

The **Shocking Truth about *Reckless Driving by Speed* in Virginia By Bob Keefer**

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Thank you for requesting and reading this material. The fact that you have taken the time to look at this information shows that you are serious about trying to obtain a great result in your Reckless Driving by Speed case.

About Bob Keefer: Harrisonburg, Staunton, Waynesboro, Woodstock, Luray & Charlottesville -- Virginia DUI & Reckless Driving Lawyer

Bob Keefer has been representing people charged with Virginia Traffic charges since 1983. Bob is the co-author of a book on Virginia DUI's titled "DUI/DWI Virginia Arrest Survival Guide: The Guilt Myth." In addition, Bob blogs on the net and on his website: www.BobKeeferLaw.com .

For an evaluation by Bob at no cost to you of your Virginia Reckless Driving by Speed Case: [CLICK HERE](#).

PART ONE

Why I wrote this Consumer Guide

My goal in writing this book is quite simple. I am hoping that anyone charged with Reckless Driving by Speed in Virginia will take the time to find out just how serious an offense it is and what a huge and devastating impact it can have on you in the future.

A Sad Story of Someone who Learned the Consequences of Reckless Driving by Speed Convictions the Hard Way

My firm has shown in hundreds of cases that we can be a tremendous help to someone charged with the criminal traffic offense of Reckless Driving by Speed. However, I regularly get

phone calls from people who don't discover how serious a Reckless Driving by Speed charge is until **after** they have been convicted. The law in Virginia is clear. Once ten days have passed since your conviction, you no longer have the ability to appeal your case.

I have essentially received calls like this:

*“Mr. Keefer can you please help me. I had a speeding ticket in Virginia a year ago. It was charged as Reckless Driving by Speed and I did not realize the significance. I was convicted in my absence and later paid a fine. They also suspended my driver's privileges in Virginia, but that was not a big deal since I don't live in Virginia. However, I am now a finalist for a very high paying job. Well, let me put it this way, I **was** a finalist.”* (At this point the man's voice choked up and he was obviously starting to cry).

“Yesterday, a couple private investigators hired by this company sat me down and told me that I was no longer under consideration for this job for lying on my application. I asked them what they were talking about. They told me that I had marked ‘no’ in the box for criminal record, when in fact I had been convicted of the Class 1 misdemeanor “Reckless Driving” in Virginia. I tried to explain that I had no idea- I was just speeding. Not only was I told I was no longer under consideration for this job that would pay me an excess of \$100,000 a year, but I was escorted out of the building by these investigators like some sort of criminal! Can you please do anything for me to remove this from my record?”

Sadly, the answer was no, it was too late!

The fact of the matter is that there is absolutely nothing I can do to change this conviction. This person now has a permanent criminal record. This is huge point number ONE and the reason I titled this book “The Shocking Truth About Reckless Driving by Speed in Virginia.”

Although the *points* that you may get from a Reckless Driving by Speed conviction should come off your driving record after a certain period of years, **the criminal conviction is permanent**. Unlike driving records, criminal convictions are not limited to the state where you are convicted. Thus, this criminal record will follow this person and anyone convicted of Reckless Driving by Speed for life.

In Virginia you do not need to be driving in the least bit recklessly nor do you need to be driving much above the speed limit to be deemed guilty of “Reckless Driving by Speed.” Anyone charged above 80 can and usually will be charged with Reckless Driving. Thus, someone doing 81 in a 70 mph zone or 81 in a 65 mph zone will be charged with Reckless Driving by Speed. Also, anyone doing 20 or more miles above the speed limit will be charged with Reckless Driving by Speed. Thus someone doing 75 in a 55 will find themselves faced with Reckless Driving by Speed.

The Virginia Code Section for Reckless Driving by Speed is Virginia Code § 46.2-862:

§ 46.2-862. Exceeding speed limit.

A person shall be guilty of reckless driving who drives a motor vehicle on the

Highways in the Commonwealth (i) at a speed of twenty miles per hour or more in excess of the applicable maximum speed limit or (ii) in excess of eighty miles per hour regardless of the applicable maximum speed limit.

The Shocking Consequences of Reckless Driving by Speed

Fact: The average amount of jail time for someone convicted of speeding over 90 mph in Virginia is greater than the average amount of jail time given to someone convicted of a first offense felony drug possession, felony shoplifting, felony embezzlement, felony grand theft auto or DUI with a BAC that is less than twice the legal amount! That's right, the speeder is treated more harshly in Virginia than drug addicts, thieves, and drunks!

Fact: If you are caught doing above 80 mph on the highways of Virginia, you can and will be charged with Reckless Driving. As has been stated, this is not merely a Traffic infraction. It is a criminal offense- a Class 1 Misdemeanor- the most serious class of misdemeanor in Virginia! Once convicted, there is no provision under Virginia law for expungement of this charge and you will have a permanent criminal record.

Several times a day, **Virginia Reckless Driving Lawyer Bob Keefer** receives phone calls from individuals charged with Reckless Driving by Speed in Virginia who are shocked to find that what they had initially perceived to be a "glorified speeding ticket" carries with it potentially **devastating collateral consequences:**

-- **Go to Jail-** People routinely go to jail and lose their license for speeds above 90 mph. Those doing over 100 mph are looking at a potentially lengthy jail sentence. To give you an example of the specific amount of jail time that people who get convicted receive, some judges in Virginia use a mathematical formula: 2 days in jail for every mph over 90 mph, and, if over 100 mph, add an additional 30 days in jail to that total. Thus, someone convicted of doing 94 mph will get 8 days in jail, and someone doing 101 mph gets 52 days in jail! (101 is 11 mph above 90 X 2 days in jail = 22 + additional 30 days in jail for being over 100 mph.)

NOTE- There is no such thing as a "speeder's jail." Those convicted of Reckless Driving by Speed and sentenced to jail go to the same jail as every other criminal sentenced to jail time or who is awaiting trial for any crime they committed.

-- **Permanent Criminal Record-** As I have explained above, unlike the points for a traffic offense conviction on your driving record, the criminal conviction on your criminal record is permanent!

-- **Lose your Job, Security Clearance and/or CDL-**Even those who are convicted of Reckless Driving by Speed who were only traveling in the 80 mph range are looking at a possible loss of a job, their license (including Commercial Driver's License) and their security clearance.

-- **Insurance Nightmare-** In fact, a colleague in Roanoke, Virginia informed me that insurance companies are raising rates more for a conviction of Reckless Driving/Speeding than for a first DUI!

-- **License Suspension-** A conviction of Reckless Driving by Speed carries up to a 6 month license suspension. At first, to the “Out of State” driver who has no plans to be driving in Virginia during the period of suspension, this may seem like it is not a big deal. However, I know that every car insurance application I have ever filled out asks whether you have “ever” had your license suspended. Thus, this license suspension could raise your insurance rates for a very long time. I facetiously refer to these suspensions as “the ‘gift’ that keeps on giving!”

-- **Increased Sentence for Other Crimes-** A conviction of Reckless Driving by Speed will be treated just like any other Class 1 Misdemeanor conviction in computing someone’s “prior record” for Virginia’s Sentencing Guidelines. This was dramatically illustrated in a case in Northern Virginia. An individual charged with felony Embezzlement. The defendant believed he had no prior record. In court, the investigator said the defendant had no prior record. However, after the defendant plead guilty and a Presentence Report was ordered, the Probation Officer noticed 2 convictions of Reckless Driving by Speed. These 2 convictions changed the Sentencing Guideline penalty range from Probation with no jail time to a jail sentence of 6 to 12 months!

-- **Points on Your Driving Record-** When you are convicted of a traffic violation, the court notifies the Virginia Department of Motor Vehicles (DMV). The DMV assigns demerit points for the offense of conviction. Many people show up at court and indicate to the judge that they are willing to pay a fine but do not want the points on their license, only to be informed by the judge that the judge has no ability to suspend the points given to the offense on conviction. Virginia has three categories of point offenses: 3, 4 and 6 point offenses.

There are no 1, 2 or 5 point traffic offenses. For example, speeding 0 to 9 mph above the speed limit is a 3-point offense, speeding 10 to 19 mph above the speed limit is a 4 point offense. **A conviction of Reckless Driving by Speed is assessed the maximum 6 points.**

MY FIRM’S FOCUS ON OUT OF STATE AND OUT OF AREA MOTORISTS

The individuals who face the biggest hardship because of Virginia's Reckless Driving by Speed enforcement policy are Out of State motorists- those who are just traveling through Virginia on their way to or from another state. For those individuals to travel back to Virginia to be present for their trial would require using "planes, trains, and automobiles" to get to court.

Often, it would be a two-day process, requiring the loss of 2 days of vacation and staying in a hotel, to make it to a morning traffic court date in places like Harrisonburg, Staunton, Woodstock or Luray, Virginia. Thus, my firm has chosen to concentrate on serving those out of state residents or at least people from remote areas of Virginia who are at the biggest disadvantage.

A) Here is the “Keefer Plan” to Help Out of Area/Out of State Clients:

The good news for those motorists who live out of the area and out of state is that we have set up our law firm to handle everything automatically. My firm uses the latest in technology to make it convenient, at least as convenient as possible, for someone to be able to get a lawyer for their case. Thus, we are able to first deliver this book electronically by those who visit our web site. Second, we are able to conduct all meetings and consultations by phone. You can send us any information by email attachment or fax. The biggest advantage that we are able to offer is that, in the vast majority of our cases, we are able to get a great result for you at trial, without your ever even having to return to Virginia for a legal consultation or for trial.

-- Fact: Virginia Reckless Driving Lawyer Bob Keefer Helps Hundreds of Virginia and Out-of-State Motorists Get their Reckless Driving by Speed Tickets Reduced or Dismissed- Usually Without Their Having to Come to Court

B) Primary Practice Areas and Jurisdictions for Bob Keefer

Anyone who has driven on the interstate highways in Virginia recently may feel that Virginia should change its state motto from "Virginia is for lovers" to "Virginia is for speed traps!" Law-enforcement officials in Virginia are making no bones about their crackdown on speeding, aggressive driving and drunk driving on the highways of Virginia. The interstate highways around Richmond (I-81 & I-64) are notorious for their speed traps, which are manned by law enforcement officers 24/7. The traffic courts are always overflowing in the **Harrisonburg, Rockingham County, Staunton, Augusta County, Waynesboro, Woodstock & Shenandoah County.**

Bob Keefer appears almost daily in one of these courts.

If you read below about the 8 Questions you must ask of any potential lawyer, visit my firm's web site, www.BobKeeferLaw.com , or read my Consumer Guide about DUI Defense in Virginia, "*How to Choose a DUI Lawyer in Virginia,*" it is quite apparent that I do not believe in hiring inexperienced associates to gain their experience on your case, to your detriment.

C) Statewide Referral Network

If you have been charged in an areas of Virginia where my firm does not go I have set up a statewide referral network of extremely experienced traffic lawyers in those areas. If you contact my firm and mention that you are charged in one of those areas, I will not return the phone call personally.

It is a waste of time for both of us. What I will do is much more valuable for you. I will forward your contact information directly to the attorney that I would recommend for those areas. When the attorney calls you back they will tell you that they were referred from me. Trust me, my reputation is not only on the line in how I perform in court, but in whether I am referring you to someone who I feel will do an outstanding job. If someone calls you back and says they were recommended by me, then that person is an attorney whom I feel will do an outstanding job for you.

For an evaluation by Bob at no cost to you of your Virginia Reckless Driving by Speed Case: [CLICK HERE](#).

PART TWO

How to Choose a Reckless Driving by Speed Lawyer in Virginia

All right, we agreed that Reckless Driving by Speed in Virginia is a big deal and that it is too serious to try to represent yourself. The next and last decision is how do choose a Reckless Driving by Speed lawyer in Virginia. Here are the questions that you must ask and have answered by any Reckless Driving by Speed lawyer before you hire your Lawyer.

The 7 Questions You MUST Ask of Any Lawyer

The most important thing to remember when speaking with a potential lawyer is not to be afraid to ask questions. The best and most qualified lawyers will welcome your questions and they will take it as a sign that you have done your homework. Remember that when you are interviewing an attorney, the attorney is also interviewing you to see if he or she wants to take your case. A good lawyer would rather represent a truly prepared client, a client who is committed to getting the best legal representation available.

Here are the **7questions** you should ask and demand straight answers to in order to make an informed choice of who will represent you.

There is No Substitute for Experience!

1) “How many years have you been in practice?”

This will tell you much about the attorney’s potential experience. But, also ask what they have done all those years. Lawyers can get listed on Traffic and DUI lawyer directories, lawyer referral services, or in online or phone directories as "Traffic or Speeding Ticket lawyers" with no experience whatsoever. Also, I see more and more attorneys who have had their particular niche slow down or dry up completely who are trying to develop a traffic practice to increase their firm's income.

Bob Keefer has been practicing law for over 25 years and has been a trial lawyer for that entire time. He has handled thousands of cases in his career.

The vast majority of his practice is devoted to the defense of 2 types of cases: DUI & Reckless Driving by Speed.

2) “How much experience do you have representing persons who are charged with Reckless Driving by Speed?”

You should leave the attorney’s office confident that you have spoken to someone who

has real expertise and experience in Reckless Driving law. **Your case is too important to be trusted to someone who “dabbles in Reckless Driving defense.”** Ask them to explain to you potential technical legal and scientific defenses to Reckless Driving charge.

3) “Who in the office will actually be handling the case and what are their qualifications?”

This is the **most important question** that you must ask. The lawyer that you might be speaking with might not actually be the person who does the work on your case or who will be your lawyer at trial.

When you demand to know who is going to be your lawyer, the lawyer may respond that their firm uses a “team approach.” They may tell you that all their lawyers discuss your case. This is just another way of giving you the runaround. You should ask them why the attorney who is going to court feels inexperienced on specific issues dealing with your case and requires the assistance of other lawyers from the firm.

These firms who talk about their “team approach” will try to convince you to believe that anyone on the team is as good as the “hotshot partner.” To use a sports analogy, you should respond by saying, “Well, **Stacey King** and **Jack Haley** were both teammates of **Michael Jordan**. If you were a coach, would you be just as comfortable in centering your team around Stacey King and Jack Haley or would you rather have Michael Jordan?”

Better yet, when you start getting these evasive, slick types of answers, you should hang up the phone or walk out of the office of this law firm. You may look at their website and see phrases like, “All our lawyers usually have some involvement in your case,” this means that their hotshot partner has no intention of going to court unless the TV cameras are there and he can walk in and get his grill on TV representing the celebrity client. The reality in these firms is that the hotshot partner is rarely if ever going to court anymore. The response of these firms when potential clients ask who will be representing them in court at trial is that the hotshot partner trains these younger lawyers so that they are just as good as Mr. Hotshot. Oh really?! If this other lawyer is so good, why isn't he working for himself?

The issue is quite simple- do you want a lawyer who will treat you as a valued client or who treats you as a commodity? Bob Keefer **GUARANTEES** that he will do ALL of the work on your case, and will be the lawyer in court for you at trial. If you are charged in an area of Virginia where we do not practice, we will refer you to a lawyer with top credentials and a tremendous amount of experience representing these kinds of Reckless Driving by Speed cases.

4) “Have you ever been disciplined by the State Bar?”

You do not want a lawyer with a long disciplinary rap sheet and you deserve to know if your lawyer has been disciplined in the past.

5) “What are all the potential legal costs, including investigators, experts and the like?”

The lawyer should be honest with you about what your case might cost. You want to be secure that the lawyer is not luring you in with promises of unrealistically low fees and costs.

-- Bob Keefer charges a **flat fee** for his legal representation

-- Bob Keefer is the only lawyer in his portion of Virginia to offer a **GUARANTEE** of FREE representation on a bench trial appeal from the General District Court to Circuit Court.

6) “What challenges do you see in my case?”

The lawyer should be able to explain to you what he or she sees as the challenges you face and what they could mean for the ultimate result.

7) “What will be the final outcome of my case?”

A good attorney will not promise you a specific result, because it is always impossible to be certain how a case will turn out. Any other answer is dishonest and unethical. A good attorney can only promise to do his or her best job in defending you. No lawyer wins all their cases but it is a certainty that **you can’t win an issue your lawyer fails to recognize and raise at trial.** When you look for a potential defense attorney, tell him or her everything that you think is relevant, and then some. Something that you dismissed as a minor detail might make all the difference in your case. Most importantly, be honest. You have nothing to fear. Except in rare cases, if you are talking to an attorney face to face, even before he or she has decided to take your case, you already enjoy attorney-client privilege. This means that nothing you say could ever be used against you. If you ever have any doubt that your communication with the attorney is “privileged,” you should simply ask.

**Rave Reviews-The Verdict is in for Virginia TRAFFIC LAWYER
Bob Keefer [CLICK HERE](#).**

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