

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-869 of the Code of Virginia, relating to improper driving as a lesser*
3 *included offense of reckless driving.*

4
5 Approved

[S 847]

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

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

8 **§ 46.2-869. Improper driving; penalty.**

9 Notwithstanding the foregoing provisions of this article, upon the trial of any person charged with reckless
10 driving where the degree of culpability is slight, *the jury or the court in its discretion trying the case without a*
11 *jury* may find the accused not guilty of reckless driving but guilty of improper driving. However, an attorney
12 for the Commonwealth may reduce a charge of reckless driving to improper driving at any time prior to the
13 court's decision and shall notify the court of such change. Improper driving shall be punishable as a traffic
14 infraction punishable by a fine of not more than \$500.

ENROLLED

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