



## HRCJTA TB 2021-9

DATE: June 10, 2021  
TO: Hampton Roads Criminal Justice Training Academy Member Agencies  
FROM: Scott Barlow, Executive Director  
SUBJECT: HRCJTA Training Bulletin 2021-9 (Refusal to Sign Traffic Summons & Limitations on Traffic Stops)

#####

The HRCJTA is a regional police academy, servicing many different jurisdictions. Each jurisdiction must provide training, and procedures on how the individual jurisdiction expects their officers/deputies to procedurally handle these **significant changes** to Virginia code.

This Training Bulletin only highlights certain new statutes of note. Please see CASC's "2020 Legislative Update - Special Session Fall 2020 Master List" outline for a more complete listing of bills, along with hyperlinks to the text of the legislation. For the most complete information, please read the full text of the new legislation.

### Refusal to Sign Traffic Summons:

Refusal to sign a traffic summons is no longer arrest-able.

The officer will simply indicate on the summons the refusal to sign and release the accused.

### Limitations on Traffic Stops:

Creates a list of certain traffic offenses that are no longer primary offense to initiate a traffic stop:

- Requirement to display 2 visibly red tail lights.
- Requirement for a supplemental high mount stop light.

- Improper window tint.
- Obstructed view (Statute also now requires that the view be “substantially” obstructed.)
- Nonworking exhaust system.
- Noise from a motorcycle, moped, or motorized skateboard or scooter, which is not equipped with a muffler and exhaust system.
- Driving outside the scope or terms of a provisional driver's license or learner's permit.
- Driving on a provisional driver's license or learner's permit while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.
- Smoking with a child in a vehicle.
- Failure to wear a seatbelt.

These changes begin July 1, 2021 and represent some of the most significant changes to how policing is done in the Commonwealth of Virginia. It is critical that law enforcement officers seek guidance from their respective Commonwealth Attorney on the correct interpretation of these new laws.