



TRAFFIC LAWS

PHONE DOWN. IT'S THE LAW.

Virginia's cellular telephone law prohibits the use of cell phones while driving FOR ALL DRIVERS, regardless of whether such device is or is not handheld. You can only use a cell phone or any other telecommunications device for a driver emergency and the vehicle must be lawfully parked or stopped.

TRAFFIC VIOLATIONS – DRIVERS UNDER AGE 18

Demerit Points

Demerit points are assigned when you are convicted of a traffic violation. The demerit points associated with a conviction remain valid for two years from the date you commit the offense.

Demerit points can add up. Each time you commit a traffic offense, DMV adds additional demerit points to your record. This can add up to big trouble for some drivers. Different violations carry different point assignments, depending on the seriousness of the offense.

- If you are convicted of a demerit-point traffic violation (or a safety belt or child restraint violation) committed when you were under age 18, you will be required to satisfactorily complete a driver improvement clinic. If you do not satisfactorily complete the clinic within 90 days, DMV will suspend your permit or license until the clinic is completed.
- After your second demerit point (or a safety belt or child restraint violation) conviction for a violation committed when you were under age 18, DMV will suspend your permit or license for 90 days. If you have no other means of transportation, you may petition the Juvenile and Domestic Relations Court in your jurisdiction for restricted driving privileges to drive between home and work.
- After a third demerit point (or a safety belt or child restraint violation) conviction for a violation committed when you were under age 18, DMV will revoke your permit or license for one year or until you reach age 18, whichever is longer.

You will receive 5 safe driving points if you voluntarily complete a driver improvement clinic. However, safe driving points will not be awarded if clinic attendance was required by DMV or a court. An online driver improvement clinic will not satisfy a driver improvement clinic requirement. You must satisfactorily complete a clinic that provides classroom instruction.

RECKLESS DRIVING

Irrespective of the maximum speeds permitted by law, any person who drives a vehicle on any highway recklessly or at a speed or in a manner so as to endanger the life, limb, or property of any person shall be guilty of reckless driving. (Code of Virginia § 46.2-852)

DRUG AND ALCOHOL VIOLATIONS

Virginia has a zero tolerance law for those under age 21 who drink and drive. If you are convicted of driving after illegally consuming alcohol, the penalty includes losing your driving privilege for one year, and a minimum mandatory fine of \$500, or 50 hours of community service.

All drivers with a blood alcohol content (BAC) of .08 percent or higher are considered to be driving under the influence (DUI); however, if drivers 21 and older are impaired with a BAC lower than .08 percent, they also can be convicted of DUI. Drivers under age 21 can be convicted of illegal consumption of alcohol with a BAC of .02 to less than .08.

RESTRICTIONS ON THE NUMBER OF PASSENGERS

If you are under age 18, you may carry only one passenger under age 21, unless accompanied by a licensed parent, or other adult acting in place of a parent, in the front passenger seat. However, after you have held your license for one year, you may carry up to three passengers under age 21 in the following situations:

- Travel to and from a school-sponsored activity;
- A licensed driver 21 or older is in the front passenger seat; or
- In case of an emergency.

Learner's permit holders may not carry more than one passenger under age 18.

Passenger restrictions do not apply to family members.

Violations of either the curfew or passenger restrictions can result in the suspension of your driver's license.

CURFEW RESTRICTIONS

If you are under age 18, Virginia law prohibits you from driving midnight to 4 A.M. except when driving:

- to or from a place of business where you are employed;
- to or from an activity that is supervised by an adult and is sponsored by a school or by a civic, religious, or public organization;
- with a licensed spouse age 18 or older, parent or other adult acting in loco parentis who is occupying the front passenger seat,
- in case of an emergency, including responding to emergency calls as a volunteer firefighter or rescue squad personnel.

Some jurisdictions may have local laws that may affect when those under age 18 may drive.

PRINCE WILLIAM COUNTY CURFEW ORDINANCE

The Prince William County Police Department regularly enforces the Curfew Ordinance. Ordinance 16-3, Code of Prince William County, Virginia, makes it unlawful in Prince William County for anyone 17 years of age, or less, to be, or remain, in any public place between the hours of 11 p.m. and 5 a.m. Sunday through Thursday and between the hours of 11:59 p.m. and 5 a.m. Friday and Saturday.

EXEMPTIONS FROM THE PRINCE WILLIAM COUNTY CURFEW ORDINANCE

Certain circumstances may exempt some juveniles from the Curfew Ordinance. The exemptions are as follows:

- When accompanied by a parent, guardian, or other adult person to whom the minor has been temporarily entrusted.
- When engaged in an errand for a parent, guardian, or other adult person to whom the minor has been temporarily entrusted.
- When engaged in lawful employment.
- When attending an official school function, religious activity, civic function or recreational activity sponsored by a county or civic organization, or similar entity, and including travel to and from.
- When involved in an emergency.
- When in a vehicle during interstate travel.
- When on property or sidewalk abutting residence with permission of parent or guardian.
- When married, previously married, or emancipated.
- When participating in activities exercising First Amendment rights.
- When a minor is attending a scheduled performance at an entertainment business with the written permission of the minor's parent or guardian.