

Last amended by Order dated December 22, 2011; effective March 1, 2012.

RULES OF SUPREME COURT OF VIRGINIA
PART THREE A
CRIMINAL PRACTICE AND PROCEDURE

Rule 3A:3. The Complaint.

The complaint shall consist of sworn statements of a person or persons of facts relating to the commission of an alleged offense. The statements shall be made upon oath before a magistrate empowered to issue arrest warrants. The magistrate may require the sworn statements to be reduced to writing and signed if the complainant is a law-enforcement officer, but shall require the sworn statements to be reduced to writing if the complainant is not a law enforcement officer.

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RULES OF SUPREME COURT OF VIRGINIA
PART THREE B
TRAFFIC INFRACTIONS AND UNIFORM FINE
SCHEDULE

Rule 3B:2. Uniform Fine Schedule.

For any offense listed below, whether prescribed by the specified State statute or by a parallel local ordinance adopted pursuant to the authority granted in Virginia Code § [46.2-1300](#), a driver may enter a written appearance, waiver of court hearing, plea of guilty, and pay fines and costs. For traffic offenses not listed below, a court hearing is required. Nothing in this Rule affects bonding procedures for those offenses not listed below. Likewise, nothing in this Rule shall be construed to alter the operation of or the penalties prescribed pursuant to §§ [46.2-1220](#) through [46.2-1230](#) ~~and §§ [46.2-1235](#) through [46.2-1237](#).~~

This schedule is applied uniformly throughout the Commonwealth, and a clerk or magistrate may not impose a fine ~~and cost~~ different from the amounts shown here. Costs shall be paid in accordance with the provisions of the Code of Virginia or any rules or regulations promulgated thereunder. ~~The~~ This schedule does not restrict the fine a judge may impose for an offense listed here in any case for which there is a court hearing.

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RULES OF SUPREME COURT OF VIRGINIA
PART THREE C
NON-TRAFFIC PREPAYABLE OFFENSES AND
UNIFORM FINE SCHEDULE

Rule 3C:2. Uniform Fine Schedule.

Any person charged with any offense listed below may enter a written appearance, waiver of court hearing, plea of guilty, and pay fines and costs.

This schedule is applied uniformly throughout the Commonwealth, and a clerk or magistrate may not impose a fine ~~and costs~~ different from the amounts shown here. Costs shall be paid in accordance with the provisions of the Code of Virginia or any rules or regulations promulgated thereunder. The schedule does not restrict the fine a judge may impose for an offense listed here in any case for which there is a court hearing.

Where injury to the person is involved, prepayment may not be made, even though the offense or violation appears on the list below. See Va. Code § 16.1-69.40:2(A).

A violation of a provision of Title 28.2 may be prepaid only if the person has not violated a provision of Title 28.2 within the past 12 months. See Va. Code § 28.2-903.

Description of Offense*	Statute or Regulation	Fine	Processing** Fee***	Total
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* * * *				
Operating personal watercraft under age 14	29.1-748(A)(1)	\$35	\$61	\$96
Operating personal watercraft without wearing personal flotation device	29.1-748(A)(2)(3)	\$35	\$61	\$96
Operating personal watercraft without a lanyard	29.1-748(A)(3)(4)	\$35	\$61	\$96
Operating personal watercraft between sunset and sunrise	29.1-748(A)(4)(5)	\$35	\$61	\$96
Exceeding capacity on personal watercraft	29.1-748(A)(5)(6)	\$35	\$61	\$96
Permitting operation of personal	29.1-749(A)	\$75	\$61	\$136

watercraft by person under age 14

* * * *

Killing or crippling and knowingly allowing any nonmigratory game bird or game animal to be wasted without making a reasonable effort to retrieve and retain it	4 VAC 15-40-250 [†]	\$25	\$61	\$86
Unlawfully validate (notch) a bear license prior to killing a bear or after killing bear fail to validate a bear license tag before moving the carcass from the place of kill	4 VAC 15-50-81 (B) (A) [†]	\$50	\$61	\$111
Failing to present bear carcass at an authorized checking station after having validated the appropriate bear license tag or failing to comply with procedure at such checking station	4 VAC 15-50-81 (C) (B) [†]	\$50	\$61	\$111
Destroying the identity (sex) of bear before validating bear license tag and checking at an authorized checking station	4 VAC 15-50-81 (A) (C) [†]	\$50	\$61	\$111
Unlawfully validate a deer license tag prior to killing a deer or after killing deer fail to validate a deer license tag before moving the carcass from the place of kill	4 VAC 15-90-231 (B) (A) [†]	\$50	\$61	\$111
Failing to either present deer carcass at an authorized checking station after having validated the appropriate deer license tag or report the kill through telephone checking automated reporting system	4 VAC 15-90-231 (C) (B) [†]	\$50	\$61	\$111
Destroying the identity (sex) of deer before validating deer license tag and checking at an authorized checking station	4 VAC 15-90-231 (B) (C) [†]	\$50	\$61	\$111

Unlawfully validate a turkey license tag prior to killing a turkey or after killing turkey failing to validate a turkey license tag before moving the carcass from the place of kill	4 VAC 15-240-81(B)(A)†	\$50	\$61	\$111
Failing to either present turkey carcass at an authorized checking station after having validated the appropriate turkey license tag or during the spring season only report the kill through <u>telephone checking</u> <u>automated reporting</u> system	4 VAC 15-240-81(C)(B)†	\$50	\$61	\$111
Destroying the identity (sex) of turkey before validating turkey license tag and checking at an authorized checking system	4 VAC 15-240-81(D)(C)†	\$50	\$61	\$111
Failing to use nontoxic shot for waterfowl hunting	4 VAC 15-260-140†	\$25	\$61	\$86
Using a rifle of a caliber less than 23 for hunting or killing of bear or deer†††	4 VAC 15-270-10	\$100	\$61	\$161
Exceeding the creel limits for various species of fish on designated waters	4 VAC 15-320- 2025 †	\$60	\$61	\$121
Possessing illegal size game fish	4 VAC 15-320- 3025 †	\$25	\$61	\$86
Fishing in designated stocked trout waters or in waters specified in the regulations listed (during the period from May 16 through September 30) after obtaining the daily creel limit of trout	4 VAC 15-330-80†	\$50	\$61	\$111
Feeding or baiting trout in designated stocked trout waters	4 VAC 15-330-90†	\$10	\$61	\$71
Taking or attempting to take fish at any time by snagging, grabbing, snaring, gigging, and with a striking iron, <u>or with the use</u>	4 VAC 15-350-10†	\$50	\$61	\$111

of SCUBA gear

Unlawfully using trot-line, jugline or set pole	4 VAC 15-350-60 [†]	\$25	\$61	\$86
Failure to display light while drifting or at anchor	4 VAC 15- 370-30 <u>420-100</u> ^{†††}	\$25	\$61	\$86
Vessel failing to obey regulatory markers; placing in, on or near the water unauthorized regulatory markers	4 VAC 15-370-50 [†]	\$30	\$61	\$91

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* The description of offense is for reference and is not a legal definition.

** Unless otherwise provided by statute.

*** See §§ 9.1-106 and 53.1-120 of the Code.

¹ This designation "PRF Reg" refers to the Potomac River Fisheries Commission Regulations. The cite provides the regulation number, the section number and the subsection number.

² Subtract fees from total and post balance to fine.

³ "Park" is defined pursuant to § 4 VAC 5-30-10 as and is intended for the purposes of this rule to mean all designated parks, parkways, historical and natural areas, sites and other recreational areas under the jurisdiction of the Virginia Department of Conservation and Recreation.

⁴ Established pursuant to § 10.1-104 of the Code.

[†] These Regulations are promulgated pursuant to §§ 29.1-501 and 29.1-502 of the Code.

^{††} The Regulations are promulgated pursuant to §§ 29.1-103, 29.1-501 and 29.1-502 of the Code.

^{†††} The Regulations are promulgated pursuant to § 29.1-501 of the Code.

^{††††} The Regulations are promulgated pursuant to §§ 29.1-701 and 29.1- and 29.1-802 of the Code.

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RULES OF SUPREME COURT OF VIRGINIA
PART FIVE
THE SUPREME COURT
D. PROCEDURE FOR FILING AN APPEAL FROM THE COURT OF APPEALS

Rule 5:14. Notice of Appeal; Certification.

(a) *Notice of Appeal.* No appeal from a judgment of the Court of Appeals which is subject to appeal to this Court shall be allowed unless, within 30 days after entry of final judgment or order denying a timely petition for rehearing, ~~counsel file~~ a notice of appeal is filed with the clerk of the Court of Appeals ~~a notice of appeal~~.

(b) *Notice of Certification.* Whenever this Court shall certify a case pending in the Court of Appeals for review by this Court, notice of certification shall be given by the clerk of this Court to all counsel and to the clerk of the Court of Appeals. A case certified for review by this Court shall proceed as if a petition for appeal had been granted by this Court on the date of the certification for review, except as otherwise ordered.

(c) *Bail Pending Appeal in Criminal Cases.* In criminal cases, either party may appeal an order of the Court of Appeals affirming, reversing, or modifying a circuit court order regarding bail pending appeal as provided by this Rule, Rule 5:15 and Rule 5:17.

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RULES OF SUPREME COURT OF VIRGINIA
PART SEVEN C
GENERAL DISTRICT COURTS –CRIMINAL AND TRAFFIC

Rule 7C:3. The Complaint, Warrant, Summons and Capias.

(a) The complaint shall consist of sworn statements of a person or persons of facts relating to the commission of an alleged offense. The statements shall be made upon oath before a judicial officer empowered to issue arrest warrants. The judicial officer may require the sworn statements to be reduced to writing if the complainant is not a law-enforcement officer.

(b) More than one warrant, summons or capias may issue on the same complaint. A warrant may be issued by a judicial officer if the accused fails to appear in response to a summons.

(c) A separate warrant, summons or capias shall be issued for each charge.

(d) A summons, whether issued by a judicial officer or a law-enforcement officer, shall command the accused to appear at a stated time and place before a court of appropriate jurisdiction. It shall (i) state the name of the accused or, if this name is unknown, set forth a description by which he can be identified with reasonable certainty, (ii) describe the offense charged and state whether the offense is a violation of state, county, city or town law, and (iii) be signed by the magistrate or the law-enforcement officer, as the case may be.

(e) If the warrant has been issued but the officer does not have the warrant in his possession at the time of the arrest, he shall (i) inform the accused of the offense charged and that a warrant has been issued, and (ii) deliver a copy of the warrant to the accused as soon thereafter as practicable.