

# Virginia Introduces the \$3550 Speeding Ticket

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## Virginia

legislator introduces new speeding ticket tax that boosts penalties beyond \$3550, driving business to his traffic law firm.

## Virginia

motorists convicted of minor traffic violations will face a new, multi-year tax beginning July 1. Led by state Delegate David B. Albo (R-Springfield), lawmakers slipped a driver responsibility tax into a larger transportation funding bill signed by Governor Tim Kaine (D) in April. Albo, a senior partner in the Albo & Oblon, LLP traffic law firm, can expect to see a significant increase in business as motorists seek to protect their wallet from traffic tickets that come with assessments of up to \$3000 in addition to an annual point tax that tops out at \$700 a year for as long as the points remain.

## "The

purpose of the civil remedial fees imposed in this section is to generate revenue," the new law states. (Virginia Code 46.2-206.1)

## Driving

as little as 15 MPH over the limit on an interstate highway now brings six license demerit points, a fine of up to \$2500, up to one year in jail, and a new mandatory \$1050 tax. The law also imposes an additional annual fee of up to \$100 if a prior conviction leaves the motorist with a balance of eight demerit points, plus \$75 for each additional point (up to \$700 a year). The conviction in this example remains on the record for five years.

## Other six-point convictions include

"failing to give a proper signal," "passing a school bus" or "driving with an obstructed view." The same \$1050 assessment applies, but the conviction remains on the record for eleven years.

## Although the

amount of the tax can add up quickly, the law forbids judges from reducing or suspending it in any way. The tax applies only to Virginia residents, so that out-of-state motorists only need to pay the regular ticket amount. Michigan, New Jersey, New York and Texas also impose a somewhat more modest driver responsibility tax which they apply to out-of-state residents.

## The

Virginia Supreme Court provides a full explanation of the new penalties for each traffic infraction in the 34k PDF file at the source link below.

Source: Civil Remedial Fees (Executive Secretary, Virginia Supreme Court, 6/21/2007)

### Driver Responsibility Programs Mean Steady Revenue for States

Four states turn minor and major driving offenses into billions in additional revenue.

#### Thousands

Michigan motorists are just now receiving a second bill from the state for various major and minor driving offenses they committed two years ago. It's part of a "Driver Responsibility Program" that went into effect in October 2003 and is similar to programs established in Texas, New York and New Jersey.

Michigan's program forces drivers who accumulate a certain point total to pay an extra \$100-500 annual fee to maintain their license on top of any tickets and court fees already paid. For certain offenses such as DUI, the annual fee is \$1000. In New York state, where the governor wants to introduce speed cameras, the extra payment kicks in if you are caught twice driving just 1 mile per hour over the speed limit.

In most cases, failure to pay the yearly assessment on time results in license suspension. Re-instating a license in Michigan, for example, will cost another \$125.

#### Driver

Responsibility programs mean big money for the states who have tried them. By 2006, Texas expects to earn \$300 million from its program. New Jersey, which has assessed the extra fees since 1994, has generated over \$1 billion in profit. More than half of the offenses charged were paperwork related, a third were related to driving offenses and just 12 percent were DUI-related. Florida considered creating a driver responsibility program after realizing that, in 2003, more than one out of every four drivers in the state (614,879) had 6 or more points on their license. Illinois, Pennsylvania and Rhode Island have also considered beginning their own programs.

The following is a summary of penalties imposed:

#### Michigan:

\$100 a year for as long as the license has 7 points (plus \$25 for each point over 7)

\$1000 x 2 years for DUI

\$200 x 2 years for having expired insurance

\$150 x 2 years for having an expired license

New Jersey:

\$100 x 3 years for 6 points (plus \$25 for each point over 6)

\$1000 x 3 for DUI

\$250 x 3 years for having expired insurance

New York:

\$100 x 3 years for 6 points (plus \$75 for each point over 6)

\$250 x 3 years for DUI

Texas:

\$100 x 3 years for 6 points (plus \$25 for each point over 6)

\$1000 x 3 years for DUI

\$2500 x 3 years for two DUIs

\$250 x 3 years for having expired insurance

\$100 x 3 years for having an expired license