

marylandcommentary

# Speeding costs you more in Va. than in Md.

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If you're a speed-happy Marylander who occasionally drives into Virginia, you'd better leave your lead foot on this side of the Potomac. Unlike in Maryland, where cotton-candy traffic laws virtually invite extreme speeding, Virginia takes such behavior seriously.

Under the laws of the commonwealth, exceeding the speed limit by 20 mph or more is classified as reckless driving. Going 80 mph or more, no matter what the speed limit, is also reckless driving.

That's a Class 1 misdemeanor under Virginia law, punishable by a jail term of up to a year and a fine of \$2,500. A conviction on that charge will go on your criminal record — permanently. Your driving privileges in Virginia can be suspended for six months — potentially jacking up your insurance rates. If you hold a commercial driving license or a security clearance, your career could suffer.

All this and more comes from an article, "The Shocking Truth about Reckless Driving Speeding in Virginia," written by Henrico County defense lawyer Bob Battle and available at his Web site, [www.bobbattlelaw.com](http://www.bobbattlelaw.com). Battle knows his stuff when it comes to serious traffic charges in Virginia, but you're better off if you never need his services.

Battle is a critic of Virginia's treatment of speeders. I'm not — and would like to see

Maryland show a similar seriousness about traffic safety.

Let's say you're cruising down Interstate 95 doing 84 mph in a 65 mph zone. If you're in Maryland, you're looking at a \$160 fine and two points for exceeding the limit by 10-19 mph. If you get a kindly judge, you might walk off with probation before judgment and no points. There's no need to get a lawyer.

If you're on Virginia's stretch of I-95, according to Battle, you're looking at a ticket for reckless driving speeding — with all the penalties listed above. You must appear in court or have a lawyer represent you. If you're a no-show, the judge is likely to convict you in absentia and issue a warrant. The next time you're pulled over in the commonwealth, you could find yourself in a county pokey.

If you are convicted, Battle says, the judge has no authority to waive the six points Virginia imposes. And Virginia doesn't do PBJs. Prepare for a big insurance premium.

Battle advises that motorists foolish enough to drive more than 90 mph on Virginia roads are routinely thrown in the clink. Judges right across the Potomac in Fairfax County are especially tough on extreme speeders, he warns.

According to Battle, some judges apply a formula that adds two days in jail for every mile over 90 mph, with a bonus 30 days for breaking the 100-mph barrier. That means, he writes, that if you're convicted of driving 94 mph in a 65 mph zone, you would be eligible for eight days behind bars in addition to six points and whatever fine the judge chose to pile on for reckless driving.

In Maryland, at 94 mph, you're looking at a speeding ticket worth a maximum of \$290 and five points. Considering that anyone driving above 90 on a public highway has decided other lives are expendable, Virginia's approach seems reasonable to me.

Now Battle is a lawyer who specializes in getting out-of-staters off the hook for reckless driving, so naturally he urges people to hire an attorney when facing such charges. Vested interest aside, that's probably good advice. Prosecutors don't like to cut bargains with nonlawyers.

An even better plan would be to slow down in Virginia and confine one's high-speed hijinks to Maryland — the land of lenient legislators and wrist-slapping judges.

## Assembly update

A bill before the General Assembly that would have established a mandatory 3-foot buffer zone when motorists pass bicycles died a quiet death last week — smothered in a subcommittee of the House Environmental Matters Committee.

Because it died in subcommittee, there was no recorded vote. Bicyclists who value their lives can register their unhappiness with the panel's chairman, Del. James E. Malone Jr. The Democrat represents the Arbutus and Elkridge areas.

## MARC alert

MARC riders who think this column has shown too little sympathy for their plight can look for me on the Penn Line tomorrow. Feel free to vent, but bring a sense of humor.