

YUMA MUNICIPAL COURT #1441
1515 South 2nd Avenue
Yuma, Arizona 85364
(928) 373-4800
www.yumaaz.gov
Effective 09/01/2019

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

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

Please note: There is 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 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 Documentary Hearing**

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 4

Option 1- ATTEND DEFENSIVE DRIVING SCHOOL

Attending defensive driving school provides the opportunity to have one eligible charge (see page 5) 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 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 the following requirements**:

1. You have not attended a Defensive Driving Class in Arizona for dismissal of a traffic charge within the past 12 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.
4. IF YOU ARE A COMMERCIAL DRIVER LICENSE HOLDER you will be eligible for defensive driving school provided that:
 - You were driving a vehicle requiring a Class D or Class M license
 - The vehicle was not being used for commercial purposes
 - You meet the other defensive driving eligibility requirement for non-commercial driver license holders

You are NOT eligible for defensive driving school if you were driving a COMMERCIAL MOTOR VEHICLE THAT REQUIRES A COMMERCIAL DRIVER LICENSE (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.azcourts.gov/drive> 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. The court may grant a **one time**, 30-day extension for you to attend if that is necessary

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.

Option 2 - PAY BY MAIL OR BY 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 \$45 case processing fee** and if your court date has passed, add the Default Cost of **\$50 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 PLUS \$45 CASE FEE TOTAL FINE

Charge A \$ _____	\$ _____
Charge B \$ _____	\$ _____
Charge C \$ _____	\$ _____
Charge D \$ _____	\$ _____
Charge E \$ _____	\$ _____

Add if applicable a \$20 Time Payment Fee and the \$50 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

Online: www.azcourtpay.com

IVR: 1-866-859-2527

Credit/Debit 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.

Option 3 – REQUEST A HEARING (AVAILABLE FOR THOSE OUTSIDE YUMA COUNTY)

1. If you live in Yuma County, please come to the court to request your hearing.

2. **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 _____

3. Mail this sheet, along with your complaint or a copy to the court 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.

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

Option 4 - REQUEST A DOCUMENTARY HEARING (without a personal appearance)

DOCUMENTARY HEARING INSTRUCTIONS:

To receive the Request Form, call the Yuma Municipal Court or visit the website at <http://www.yumaaz.gov>

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 Documentary Hearing pursuant to Rule 10 Civil Traffic Rules.

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.

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.

FINE SCHEDULE

Listed below are some VIOLATION CODES with fine amounts. Mandatory State surcharges are included.

Add a \$45 case processing fee and 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 \$50 Default Fee** on each civil charge.

VIOLATIONS ELIGIBLE FOR DEFENSIVE DRIVING PROGRAM

<u>Violation Code</u>	<u>Amount</u>
28-644A1, A2	\$265
28-645A, 1A, A1B	\$265
28-645A3A, A3B, A3C & 28-645B & 28-645C	\$265
28-647.1, .2	\$265
28-651	\$265
28-701A (Failure to control)	\$403
28-701A Speed not Reasonable & Prudent	
Up to 13 mph over speed limit	\$219
14-24 mph over speed limit	\$265
25-27 mph over speed limit	\$357
28-29 mph over speed limit	\$403
30 + mph over speed limit	\$447

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

28-702.01A	\$62.45
28-701E	\$173
28-704A to 28-706B	\$219
28-709 & 28-710	\$219
28-721A to 28-776A (except 28-737A)	\$265
28-792A & B	\$265
28-797F, G, H or I	\$495
28-815A	\$265
28-815D	\$173
28-851A to 28-856.3	\$265
28-857 (first offense)	\$495
28-891A to 28-897	\$265
28-906	\$219

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.

VIOLATIONS NOT ELIGIBLE FOR DEFENSIVE DRIVING PROGRAM

<u>Violation Code</u>	<u>Amount</u>
TRAFFIC LIGHT VIOLATIONS	
28-645A2B & A3D,	\$265
28-646A2 & B	\$265

REGISTRATION & DRIVER LICENSE VIOLATIONS

28-2058A2B	\$173
28-2153.A, B1 & B2	\$173
28-2158C	\$125
28-2354A1, B, B1, B2 & B3	\$ 90.20

A.R.S. 28-2532A – No Vehicle Registration
Mail or provide proof of current registration for reduced fine of \$125.
28-2533A \$587
28-3151A to 28-3225B3 \$173

SEAT BELT VIOLATIONS
28-909A1, A2 & B1 & B2 \$65.80

A.R.S. 28-907A – Child Passenger Restraint – If you have been cited for “failure to use”, the fine is \$127.

A.R.S. 28-3169A – No Driver’s 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 \$173.

Yuma City Code §211-10A

Use of Portable Communication Device: Prohibited. This is a civil traffic violation and is not eligible for a defensive driving program

§211-10A Fine of \$218.00 plus \$45 case fee
§211-10F if involved in a motor vehicle crash is \$447.50 plus \$45 case fee

A.R.S. 28-4135A, B & C

No Proof of Insurance – Fine is \$955 plus a case processing fee of \$45 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 36 months. 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.

A.R.S. 28-3473 – Driving on a suspended, revoked or cancelled license; **must appear before the judge.**

A.R.S. 28-3482 – Driving on a license suspended for failure to appear or pay; restricted privilege to drive (Effective January 1, 2019)

If a person is cited for a violation of this section and the person presents evidence to the court that the person's unrestricted privilege to drive has been reinstated, the court may dismiss the charge of driving under a suspended license.

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.

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

www.azdot.gov/MVD
Phoenix office: (602) 255-0072
Tucson office: (520) 629-9808
Yuma Office: (928) 317-2000

For more information visit our website at www.yumaaz.gov/municipalcourt