	\$40
704			
705	Illegal siren, whistle		
706			
707	or horn	46.2-1060	\$40
708			
709	Improper painting and		
710			
711	lettering on school bus	46.2-1089	\$40
712			
713	Absence of or inadequate		
714			
715	rear view mirrors:		
716			
717	- generally	46.2-1082	\$40
718			
719	- vehicle registered for		
720			
721	passenger vehicular		
722			
723	transportation	46.2-1082	\$40
724			
725	Insufficient rear fenders,		
726			
727	flags or guards on trucks	46.2-1083	\$40
728			
729	Improper signs on wind-		
730			
731	shields, etc.	46.2-1052	\$40
732			
733	Driver's view obstructed		
734			
735	because of suspended objects		
736			
737	or altered vehicles	46.2-1054	\$40
738			
739	Inadequate windshield		
740			
741	wipers	46.2-1055	\$40

742			
743	<i>Absence of required safety</i>		
744			
745	<i>glass</i>	46.2-1056	\$40
746			
747	<i>Absence of windshield</i>	46.2-1057	\$40
748			
749	<i>Improper replacement of</i>		
750			
751	<i>glass in vehicle</i>	46.2-1058	\$40
752			
753	<i>Improper or inadequate tires:</i>		
754			
755	<i>- violation of restrictions</i>		
756			
757	<i>on solid rubber tires</i>	46.2-1041	\$430
758			
759	<i>- operation of vehicle with</i>		
760			
761	<i>insufficient tire tread</i>	46.2-1043	\$40
762			
763	<i>- improper use of</i>		
764			
765	<i>studded tires</i>	46.2-1044	\$40
766			
767	<i>Lack of or inadequate</i>	46.2-1038,	
768			
769	<i>signal device</i>	46.2-1039	\$40
770			
771	<i>Failure to use flashing</i>		
772			
773	<i>signals when stopped on</i>		
774			
775	<i>highway</i>	46.2-1040	\$40
776			
777	<i>Inadequate exhaust system:</i>		
778			
779	<i>- driver of vehicle</i>	46.2-1049	\$40
780			
781	<i>- owner permitting or</i>		
782			
783	<i>allowing operation of</i>		
784			
785	<i>vehicle</i>	46.2-1049	\$40
786			
787	<i>- vehicle without proper</i>		
788			
789	<i>pollution control device</i>	46.2-1048	\$40
790			
791	<i>- muffler cutout, straight</i>		
792			
793	<i>exhaust or gutted muffler</i>	46.2-1047	\$40
794			
795	<i>Operation of vehicle</i>		
796			
797	<i>without securely affixed</i>		
798			

799	or properly located		
800			
801	operator's seat	46.2-1084	\$40
802			
803	Improper motorcycle		
804			
805	steering mechanism	46.2-1085	\$40
806			
807	Motorcycle without		
808			
809	muffler	46.2-1050	\$40
810			
811	Improper cooling unit	46.2-1088	\$40
812			
813	Use of unapproved		
814			
815	equipment	46.2-1002	\$40
816			
817	Use of defective or		
818			
819	unsafe equipment	46.2-1003	\$40
820			
821	Operating vehicle not		
822			
823	equipped with proper		
824			
825	seat belts	46.2-1092	\$40
826			
827	Failure to have vehicle		
828			
829	inspected	46.2-1157	\$35
830			
831	Failure to correct		
832			
833	defects discovered by		
834			
835	inspection	46.2-1157	\$40
836			
837	4. Parking or		
838			
839	Stopping Violations		
840			
841	Parking too near fire		
842			
843	apparatus	46.2-921	\$30
844			
845	Vehicle improperly		
846			
847	stopped or parked on		
848			
849	highway	46.2-888	\$30
850			
851	- parked or stopped at		
852			
853	or near fire or accident		
854			

855 *so as to cause traffic*
856
857 *hazard or interfere with*
858
859 *emergency operations* 46.2-890 \$30
860
861 *Failure to use proper*
862
863 *warning device when*
864
865 *vehicle disabled in*
866
867 *highway:*
868
869 *- bus, truck, trailer,*
870
871 *house trailer, or*
872
873 *mobile home* 46.2-111 \$30
874
875 *- vehicle transporting*
876
877 *inflammable liquids* 46.2-111 \$30
878
879 *- failure to use red*
880
881 *flags when vehicle*
882
883 *disabled* 46.2-111 \$30
884
885 *Parking in front of fire*
886
887 *hydrant, or private drive-*
888
889 *way, near street corner,*
890
891 *fire station, or rescue*
892
893 *squad building and too*
894
895 *close to intersection* 46.2-1239 \$30
896
897 *Failure to dim head-*
898
899 *lights on parked vehicle* 46.2-1035 \$30
900
901 *Vehicle parked or stopped*
902
903 *on highway without lights*
904
905 *at night or during low*
906
907 *visibility* 46.2-1037 \$30
908
909 *Failure to set handbrake*
910
911 *and turn wheels to curb*

912			
913	on parked car	46.2-1071	\$30
914			
915	5. Trucks and Hauling or		
916			
917	Towing Vehicles		
918			
919	Absence of flag or light		
920			
921	at end of load	46.2-1121	\$40
922			
923	Failure to prevent escape		
924			
925	of vehicle contents	46.2-1156	\$40
926			
927	Failure to fasten load of		
928			
929	of logs, barrels, etc.	46.2-1155	\$40
930			
931	Load extending too far		
932			
933	beyond front	46.2-1120	\$40
934			
935	Load extending too far		
936			
937	beyond sides	46.2-1111	\$40
938			
939	Improper towing		
940			
941	- improperly towing more		
942			
943	than one trailer, etc.	46.2-1116	\$40
944			
945	- towing without draw bar		
946			
947	and emergency chain	46.2-1118	\$40
948			
949	6. Pedestrian		
950			
951	Violations		
952			
953	Malicious or careless		
954			
955	interference with vehicle		
956			
957	passage	46.2-923	\$25
958			
959	Failure to observe		
960			
961	pedestrian control		
962			
963	signals	46.2-925	\$25
964			
965	Stepping into street		
966			
967	where driver's vision		

968			
969	<i>obscured</i>	46.2-926	\$25
970			
971	<i>Soliciting rides</i>	46.2-929	\$25
972			
973	<i>Failure to walk on left</i>		
974			
975	<i>edge of roadway where no</i>		
976			
977	<i>sidewalk</i>	46.2-928	\$25
978			
979	<i>Unlawful loitering on</i>		
980			
981	<i>bridge</i>	46.2-930	\$25
982			
983	<i>Playing on streets or</i>		
984			
985	<i>highways</i>	46.2-932	\$25
986			
987	7. Miscellaneous		
988			
989	Offenses		
990			
991	<i>Unlawful riding of animal</i>		
992			
993	<i>on highway at night</i>	46.2-800.1	\$40
994			
995	<i>Improper abandonment of</i>		
996			
997	<i>motor vehicle</i>	46.2-1209	\$50
998			
999	<i>Failure to obtain</i>		
1000			
1001	<i>registration</i>	46.2-600	\$35
1002			
1003	<i>Expiration of</i>		
1004			
1005	<i>registration</i>	46.2-613	\$35
1006			
1007	<i>Operating motorcycle</i>		
1008			
1009	<i>without headlight, horn</i>		
1010			
1011	<i>or rearview mirror at</i>		
1012			
1013	<i>certain times</i>	46.2-912	\$40
1014			
1015	<i>Occupation of trailer</i>		
1016			
1017	<i>being towed on highways</i>	46.2-813	\$40
1018			
1019	<i>Unlawful use of radar</i>		
1020			
1021	<i>detection device</i>	46.2-1079	\$50
1022			
1023	<i>Unlawful use of ear-</i>		
1024			

1025	phones while operating		
1026			
1027	vehicle	46.2-1078	\$35
1028			
1029	Failure to display slow		
1030			
1031	moving vehicle emblem	46.2-1081	\$25
1032			
1033	Failure to submit vehicle		
1034			
1035	to inspection	46.2-1157	\$35
1036			
1037	Failure to correct		
1038			
1039	defects	46.2-1157	\$40
1040			
1041	Failure to display		
1042			
1043	license plate	46.2-711	\$35
1044			
1045	Improper display of		
1046			
1047	license plate	46.2-715	\$35
1048			
1049	Vehicle exceeding		
1050			
1051	width limitations	46.2-1105	\$50
1052			
1053	Vehicle exceeding height		
1054			
1055	limitation	46.2-1110	\$50
1056			
1057	Vehicle exceeding length		
1058			
1059	requirement	46.2-1112	\$50
1060			
1061	8. Bicycle Violations		
1062			
1063	Riding bicycle improperly		
1064			
1065	on roadway	46.2-905	\$25
1066			
1067	Carrying articles		
1068			
1069	improperly on bicycle	46.2-906	\$25
1070			
1071	Bicycle without proper		
1072			
1073	headlight	46.2-1015	\$25
1074			
1075	Bicycle without rear		
1076			
1077	reflector or light	46.2-1015	\$25
1078			
1079	Bicycle on highway with-		
1080			

1081	out adequate brake	46.2-1066	\$25
1082			
1083			
1084	<i>Description</i>		
1085			
1086	<i>of Offense</i>	<i>Regulation</i>	<i>Fine</i>
1087			
1088			
1089	9. Motor Carrier Offenses <ait>1<eit>		
1090			
1091	(a.) General Violations		
1092			
1093	Marking of motor vehicle	49 C.F.R.	\$35
1094			
1095		§ 390.21	
1096			
1097	Railroad crossing/	49 C.F.R.	\$110
1098			
1099	stopping	§ 392.10	
1100			
1101	(b.) Driver Violations		
1102			
1103	No medical examiner's	49 C.F.R.	\$60
1104			
1105	certificate	§ 391.41	
1106			
1107	Improper medical	49 C.F.R.	\$60
1108			
1109	examiner's certificate	§ 391.43	
1110			
1111	Medical certificate	49 C.F.R.	\$60
1112			
1113	invalid	§ 391.43	
1114			
1115	No medical waiver	49 C.F.R.	\$60
1116			
1117		§ 391.49	
1118			
1119	Illfatigued driver	49 C.F.R.	\$85
1120			
1121		§ 392.3	
1122			
1123	Possess alcoholic	49 C.F.R.	\$110
1124			
1125	beverage	§ 392.5	
1126			
1127	Violate 10-hour rule,	49 C.F.R.	\$110
1128			
1129	15-hour rule	§ 395.3	
1130			
1131	Violate 6070 hour rule	49 C.F.R.	\$110
1132			
1133		§ 395.3	
1134			
1135	Log book violation	49 C.F.R.	\$110
1136			
1137	(general)	§ 395.8	

1138			
1139	No log book	49 C.F.R.	\$110
1140			
1141		§ 395.8	
1142			
1143	Log book not current	49 C.F.R.	
1144			
1145		§ 395.8	
1146			
1147		49 C.F.R.	\$110
1148			
1149		§ 395.8	
1150			
1151	Fail to retain previous	49 C.F.R.	\$110
1152			
1153	seven days on log book	§ 395.8	
1154			
1155	(c.) Equipment Violations		
1156			
1157	Equipment-inspection/use	49 C.F.R.	\$60
1158			
1159		§ 392.7	
1160			
1161	Emergency equipment-	49 C.F.R.	\$60
1162			
1163	inspection/use	§ 392.8	
1164			
1165	Safe loading (secured)	49 C.F.R.	\$110
1166			
1167		§ 392.9	
1168			
1169	Brakes - inoperative	49 C.F.R.	\$110
1170			
1171	or missing	§§ 393.40 to	
1172			
1173		393.52	
1174			
1175	Fuel tank securement	49 C.F.R.	\$60
1176			
1177		§ 393.65	
1178			
1179	Fuel leakcap	49 C.F.R.	\$35
1180			
1181		§ 393.67	
1182			
1183	Coupling/towing	49 C.F.R.	\$60
1184			
1185	devices	§§ 393.70,	
1186			
1187		393.71	
1188			
1189	Defective tires/tire	49 C.F.R.	\$60
1190			
1191	exceeds weight limit	§ 393.75	
1192			
1193	Bus violations	49 C.F.R.	\$60

1194			
1195		§§ 393.89 to	
1196			
1197		393.92	
1198			
1199	Front end structure	49 C.F.R.	\$60
1200			
1201		§ 393.106	
1202			
1203	Frame - cracked, loose,	49 C.F.R.	\$110
1204			
1205	sagging, broken	§ 393.201	
1206			
1207	Cab/body components -	49 C.F.R.	\$60
1208			
1209	defective	§ 393.203	
1210			
1211	Wheels/rims defective	49 C.F.R.	\$60
1212			
1213		§ 393.205	
1214			
1215	Suspension - defective	49 C.F.R.	\$60
1216			
1217		§ 393.207	
1218			
1219	Steering system -	49 C.F.R.	\$110
1220			
1221	defective	§ 393.209	
1222			
1223	Vehicle maintenance	49 C.F.R.	\$110
1224			
1225	(generally)	§ 396.3	
1226			
1227	No driver vehicle	49 C.F.R.	\$35
1228			
1229	inspection report	§ 396.11	
1230			
1231	No periodic inspection	49 C.F.R.	\$35
1232			
1233		§§ 396.17 to	
1234			
1235		396.25	
1236			
1237	(d.) Hazardous Materials -		
1238			
1239	Driving and Parking		
1240			
1241	Fail to attend Division	49 C.F.R.	\$110
1242			
1243	1.1, 1.2 or 1.3 material	§ 397.5	
1244			
1245	Fail to attend other	49 C.F.R.	\$110
1246			
1247	hazardous materials class	§ 397.5	
1248			
1249	Improper parking Division	49 C.F.R.	\$110
1250			

1251	1.1, 1.2 or 1.3 material	§ 397.7,	
1252			
1253		§ 397.11	
1254			
1255	Improper parking other	49 C.F.	\$110
1256			
1257	hazardous materials	§ 397.7,	
1258			
1259		§ 397.11	
1260			
1261	Fail to have route plan	49 C.F.R.	\$110
1262			
1263		§ 397.67	
1264			
1265	Smoking violations	49 C.F.R.	\$110
1266			
1267		§ 397.13	
1268			
1269	Instructions and	49 C.F.R.	\$110
1270			
1271	document violations	§ 397.19	
1272			
1273			

The category "regulation" refers to the section of the Code of Federal Regulations as incorporated by regulation at 19 VAC 30-20-80 of the Virginia Motor Carrier Safety Regulations. These regulations are included for identification and reference purposes only, since these violations are violations of Virginia regulations.

The fines imposed for violations of certain Virginia Motor Carrier Safety Regulations are imposed pursuant to § 52-8.4 and 19 VAC 30-20-10, et seq., of the Virginia Motor Carrier Safety Regulations, incorporating by reference 49 C.F.R. Parts 390-397.

§ 16.1-69.40:5. Non-traffic prepayable offenses and uniform fine schedule.

Any person charged with any offense listed below may enter a written appearance, waiver of court hearing, plea of guilty, and pay fines and costs.

This schedule is applied uniformly throughout the Commonwealth, and a clerk or magistrate shall not impose a fine different from the amounts shown here. The schedule does not restrict the fine a judge may impose for an offense listed here in any case for which there is a court hearing. The descriptions of offenses or infractions contained herein are for reference only and are not intended as a legal definition of the offense or infraction cited.

Where injury to the person is involved, prepayment shall not be made, even though the offense or violation appears on the list below.

A violation of a provision of Title 28.2 may be prepaid only if the person has not violated a provision of Title 28.2 within the past twelve months in accordance with § 28.2-903.

1293			
1294	Description	Statute or	
1295			
1296	of Offense	Regulation	Fine
1297			
1298			
1299	Drinking or tendering		
1300			
1301	alcoholic beverage in		
1302			
1303	public place	4.1-308	\$35
1304			
1305	Failing to assist		
1306			
1307	forest warden in		
1308			

1309	<i>fighting fire</i>	10.1-1139	\$40
1310			
1311	<i>Unlawful burning</i>	10.1-1142(A)	\$50
1312			
1313	<i>bush, leaves, etc.</i>	10.1-1142(D)	
1314			
1315	<i>Unlawful burning during</i>	10.1-1142(B)	\$50
1316			
1317	<i>restricted period</i>	10.1-1142(D)	
1318			
1319	<i>Leaving certain fires</i>		
1320			
1321	<i>unattended or failing</i>	10.1-1142(C)	\$50
1322			
1323	<i>to extinguish the same</i>	10.1-1142(D)	
1324			
1325	<i>Unlawful buying, selling</i>		
1326			
1327	<i>or disposing of milk</i>		
1328			
1329	<i>case or crate</i>	18.2-102.2	\$45
1330			
1331	<i>Unlawful refusal to re-</i>		
1332			
1333	<i>turn milk case or crate</i>	18.2-102.2	\$45
1334			
1335	<i>Unlawful defacing, cover</i>		
1336			
1337	<i>up or removal of</i>		
1338			
1339	<i>business identification</i>		
1340			
1341	<i>on milk case or crate</i>	18.2-102.2	\$45
1342			
1343	<i>Trespassing upon grass</i>		
1344			
1345	<i>in Capitol Square</i>	18.2-122	\$15
1346			
1347	<i>Bringing unleashed dog</i>		
1348			
1349	<i>into Capitol Square</i>	18.2-123	\$20
1350			
1351	<i>Trespassing at night</i>		
1352			
1353	<i>upon cemetery</i>	18.2-125	\$45
1354			
1355	<i>Trespassing at night</i>		
1356			
1357	<i>upon church or school</i>		
1358			
1359	<i>property</i>	18.2-128(A)	\$45
1360			
1361	<i>Trespassing on rail-</i>		
1362			
1363	<i>road track</i>	18.2-159	\$45
1364			
1365	<i>Trespassing on rail-</i>		

1366			
1367	road trains	18.2-160	\$45
1368			
1369	Boarding or riding		
1370			
1371	VRE train without		
1372			
1373	paying fare	18.2-160.1	\$160
1374			
1375	Unlawfully jumping on		
1376			
1377	or off rail road train	18.2-161	\$45
1378			
1379	Unlawfully intercepting		
1380			
1381	or monitoring employee/		
1382			
1383	customer telephone		
1384			
1385	calls	18.2-167.1	\$45
1386			
1387	Expectorating in public	18.2-322	\$25
1388			
1389	Drinking alcoholic		
1390			
1391	beverage while driving		
1392			
1393	motor vehicle	18.2-323.1	\$45
1394			
1395	Gambling illegally	18.2-326	\$45
1396			
1397	Selling to, distributing		
1398			
1399	to or purchasing for		
1400			
1401	persons under age 18		
1402			
1403	tobacco products	18.2-371.2(A)	\$85
1404			
1405	Purchasing or possess-		
1406			
1407	ing tobacco products		
1408			
1409	when under age 18	18.1-372.2(B)	\$45
1410			
1411	Profanely cursing or		
1412			
1413	swearing in public	18.2-388	\$35
1414			
1415	Being intoxicated in		
1416			
1417	public	18.2-388	\$35
1418			
1419	Shooting pigeons for		
1420			
1421	amusement or renting		

1422			
1423	<i>premises for such</i>	18.2-403.3(2)	
1424			
1425	<i>purposes</i>	3.1-796.126	\$45
1426			
1427	<i>Failing to secure or</i>		
1428			
1429	<i>exhibit permits required</i>		
1430			
1431	<i>for field trials</i>	18.2-403.3(6)	\$45
1432			
1433	<i>Making false statement</i>	18.2-403.3(8)	
1434			
1435	<i>to secure dog license</i>	3.1-796.128(A)(1)	\$45
1436			
1437	<i>Failing to pay dog</i>	18.2-403.3(9)	
1438			
1439	<i>license tax</i>	3.1-796.88	
1440			
1441		3.1-796.128(A)(2)	\$35
1442			
1443	<i>Concealing unlicensed</i>	18.2-403.3(10)	
1444			
1445	<i>dog</i>	3.1-796.128(A)(7)	\$45
1446			
1447	<i>Unlawfully removing</i>	18.2-403.3(11)	
1448			
1449	<i>dog collar or tag</i>	3.1-796.128(A)(8)	\$45
1450			
1451	<i>Using abusive language</i>	18.2-416	\$70
1452			
1453	<i>Unlawfully changing</i>		
1454			
1455	<i>name</i>	18.2-504.1	\$70
1456			
1457	<i>Unlawful setting of</i>		
1458			
1459	<i>fishnets</i>	28.2-309	\$120
1460			
1461	<i>Taking fish or shellfish</i>		
1462			
1463	<i>on or within 500 yards</i>		
1464			
1465	<i>below Chickahominy Dam</i>		
1466			
1467	<i>at Walker's on the</i>		
1468			
1469	<i>Chickahominy River other</i>		
1470			
1471	<i>than with rod and reel</i>		
1472			
1473	<i>and hand line</i>	28.2-311	\$70
1474			
1475	<i>Having more than one-</i>		
1476			
1477	<i>half gallon of shucked</i>		
1478			

1479 oysters on board a boat
 1480
 1481 harvesting on the public
 1482
 1483 rocks 28.2-514 \$70
 1484
 1485 Buying, selling or possess-
 1486
 1487 ing oysters under the
 1488
 1489 prescribed size and
 1490
 1491 undersized shells taken
 1492
 1493 from the natural rocks,
 1494
 1495 beds and shoals 28.2-510 \$70
 1496
 1497 Having oysters or shells
 1498
 1499 on culling board, deck,
 1500
 1501 washboard or other
 1502
 1503 receptacle above hold or
 1504
 1505 in deckhouse when boat
 1506
 1507 is oystering upon natural
 1508
 1509 rocks, beds or shoals and
 1510
 1511 not at anchor; when off the
 1512
 1513 public rocks; when approach-
 1514
 1515 ing a buy boat; or when
 1516
 1517 approaching a landing 28.2-513 \$120
 1518
 1519 Taking or catching oysters
 1520
 1521 or shells for purpose of
 1522
 1523 converting same into lime
 1524
 1525 without permission from
 1526
 1527 Commission 28.2-529 \$120
 1528
 1529 Taking or catching crabs
 1530
 1531 from statutorily pro-
 1532
 1533 hibited area from June 1
 1534

1535	to Sept. 15, for purpose		
1536			
1537	of resale	28.2-709	\$120
1538			
1539	Placing or maintaining		
1540			
1541	any crab, eel, or fish		
1542			
1543	pot in navigable channel		
1544			
1545	which has navigation		
1546			
1547	aids installed or approved		
1548			
1549	by any agency of U.S.		
1550			
1551	government	28.2-710	\$70
1552			
1553	Placing, setting or		
1554			
1555	leaving crab pots in		
1556			
1557	tidal tributaries be-		
1558			
1559	tween Jan. 1 and Jan.		
1560			
1561	31 or other time period		
1562			
1563	specified by Marine Res.		
1564			
1565	Comm.	28.2-711	\$45
1566			
1567	Unlawful violation of		
1568			
1569	regulations governing		
1570			
1571	use of crab traps and		
1572			
1573	pounds	28.2-701	\$120
1574			
1575	Hunting, trapping, or		\$70 + fee
1576			
1577	fishing without		equal to
1578			
1579	license		cost of
1580			
1581		29.1-335	license
1582			
1583	Failing to carry		
1584			
1585	hunting, trapping or		
1586			
1587	fishing license	29.1-336	\$45
1588			
1589	Hunting bear or deer		
1590			
1591	w/out special stamp	29.1-354	\$45

1592			
1593	Hunting, fishing or		
1594			
1595	trapping in national		
1596			
1597	forest w/out special		
1598			
1599	permit	29.1-408	\$45
1600			
1601	Hunting with unautho-		
1602			
1603	rized weapons	29.1-519	\$70
1604			
1605	Violating hunting times	29.1-520	\$70
1606			
1607	Violating blaze orange		
1608			
1609	law	29.1-530.1	\$35
1610			
1611	Certain violations		
1612			
1613	pertaining to sanctu-		
1614			
1615	aries, refuges, etc.	29.1-554	\$70
1616			
1617	Keeping certain rep-		
1618			
1619	tiles or permitting		
1620			
1621	same to run at large	29.1-569	\$45
1622			
1623	Shooting, attempting		
1624			
1625	to shoot, or taking		
1626			
1627	game on preserve before		
1628			
1629	complying with reg-		
1630			
1631	ulations	29.1-603	\$45
1632			
1633	Removing shot game		
1634			
1635	from preserve with-		
1636			
1637	out attaching seal	29.1-606	\$45
1638			
1639	Unregistered motorboat	29.1-702(A)	\$85
1640			
1641	No registration on		
1642			
1643	board	29.1-702(B)	\$35
1644			
1645	Expired registration	29.1-703	\$35
1646			
1647	Failure to display		

1648			
1649	registration	29.1-703	\$35
1650			
1651	Failure to display		
1652			
1653	expiration decal	29.1-703	\$35
1654			
1655	Operating motorboat		
1656			
1657	or manipulating skis		
1658			
1659	in marked area	29.1-734	\$45
1660			
1661	Operation of vessel		
1662			
1663	without proper safety		
1664			
1665	equipment	29.1-735(C)	\$45
1666			
1667	Renting out a motorboat		
1668			
1669	without safety equipment	29.1-736(A)	\$45
1670			
1671	Offering for rent other		
1672			
1673	boats without sufficient		
1674			
1675	life preservers	29.1-736(B)	\$45
1676			
1677	Violation of muffling		
1678			
1679	device requirements for		
1680			
1681	motorboats	29.1-737	\$35
1682			
1683	Absence of observer when		
1684			
1685	towing water skier not		
1686			
1687	wearing life preserver	29.1-742(A)	\$45
1688			
1689	Skiing before/after hours	29.1-742(B)	\$85
1690			
1691	Operating personal		
1692			
1693	watercraft under age 14	29.1-748(A)(1)	\$45
1694			
1695	Operating personal		
1696			
1697	watercraft without		
1698			
1699	wearing personal		
1700			
1701	flotation device	29.1-748(A)(2)	\$45
1702			
1703	Operating personal		
1704			

1705	watercraft without a		
1706			
1707	lanyard	29.1-748(A)(3)	\$45
1708			
1709	Operating personal		
1710			
1711	watercraft between		
1712			
1713	sunset and sunrise	29.1-748(A)(4)	\$45
1714			
1715	Exceeding capacity on		
1716			
1717	personal watercraft	29.1-748(A)(5)	\$45
1718			
1719	Permitting operation		
1720			
1721	of personal watercraft		
1722			
1723	by person under age 14	29.1-749(A)	\$85
1724			
1725	Failure to display		
1726			
1727	light while drifting or	4 VAC	
1728			
1729	at anchor	15-370-30	\$35
1730			
1731	Failure to keep to		
1732			
1733	starboard when	4 VAC	
1734			
1735	meeting head and head	15-390-20	\$40
1736			
1737	Failure to yield right-	4 VAC	
1738			
1739	of-way when crossing	15-390-30	\$40
1740			
1741	Failure to keep clear		
1742			
1743	when overtaking another	4 VAC	
1744			
1745	vessel	15-390-40(A)	\$40
1746			
1747	Failure of motorboat		
1748			
1749	to yield right of way	4 VAC	
1750			
1751	to sailing vessel	15-390-50	\$45
1752			
1753	Failure to slacken speed		
1754			
1755	to avoid endangerment of		
1756			
1757	persons or property by	4 VAC	
1758			
1759	wake	15-390-80	\$40
1760			

1761	Failure to operate at		
1762			
1763	reduced speed when	4 VAC	
1764			
1765	vision obscured	15-390-90	\$40
1766			
1767	Failure to keep to		
1768			
1769	starboard in narrow	4 VAC	
1770			
1771	channel	15-390-100	\$40
1772			
1773	Failure of person at		
1774			
1775	least age 16 occupying		
1776			
1777	front seat of vehicle to	46.2-1094(A)	
1778			
1779	use safety belt system	46.2-1094(C)	\$35
1780			
1781	Failure of driver to		
1782			
1783	ensure that child 4		
1784			
1785	through 15 years of age		
1786			
1787	is properly secured by	46.2-1095(B)	
1788			
1789	safety belt system	46.2-1095(D)	\$35
1790			
1791	Failure of driver to		
1792			
1793	ensure that child under		
1794			
1795	age 4 is properly secured		
1796			
1797	in approved child re-	46.2-1095(A)	
1798			
1799	straint device	46.2-1098	\$60
1800			
1801	Failure of driver to		
1802			
1803	carry written statement		
1804			
1805	exempting child from use		
1806			
1807	of child restraint	46.2-1096	
1808			
1809	device	46.2-1098	\$30
1810			
1811	Refusing officer's order		
1812			
1813	to drive vehicle to		
1814			
1815	weighing station	46.2-1137	\$45
1816			
1817			