Railroad Crossings

- Failure to obey railroad crossing signal (3 years)
- Failure to stop at railroad grade crossing (3 years)
- Failure to keep to the right at a railroad crossing (3 years)
- Failure to stop passenger-carrying vehicle at railroad grade crossing (3 years)
- Railroad crossing/stopping (3 years)
- Improper operation of crawler-type tractor over railroad crossing (3 years)

Railroad Crossings (Commercial Motor Vehicle Drivers)

- Failure to slow down/stop at a railroad crossing (*)
- Failure to have sufficient space to drive through a railroad crossing (*)
- Failure to obey traffic control device or enforcement official at a railroad crossing (*)
- Failure to have sufficient undercarriage clearance at a railroad crossing (*)

Other Violations

- Operating a motor vehicle while suspended/revoked/restricted with a blood alcohol content of .02% or more (11 years)
- Failure to stop at the scene of a crash, unattended property, damage in excess of $500 (11 years)
- Failure to stop at the scene of a crash, property damage (3 years)
- Emergency vehicle violation—property damage (5 years)
- Emergency vehicle violation—injury (5 years)
- Aggressive driving (5 years)
- Failure to obey traffic signal (3 years)
- Failure to obey lane directional signal (3 years)
- Failure to obey highway lane markings (3 years)
- Improper backing, stopping or turning (3 years)
- Driving the wrong way on one-way highway or street (3 years)
- Impeding/disrupting funeral procession (3 years)
- Disregarding police officer's signal to stop (3 years)
- Disregarding crossing guard/officer's signal (3 years)

THREE POINT VIOLATIONS

Speeding

- Speeding 1–9 mph above the posted speed limit (5 years)
- Impeding traffic, slow speed (5 years)

Passing/Driving

- Improper passing (3 years)
- Improper passing on the right (3 years)
- Improper driving (3 years)
- Improper stopping on highway (3 years)
- Changing course after signaling (3 years)
- Coasting with gears in neutral (3 years)
- Failure to give way in favor of overtaking vehicle (3 years)
- Failure to give way when abreast of another *car* (3 years)
- Driving through safety zone (3 years)
- Driving over fire hose (3 years)
- Unauthorized use of crossover on controlled highway (3 years)
- Driving/riding on sidewalk (3 years)

Turning/Backing

- Improper turn (3 years)
- Improper U-turn (3 years)
- Violation of right turn on red (3 years)
- Violation of left turn on red (3 years)

Signs/Signals

- Failure to obey highway sign (3 years)
- Evading traffic control device (3 years)

Lights

- Driving without lights/excessive lights (3 years)
- Failure to dim headlights (3 years)
- Parking without proper lights displayed (3 years)
- Inadequate hazard lights (3 years)

Licenses/Permits

- No Virginia driver's license (3 years)
- No Virginia license plate (3 years)
- Failure to obtain a driver's license (3 years)
- No driver's license—vehicle/motorcycle (3 years)
- Failure to have license revalidated (3 years)
- Learner's permit violation (3 years)
- Permitting unlicensed person to drive (3 years)
- Driving in violation of restricted license (restrictions related to physical limitation, such as mechanical control device) (3 years)

Commercial Motor Vehicles

- Driving commercial motor vehicle with alcohol in blood (*)
- Driving commercial motor vehicle without license (3 years)
- Driving commercial motor vehicle with more than one driver's license (3 years)
- Driving commercial motor vehicle without endorsement(s) (3 years)
- Driving commercial motor vehicle without license in possession (3 years)
- Commercial driver's license/instruction permit violation (3 years)
- Driving commercial motor vehicle in left lane of interstate (3 years)
- Driving in excess of 13 hours in a 24-hour period (3 years)
- Driving public passenger-carrying vehicle under age (3 years)
- Driving bus transporting school children without a safety belt (3 years)
- Driving school bus without license (3 years)
- Driving school bus under age (3 years)
- Vehicle height exceeds limit for tunnels (3 years)

Other Violations

- Failure to stop at the scene of a crash, unattended property (3 years)
- Failure to leave the scene of a crash at the direction of officer (3 years)
- Failure to report a crash, unattended property, less than $250 damage (3 years)
- Following/parking within 500 feet of fire apparatus (3 years)
- Emergency vehicle violation (3 years)
- Drinking while driving (3 years)
- Improper driving/riding motorcycle (3 years)
- Driving with TV screen visible to driver (3 years)
- Driving while using earphones (3 years)
- Passenger restriction violation (3 years)
- Curfew violation (3 years)
- HOV violation, third or subsequent offense — Northern Virginia planning district 8 (3 years)

DMV is not liable for damages that may result from errors in this publication. For a full description of violations and penalties, call DMV at 1-866-DMV-LINE (368-5463). Information in this brochure may change without prior notice.

www.dmvNow.com
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The Virginia Driver Improvement Program

12 Moving Violations and 3 Point Assessments

When you are convicted of a traffic violation, the court notifies the Department of Motor Vehicles (DMV). DMV does the following:

- posts the conviction to your driving record;
- assigns demerit points to you according to the severity of the offense;
- issues an order of suspension, if applicable;
- issues an order requiring the successful completion of a driver improvement clinic, if applicable; and
- notifies your insurance company upon request.

This brochure lists the traffic violations that have demerit points assigned to them. These violations are grouped according to the number of DMV demerit points assigned to each violation. The number of years that the conviction stays on your DMV record is in parentheses beside each violation. An asterisk (*) indicates that the conviction remains on your record permanently.

DMV also posts to your record traffic violations that do not carry demerit points. These, however, are not listed in this brochure. Demerit points will also be assigned to your record for traffic convictions incurred in other states.

The length of time that a conviction stays on your record depends on the severity of the violation. If you receive an order or notice of revocation, suspension, disqualification or cancellation, your convictions could remain on your record even longer than specified in this brochure.

DMV demerit points remain on your record for two years from the date that you commit the offense. The dates that demerit points are removed from your driving record are not related to the dates that convictions are removed from your record.

Your insurance company may also assign points on your insurance record; however, DMV demerit points are not related to insurance company points. Insurance company points are developed by individual companies.

Be sure to read A Different Kind of Crash Course (DMV 114) for more information about how DMV's Driver Improvement Program works.

SIX POINT VIOLATIONS

Reckless Driving (Felony or Misdemeanor)

- Reckless driving—speeding in excess of 80 mph (11 years)
- Reckless driving—speeding 20 mph or more above the posted speed limit (11 years)
- Reckless driving—racing (11 years)
- Reckless driving—passing or overtaking an emergency vehicle (11 years)
- Reckless driving—passing a school bus (11 years)
- Reckless driving—passing on the crest of a hill (11 years)
- Reckless driving—passing at a railroad crossing (11 years)
- Reckless driving—passing two vehicles abreast (11 years)
- Reckless driving—driving two vehicles abreast (11 years)
- Reckless driving—driving too fast for conditions (11 years)
- Reckless driving—failing to give a proper signal (11 years)
- Reckless driving—faulty brakes/improper control (11 years)
- Reckless driving—on parking lots, etc. (11 years)
- Reckless driving—with an obstructed view (11 years)
- Reckless driving—generally (11 years)

Driving Under the Influence

- Driving while intoxicated (11 years)
- Driving under the influence of alcohol or drugs (11 years)
- Driving under the influence of drugs (11 years)
- Driving after illegally consuming alcohol (persons under age 21) (3 years)
- Driving while intoxicated—maiming (11 years)
- Involuntary manslaughter/alcohol (11 years)
- Refusing blood/breath test (11 years)
- Driving while your license is suspended or revoked for driving while intoxicated (11 years)
- Driving while your license is revoked for driving while intoxicated—maiming (11 years)
- Driving while your license is revoked for driving while intoxicated—involuntary manslaughter (11 years)

Manslaughter

- Manslaughter (11 years)
- Involuntary manslaughter (11 years)
- Involuntary manslaughter/aggravated (11 years)

Habitual Offenders

- Driving after being declared a habitual offender (11 years)
- Authorizing person suspended for habitual offender and/or driving while intoxicated to drive (3 years)

Licenses/Permits

- Driving on suspended license (11 years)
- Driving while your license is suspended or revoked (11 years)
- Driving while your license is suspended or revoked for non-payment of court fines and costs (11 years)
- Driving under suspension or revocation before giving proof of financial responsibility (11 years)

Commercial Motor Vehicles

- Driving commercial motor vehicle while disqualified (*)
- Driving commercial motor vehicle with blood alcohol .04 percent or more (*)
- Driving commercial motor vehicle with blood alcohol .08 percent or more (*)
- Driving commercial motor vehicle under influence of drugs (*)
- Driving commercial motor vehicle under influence of drugs/alcohol (*)
- Refusing blood/breath test while operating commercial motor vehicle (*)
- Violating out of service order (11 years)

Other Violations

- Speeding 20 mph or more above the posted speed limit (5 years)
- Injuring person while racing—felony (11 years)
- Failure to stop at the scene of a crash—injury (11 years)
- Failure to stop at the scene of a crash—death (11 years)
- Failure to stop at the scene of a crash—property damage of $1,000 or more (11 years)
- Emergency vehicle violation—death (11 years)
- Vehicular assault or willful stopping, impeding or damaging vehicle (11 years)
- Blocking access to service facility (11 years)
- Attempting to elude police
  - –felony (11 years)
  - –misdemeanor (3 years)
- Passing stopped school bus (non-reckless) (3 years)
- Operating unsafe vehicle (3 years)

FOUR POINT VIOLATIONS

Reckless Driving/Speeding

- Reckless driving—failure to stop before entering a highway (11 years)
- Speeding (5 years)
- Speeding 10-14 mph above the posted speed limit (5 years)
- Speeding 15-19 mph above the posted speed limit (5 years)
- Speeding 10-19 mph above the posted speed limit (5 years)

Passing

- Passing when unsafe (3 years)
- Passing to the left of approaching vehicle (3 years)

Stopping/Yielding

- Failure to drive to the right and stop for police/fire/emergency vehicle (3 years)
- Failure to stop for pedestrian with white cane (3 years)
- Failure to stop and yield right-of-way (3 years)
- Failure to yield right-of-way (3 years)
- Failure to yield when turning left (3 years)
- Failure to yield to funeral procession (3 years)

Keeping to the Right

- Failure to drive on right half of highway or street (3 years)
- Failure to keep to the right when crossing an intersection (3 years)
- Driving to the left of rotary traffic island (3 years)

Following/Signaling

- Following too closely (3 years)
- Failure to signal before moving from curb (3 years)
- Improper signal (3 years)