

THE LAW FIRM OF SUSAN F. FREMIT, P.C.

9130 Courthouse Road, Spotsylvania, VA 22553
Tel: (540) 322-2594

2111 Wilson Blvd., Suite 700, Arlington, VA, 22201
Tel: (703) 666-9263

10 of the Most Common Types of Reckless Driving Charges in Virginia

1. A driver who operates a vehicle that could **endanger the life, limb or property of any person**, regardless of the posted speed limit could be charged with violating [§ 46.2-852](#) of the Virginia Code. For example, your GPS tells you to take the next left ahead and you make an illegal turn, enter the wrong way on a one way and hit an oncoming vehicle.
2. A driver who operates a vehicle on any road in Virginia when they do not have proper control of the vehicle because of **faulty brakes** could be charged with violating [§ 46.2-853](#) of the Virginia Code. For example, running a red light because your breaks didn't work.
3. A driver who overtakes and passes another vehicle without first having a **clear view of oncoming traffic** due to both vehicles approaching the crest of a hill or a curve in the road could be charged with violating [§ 46.2-854](#) of the Virginia Code. For example, passing a vehicle on a solid yellow line and forcing oncoming traffic to break, swerve, or worse.
4. A driver who allows a car to have **more passengers than seatbelts** or allows so many passengers in the front seat that the driver's ability to operate the vehicle is compromised could be charged with violating [§ 46.2-855](#) of the Virginia Code. For example, having five children in the back of a car outfitted with three seat belts.
5. A driver who overtakes or passes another vehicle at any **railroad crossings, road intersections, or road intersections while pedestrians are crossing** or about to cross in front of either vehicle could be charged with violating [§ 46.2-858](#) of the Virginia Code. For example, passing another vehicle at a Virginia Rail Express crossing.
6. A driver who **fails to stop when approaching a school bus** that is taking on or discharging passengers and fails to remain stopped until the [bus](#) has started to move again (except when the school bus is stopped on a section of the road that is separated from the lane of travel by a physical barrier or an unpaved area or if a bus is immediately adjacent to a school and the driver is directed to pass the bus) could be charged with violating [§ 46.2-859](#) of the Virginia Code. For example, a bus has stopped on the left-hand side of the road, the bus lights are flashing, children are getting off the bus and you continue to drive past the bus and down the road.
7. A driver who **fails to give adequate and timely signals** of intention to turn, partly turn, slow down, or stop could be charged with violating [§ 46.2-860](#) of the Virginia Code. For example, you are about to turn right, you start to break, you make the turn, and drive off, but you failed to use your turn signal to indicate you were doing this.
8. A driver who operates a vehicle **too fast for traffic conditions**, regardless of the posted speed limit could be charged with violating [§ 46.2-861](#) of the Virginia Code. For example, if there is freezing rain and the roads are covered in black ice, doing 40 miles per hour (mph) in a 40 mph zone.
9. A driver who operates a vehicle at **more than 20 mph** over the posted speed limit or at speeds **in excess of 80 mph** could be charged with violating [§ 46.2-862](#) of the Virginia Code. For example, driving 11 mph over a posted 70 mph speed limit.
10. A driver who operates any motor vehicle that endangers the life, limb, or property of any person in a **parking lot** could be charged with violating [§ 46.2-864](#) of the Virginia Code. For example, doing 40 mph through a school [parking lot](#) while weaving down rows of parked cars.