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SENATE BILL NO. 847

Senate Amendments in [] - February 3, 2025

A BILL to amend and reenact § 46.2-869 of the Code of Virginia, relating to improper driving as a lesser included offense of reckless driving.

Patron Prior to Engrossment—Senator Carroll Foy

Referred to Committee on Transportation

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, [~~in the discretion of~~] *the jury or the court in its discretion trying the case without a jury* 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.

ENGROSSED

SB847E