

When Should I Hire an Attorney for a Traffic Ticket in Virginia?

When a driver in Virginia gets a traffic ticket, often the best thing to do is just pay the ticket. Unfortunately, sometime pleading guilty or preparing can be a huge mistake. Here is a quick list of things you should consider before prepaying or going to court.

1) Is it a Traffic Ticket or is it a Criminal Offense?

Virginia has very strict traffic laws. Make sure you know whether your ticket is a criminal charge or just a traffic infraction. Criminal offenses can come with jail time, license suspension, and high fines. In Virginia, criminal charges go on your permanent criminal record and a conviction can never be expunged or erased. Here are some common traffic *crimes*:

- Driving without a Virginia license after living in Va for 30 days (46.2-300)
- Driving more than 20mph over the limit (Reckless Driving)
- Driving faster than 80 mph (Reckless Driving)
- Any other form of Reckless Driving
- Driving with an open container of alcohol
- Failure to Pay Attention (Arlington County)
- Improper Control (Arlington County)

2) Will Your Insurance Go Up? How Much?

If you have extremely low insurance, are insured through a “preferred provider”, are under 25, or have been with your insurance company for less than 5 years you are at the most risk for an insurance hike after getting a traffic ticket. Speeding more than 20 mph over the limit and tickets at the scene of an accident typically have the most negative affect on insurance rates. The potential insurance hikes can cost much more than an attorney.

3) Will the DMV Restrict Your License?

If you have receive more than two tickets in 12 months or three tickets in 24 months you could be in danger of having the Virginia DMV put you on DMV probation or suspending your license. If you have received a few tickets recently talk to a Virginia traffic attorney immediately to find out if you are at risk.

4) Was There an Accident?

In Virginia, prepaying or pleading no contest, or pleading guilty to a traffic ticket that involved an accident may expose you to civil liability and make it cheaper and easier for the other driver or their insurance company to sue you. If you were ticketed after an accident, contact a traffic attorney immediately.

5) Will this Affect Your Security Clearance?

Criminal offenses, excessive numbers of traffic tickets, and even fines that exceed a certain dollar amounts may affect your security clearance. Before you prepay a ticket make sure you know whether your ticket will affect your clearance.

6) Are You in Law School?

If you receive 5 or more traffic tickets while in law school, many state bars will not grant you admission to the bar without a probation period or a hearing. In Virginia, you may not even be allowed to sit for the bar exam. If you have accumulated several tickets while in law school, do not prepay anymore without talking to an attorney.

7) Do You Drive for a Living?

If your job involves driving a single traffic ticket may jeopardize your employment. Many insurance companies force employers to enforce such rules. Before you prepay any ticket, make sure you understand your employer's policies and how your ticket will affect you.

8) Are You on Probation, Parole, or a Control Period?

If you have been convicted of a crime or are on DMV probation or DMV control Period, then a traffic ticket may violate the terms of your probation. If you are not sure whether you are on probation, parole, or control period, and then contact a traffic attorney immediately.

9) Do you have a Commercial Driver's Licenses?

Reckless driving, speeding, and improper lane change are just some of the tickets and offenses that can cause a CDL holder to lose their license for 3 years or more. You can lose your CDL even if you received these tickets while driving a non-commercial vehicle.

10) Have You Been Falsely Accused?

I am a firm believer that innocent people should not plead guilty. Prepaying a traffic ticket is an admission of guilty. If you are innocent talk to an attorney before you decide to declare yourself guilty. Most attorneys will give you a free consultation.