

YUMA MUNICIPAL COURT #1441
1515 South 2nd Avenue
Yuma, Arizona 85364
(928) 373-4800
http://www.yumaaz.gov
Effective 01-01-2011
You can obtain case specific
information such as next court date
and fine amounts as well as pay your
fine by telephone at
(928)373-4800

Option 1- ATTEND DEFENSIVE DRIVING SCHOOL

Attending defensive driving school provides the opportunity to have one eligible charge (see page 6) dismissed without: going to court; points assessed for that charge; negative impact on your insurance; and paying a fine for that charge. If you receive an extension for attending school, that extension is only for the eligible charge. You must appear in court or pay the fine(s) for any additional charge(s) on your citation on or within ten days of your appearance date; otherwise, your license may be suspended.

You are eligible to attend a defensive driving class if you meet **all of the following requirements**:

1. You have not attended a Defensive Driving Class in Arizona for dismissal of a traffic charge within the past 24 months.
2. Your traffic charge did not result from an accident involving death or serious physical injury.
3. Your traffic charge has not already been set to a hearing.

Effective 09/30/2009

A commercial driver license holder **OR A DRIVER OF A COMMERCIAL MOTOR VEHICLE THAT REQUIRES A COMMERCIAL DRIVER LICENSE** is not eligible for the defensive driving diversion program. (A.R.S. §28-3392).

WHAT TO DO:

1. If you wish to attend a class; in Arizona, in another state, or via online you may do so by contacting one of the state certified schools in Arizona.
2. To find a certified school either:
 - Visit <http://www.azdrive.com/driveschoolinfo> and look for Defensive Driving School Entry Point and locate Yuma County for Yuma Municipal Court.
 - Call the Defensive Driving School information line at: 1-888-334-5565 (automated response only).
3. You must complete the online program or attend a class at least **7 days before your court date**, which is above your signature on the complaint.
4. Once registered, if you find you need more time to complete the class, the school can grant a **one time, 30 day extension**. If you need additional extensions, you will need to contact the court in person.

Failure to complete the defensive driving class may result in the entry of a default judgment, and/or your driver license suspension, and additional monetary penalties.

Red Light Violations. Persons found responsible or entering a plea of responsible for red-light traffic control signal violations, including flashing stop signals, will be ordered by the Motor Vehicle Division to attend and successfully complete Traffic Survival School or suffer suspension of driving privileges.

Option 2 - PAY BY MAIL, TELEPHONE, OR ONLINE

1. **READ AND SIGN** the following statement:

I hereby waive my right to a hearing, enter a plea of responsible, and consent to judgment imposing the prescribed fine:

Signature _____
 Write the traffic complaint number below

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2. See fine schedule on page 6 for fine amount; list amount in Fine Amount column below. **Add a \$20 case processing fee** and if your court date has passed, add the Default Cost of **\$25 per case** and the **additional \$20 Time Payment Fee**. The court date is written above your signature on the complaint. Pay the Grand Total amount under the Total Fine column. **Do not send cash.**

FINE AMOUNT
 Total Fine per charge, if applicable
 Charge A \$ _____
 Charge B \$ _____
 Charge C \$ _____
 Charge D \$ _____
 Charge E \$ _____
Add the \$20 CASE PROCESSING FEE, if applicable a \$20 Time Payment Fee and the \$25 Default Cost
GRAND TOTAL \$ _____

3. How to pay: Check, money order, or cashier's check made payable to YUMA MUNICIPAL COURT.

Pay by phone call: (928) 373-4800
Credit Card Payment: Complete the following information: MasterCard VISA
 American Express Discover
 Card Number _____
 _____/_____/_____/_____/_____
 Expiration Date 3 or 4 digit CVV code _____

Cardholder's Name _____
 Signature _____
 Daytime phone _____

Place this sheet with your payment, along with your complaint or a copy, in the envelope provided, stamp and mail.
 ALL PAYMENTS MUST BE RECEIVED BY THE COURT DATE. FAILURE TO DO SO MAY RESULT IN THE ISSUANCE OF A DEFAULT JUDGMENT AND DRIVER LICENSE SUSPENSION WITH ADDITIONAL MONETARY PENALTIES BEING IMPOSED.

Option 3 – REQUEST A HEARING

1. **READ AND SIGN** the following statement: I hereby request a hearing to contest the charges indicated below. I hereby enter my plea of not responsible. I understand that I am giving up the option of attending a Defensive Driving Class for those charges for which I have requested a hearing.

Signature _____
 Write the traffic complaint number below

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2. Indicate below, the charge(s) for which you are requesting a hearing. The numbers run vertically down the left side of the complaint.

A _____ B _____ C _____ D _____
 E _____

3. Print the following information:

Name _____
 Mailing _____
 Address _____
 City _____ State _____
 Zip Code _____
 Phone () _____
 Daytime Phone () _____

4. Check if applicable:
 I will be represented by an attorney.
 I will need an interpreter.

(Language) _____

5. Place this sheet, along with your complaint or a copy, in the envelope provided, stamp and mail at least five working days before your court date. You will be notified of your assigned hearing date by mail. You must appear on that date and be ready to present evidence and examine witnesses in front of a Judge/Hearing Officer.

YOU MUST BE PREPARED TO PAY ANY FINE IMPOSED THE DAY OF YOUR HEARING. FAILURE TO APPEAR MAY RESULT IN THE ISSUANCE OF A DEFAULT JUDGMENT AND DRIVER LICENSE SUSPENSION WITH ADDITIONAL MONETARY PENALTIES BEING IMPOSED.

NO FOOD, DRINK, OR WEAPONS OF ANY TYPE ARE ALLOWED IN THE COURT BUILDING.

Please note: There is also a **DRESS CODE** and **RULES OF CONDUCT** for those coming to the court.

You have just received a traffic complaint and this document will explain your options. Please read this document thoroughly. Be sure to read both sides of your complaint. You must respond to the court in person or, if eligible, use the options below, on or before the date and time indicated on your traffic complaint.

Your traffic complaint has a check box to the right of the violation description. If the **CRIMINAL** or **CRIMINAL TRAFFIC** box is checked, you **MUST** appear in court on your court date.

If the check box to the right of the violation description is checked **Civil Traffic**, your options are detailed within this document. You may choose one of your four options, or you may appear on or before the date and time shown on your civil traffic complaint to resolve your case. If you have multiple violations on your civil traffic complaint, you will need to indicate your choice for each violation.

✓ **Option 1 – Attend Defensive Driving School**

If you are eligible and you attend, the eligible traffic violation will be dismissed and no points will be placed on your record. You will only pay an enrollment fee to the school. Do not pay the court fine. *See Page 2.*

✓ **Option 2 – Pay by Telephone or Mail**

Waive your right to a hearing, enter a plea of responsible, and pay the fine. You do not have to appear in court. **Payment must be received by the court prior to your court date.** We suggest allowing at least 5 days for mailed payment. Payment can be made by phone at (928) 373-4800. *See Page 3.*

✓ **Option 3 – Request a Hearing**

At your hearing, you may bring witnesses and you will have the opportunity to present your case before a judge. Once the hearing begins, you can no longer attend Defensive Driving Class and if you are found responsible, ALL FINES ARE DUE IN FULL at the conclusion of your hearing. *See Page 4*

✓ **Option 4 – Request a Hearing In Absentia**

If you are eligible, you may request and receive a hearing that will allow written testimony in lieu of a mandatory court appearance. *See Page 5.*

Option 4 - REQUEST HEARING IN ABSENTIA

(without a personal appearance)

IF YOU HAVE A SUBSTANTIAL HARDSHIP

which prevents you from attending a hearing **AND** you wish to plead **not responsible** for the violation(s), you may qualify for a Hearing in *Absentia* pursuant to Rule 10 Civil Traffic Rules. This will allow you to file a written declaration of the facts surrounding the violation rather than appear in person at a hearing. The written request for a Hearing in *Absentia* **must** be received prior to your appearance date.

HEARING IN ABSENTIA INSTRUCTIONS

1. To receive the Request Form, read and sign the following statement:
I believe that I qualify for a Hearing in Absentia and would like to receive the Request Form. (Forms are also located on our website at

<http://www.yumaaz.gov>

Signature _____

2. Write the traffic complaint number below:

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3. **POSTING A BOND.** A bond is not required but by posting a bond, you will eliminate any requirement to pay the mandatory \$20 Time Payment Fee if you are found responsible. The bond amount is equal to the total fine for the violation(s) on your traffic complaint.

YOU MUST APPEAR IN COURT ON THE COURT DATE SHOWN ON YOUR COMPLAINT if the following applies:

- For any violation code on your complaint that does not appear on the Fine Schedule.
- If your complaint was issued as a result of an accident involving death or serious injury. If you want to contest your charge(s), you will not be able to do so on your appearance date. Your charges will be set for a trial/hearing on another date. See Page 4.

Please Note: It is the defendant's responsibility to follow up with the court to ensure that the payment or correspondence sent via mail was received by the court. Failure to appear in court on or before the court date listed on your complaint may result in the issuance of a warrant for your arrest on any criminal charge, and/or driver license suspension with additional monetary penalties being imposed on any civil charge.

FINE SCHEDULE

Listed below are VIOLATION CODES with fine amounts. Mandatory State surcharges (84%) are included. If payment is **NOT RECEIVED** by the court date provided on your ticket, there will be a **\$20 Time Payment** Fee per case, plus an **additional \$25 Default Fee** on each civil charge.

VIOLATIONS ELIGIBLE FOR DEFENSIVE DRIVING PROGRAM

<u>Violation Code</u>	<u>Amount</u>	<u>w/Accident</u>
28-644A1, A2	\$250	\$388
28-645A, 1A, A1B	\$250	\$388
28-645A3A, A3B, A3C & 28-645B & 28-645C	\$250	\$388
28-647.1, .2	\$250	\$388
28-651	\$250	\$388
28-701A (Failure to control)		\$388
28-701A & 28-701.01C		
Up to 13 mph over speed limit	\$204	\$342
14-24 mph over speed limit	\$250	\$388
25-27 mph over speed limit	\$342	\$434
28-29 mph over speed limit	\$388	\$480
30 + mph over speed limit	\$434	\$480

28-701.02A1 thru 28-701.02A3 MUST APPEAR IN COURT

28-701E	\$158	\$204
28-704A to 28-706B	\$204	\$342
28-709 & 28-710	\$204	\$342
28-721A to 28-776A (except 28-737A)	\$250	\$388
28-792A & B	\$250	\$388
28-797F & G	\$480	
28-797H & I	\$480	
28-815D	\$158	\$204
28-851A to 280856.3	\$250	\$388
28-857 (first offense)	\$480	
28-891A to 28-897	\$250	\$388
28-906	\$204	\$342

Note: Any person who had a Commercial Driver License (CDL) at the time of their violation is not eligible to have their citation dismissed through attendance at a defensive driving class.

VIOLATIONS NOT ELIGIBLE FOR DEFENSIVE DRIVING PROGRAM

Violation Code Amount w/Accident PEDESTRIAN VIOLATIONS

28-645A2B & A3D,	\$250	
28-646A2 & B	\$250	
28-793A to 793C	\$158	
28-796A to 796C	\$112	

EQUIPMENT, OVERWEIGHT & TOWING VIOLATIONS

Violation Code Amount

28-921A1A to 28-954D	
28-956 to 28-959	\$158
28-1098B	\$480

REGISTRATION & DRIVER LICENSE VIOLATIONS

28-2058A2B	\$158
28-2153.A, B1 & B2	\$158
28-2158C	\$112
28-2354A1, B, B1, B2 & B3	\$ 75.20

A.R.S. 28-2532A – No Vehicle Registration **\$572**
 Mail or provide proof of current registration for reduced fine of \$112.

28-2533A	\$572
28-3151A to 28-3225B3	\$158

SEAT BELT VIOLATIONS

28-909A1, A2 & B1 & B2	\$38.40
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A.R.S. 28-907A – Child Passenger Restraint – If you have been cited for “failure to use”, the fine is \$112.

A.R.S. 28-645A3A – Red-Light Violations.

Persons found responsible or entering a plea of responsible for red-light traffic control signals, including flashing stop signals violations, will be ordered by the Motor Vehicle Division to attend and successfully complete Traffic Survival School or suffer suspension of driving privileges.

A.R.S. 28-3169A – No Drivers License in Possession – Dismissed upon proof of driver license valid on the date and time of the violation. Provide a copy of **both front and back** of your driver license; otherwise the fine amount is **\$158**.

A.R.S. 28-4135A, B & C –

Effective 09/30/2009-No Proof of Insurance – Fine is \$980 for a 1st offense. If you mail or provide proof on or before your appearance date showing that the vehicle involved was insured on the DATE and TIME the complaint was issued, the charge will be dismissed.

If insurance has been obtained after the DATE AND TIME the complaint was issued, you must, on or before your first court date, mail or appear at the court and provide proof of a 6-month insurance policy purchased for the vehicle cited. Additionally, you must provide the court with a copy of an MVD record showing no insurance violations within the prior 24 months or only one insurance violation within 36 months of the current violation. You may also be liable for additional actions or penalties as directed by the Arizona Department of Transportation, Motor Vehicle Division. If you are unable to provide proof of insurance for the DATE and TIME the complaint was issued, you must appear in court.

A conviction pursuant to this section may result in the suspension of your driver license, registration and vehicle plates.

To contact Arizona Motor Vehicle Department regarding suspensions and eligibility questions:

<http://www.azdot.gov/MVD>

or telephone

Phoenix office: (602) 255-0072

Tucson office: (520) 629-9808

Yuma Office: (928) 317-2000