

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 16th day of September, 2016.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective immediately.

Amend Rule 3B:2 to read as follows:

Rule 3B:2. Uniform Fine Schedule.

For any offense listed below, whether prescribed by the specified State statute or by a parallel local ordinance adopted pursuant to the authority granted in Virginia Code § 46.2-1300, a driver may enter a written appearance, waiver of court hearing, plea of guilty, and pay fines and costs. For traffic offenses not listed below, a court hearing is required. Nothing in this Rule affects bonding procedures for those offenses not listed below. Likewise, nothing in this Rule shall be construed to alter the operation of or the penalties prescribed pursuant to §§ 46.2-1220 through 46.2-1230.

This schedule is applied uniformly throughout the Commonwealth, and a clerk or magistrate may not impose a fine different from the amounts shown here. Costs shall be paid in accordance with the provisions of the Code of Virginia or any rules or regulations promulgated thereunder. This 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.

<u>Description of Offense*</u>	<u>Statute or Regulation</u>	<u>Fine</u>	<u>Processing** Fee***</u>	<u>Total</u>
* * *				
2. <u>Other Moving Offenses</u>				
* * *				
Improper passing: —failure to remain on right side of highway when meeting vehicle proceeding in opposite direction	46.2-837	\$30	\$51	\$81

—driving too close to vehicle being overtaken in same direction	46.2-838	\$30	\$51	\$81
—returning to right side of highway before safely clear of overtaken vehicle	46.2-838	\$30	\$51	\$81
—improperly passing to the right of a vehicle proceeding in same direction	46.2-841	\$30	\$51	\$81
—failure to give way to the right to overtaking vehicle	46.2-842	\$30	\$51	\$81
—improperly increasing speed when passed by overtaking vehicle	46.2-842	\$30	\$51	\$81
—failure to give way to overtaking vehicle when driving abreast on divided highway	46.2-842.1	\$30	\$51	\$81
—passing when left lane is not clearly visible	46.2-843	\$30	\$51	\$81
—passing on left when oncoming traffic is too near to permit it in safety	46.2-843	\$30	\$51	\$81
—truck or tractor and trailer impeding passage of following traffic by passing another truck or tractor and trailer on upgrade	46.2-843	\$30	\$51	\$81

—passing stopped school bus 46.2-844 \$250 \$51 \$301

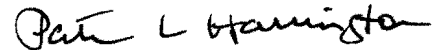
* * *

- * The description of offense is for reference and is not a legal definition.
- ** Unless otherwise provided by statute.
- *** See §§ 9.1-106 and 53.1-120 of the Code.

Justice Mims and Justice McClanahan dissent from the addition of the offense "passing stopped school bus," Code § 46.2-844, to the list of pre-payable offenses.

A Copy,

Teste:



Clerk