TRAFFIC VIOLATION INFORMATION - PLEASE READ BEFORE CONTACTING THE COURT

COURT WEBSITE: http://cochise.az.gov
HOURS OF OPERATION: Monday through Friday - 8:00 am to 5:00 pm

COURT:	Phone:	Address:	City, State, Zip:
SIERRA VISTA JUSTICE COURT (PRECINCT 5) AND SIERRA VISTA MUNICIPAL COURT	520-803-3800	100 Colonia de Salud, Ste. 108	Sierra Vista, AZ 85635

You have just received a traffic citation and may be wondering what to do now. The information below may help you.

Be sure to read both sides of your traffic citation. It is important for you to know that you **must** respond to the court on or before the "Notice to Appear" date shown on the front of your citation.

Failure to appear or contact the court on the date listed on your citation, or failure to complete one of the following options may result in the issuance of a warrant for your arrest, suspension of your driver's license, and/or additional monetary costs being imposed.

YOUR APPEARANCE DATE IS *NOT* YOUR TRIAL DATE

The following three options are available to you for the citation you received or you may appear in court for an initial appearance on the date and time shown above your signature on your citation. If you have multiple charges on your citation, you will need to indicate your choice for **each** charge.

YOU MUST APPEAR in person on or before the court date and time listed on your complaint ***if***:

- Your charge is a Misdemeanor **(Criminal),**
- Your complaint was issued as a result of an accident involving death or serious physical injury,
- You are under 18 years of age**.** ***A parent or guardian must accompany you to court.***

YOU HAVE THREE DISPOSITION OPTIONS

- **Option 1:** Attend a Defensive Driving Program (for Civil Traffic violations ONLY).
- **Option 2:** Pay your fine by mail (Entering a plea of guilty or responsible). Go to form.
- **Option 3:** Request a Trial or Hearing Date. Go to form.
- **BE SURE** to check the *Important Notices* and *Fine/Sanction Schedules* below.

YOU HAVE SEVERAL WAYS TO PAY YOUR TICKET

- Money Order, Cashier's Check or Personal Check made payable to Cochise County Treasurer (note: a $25.00 fee **will be** assessed for all returned checks.),
- Visa, MasterCard or Discover Card by mail or phone.

***** NO PERSONAL CHECKS WILL BE ACCEPTED FOR LATE PAYMENTS OR SUSPENSIONS *****
Please see listings for individual courts for on-line payments or payments by credit card.

**** IMPORTANT NOTICES ****

FAIL TO STOP AT A RED LIGHT (A.R.S. 28-645A3A)
FLASHING RED SIGNAL (A.R.S. 28-647.1)

If you have received a citation for violation of 28-645A3A or 28-647.1, you may be eligible to attend Defensive Driving School and have the violation dismissed. If you choose not to attend Defensive Driving School or are not eligible and are found responsible for the violation, you will be assigned by the Motor Vehicle Division (MVD) to attend a Traffic Survival School class when MVD receives notice of the violation.

CHILD PASSENGER RESTRAINT (A.R.S. 28-907A)

Purchase of a child passenger restraint system after the date and time the complaint was issued **MAY** result in a reduced sanction. Contact the court for further information.

NO PROOF OF REGISTRATION (A.R.S. 28-2532A)

If you did not have valid registration at the time the citation was issued but have since obtained valid registration, mail or bring proof to the court by your court date and the sanction may be reduced. If you are not the owner of the vehicle, you may file a written statement at the court or by mail by your court date and the charge may be dismissed. If you have valid registration at the time the citation was issued, and mail or bring proof to the court by your court date, the fine may be reduced.

NO DRIVER'S LICENSE IN POSSESSION (A.R.S. 28-3169A)

The charge will be dismissed if the person presents an acceptable form of proof that his or her driver's license was current at the time the violation occurred. Acceptable forms of proof are: presentation of the person's driver's license that was valid at the time the violation occurred, or presentation of a duplicate driver's license issued to the person which was valid at the time the violation occurred.

INSURANCE VIOLATION (A.R.S. 28-4135A, B OR C)
(Effective September 30, 2009)

The sanction for no insurance is:

- A minimum fine of $950.00 will be assessed
- Your driver's license, vehicle registration, and vehicle license plates **will** be suspended by MVD for 3 months (first offense), 6 months (second offense), or 1 year (third offense).

A.R.S. § 28-4135 B or C: If valid proof is shown to the court on or before your appearance date that valid insurance was in effect on the date the citation was issued, the insurance violation will be dismissed.

A.R.S. § 28-4135 A, B or C: If you provide the court with proof of pre-paid 6-month liability insurance and a record from MVD showing no insurance violations in 24 months or only one in 36 months, **on or before your appearance date** the sanction may be reduced.

OPTION #1: DEFENSIVE DRIVING PROGRAM (For Civil Traffic Violations Only)

NOTE: Commercial Driver's License (CDL) holders are NOT eligible for the Defensive Driving Program. This includes violations received while driving personal vehicles or non-commercial vehicles.

Arizona statute provides that under certain circumstances, you may divert ***one*** traffic violation by attending a defensive driving class. You may be eligible for the program if you meet all of the following requirements:

- The violation code on your Complaint matches an eligible code indicated in the *Fine/Sanction Schedule*.
- Your traffic charge was not issued as a result of an accident involving death or a serious physical injury
- Your traffic charge has not already been paid or set for trial or hearing
- You have not attended a Defensive Driving class for dismissal of a traffic charge received in the State of Arizona within the past two years (violation date to violation date)

If you choose to use this option:

1. **No court appearance is required for that charge only.**
2. The charge will be dismissed.
3. No fine will be assessed for the charge.
4. No points will be added to your record for the charge.

What Must I do? (Two steps)

1. **Enroll** for a Defensive Driving class by immediately calling any approved Arizona state defensive driving school.

Further information and a list of defensive driving schools may be found at the following website: http://www.azdrive.com or by calling 1-888-334-5565.

2. Complete the class **7 days before** your appearance date. Failure to notify the court before your appearance date may result in forfeiture of your option to attend a Defensive Driving School.

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OPTION #2: TO PAY YOUR FINE BY MAIL (ENTER A PLEA OF GUILTY/RESPONSIBLE) COMPLETE THE FOLLOWING

If you complete this option, you are **admitting responsibility** for the violation(s). The court will enter a **judgment of guilty/responsible** and will report the findings to the Motor Vehicle Division. Points will be assessed to your driving record for any moving violations.

If you chose this option, you **must**:

1. **READ AND SIGN** the ACKNOWLEDGEMENT statement on the form below.

2. **ENTER** the Complaint Number in the spaces provided.

3. **MATCH** the violation code(s) from your Complaint to the codes listed in the to determine the amount owed.

4. **FILL IN** all the information requested below. Print your name, address and date of birth exactly as they appear on the Complaint, circle the charge letters from the complaint and enter the appropriate fine and/or sanction amount for ***each*** charge you are paying (charges A-E are located on the left side of the Complaint).

5. **PAY** the total amount due by money order, cashier's check or credit card. DO NOT SEND CASH. A $25.00 fee will be charged for all checks or money orders returned for non-sufficient funds. If payment receipt is required, enclose a stamped, self-addressed envelope.

6. **PRINT** two copies of the completed form and **keep one** for your records.

7. **MAIL** the original Complaint (or a photocopy) along with the **Option** form (below) to the Court indicated on your Complaint.

8. **PAYMENT** and **PAPERWORK** ***must*** be received by the Court **at least 5 working days** before your scheduled court date (located above your signature on the Complaint).

IF PAYMENT IS NOT RECEIVED BY YOUR COURT DATE, additional **fees** may be applied to your account; your **DRIVER'S LICENSE** may be suspended; your account may be referred to **COLLECTIONS**; your delinquent status reported to a **CREDIT BUREAU**; and your **COMMANDING OFFICER** notified (military.)

CONTINUED:

OPTION #2
TO PAY YOUR FINE BY MAIL (ENTER A PLEA OF GUILTY/RESPONSIBLE) COMPLETE THE FOLLOWING:

Court/Precinct: _____

READ *AND* SIGN the following **ACKNOWLEDGEMENT** statement:

> ***"I hereby waive my right to trial or hearing, enter a plea of guilty/responsible, and consent to judgment imposing the prescribed fine or sanction."***

SIGN HERE: _____

WRITE the Complaint Number (located in the upper left corner of your citation):

Last Name: _____ First Name: _____ MI: ___

DOB: _____ Day Phone# _____ Other Phone # _____

Address: _____ City: _____ State: _____ Zip: _____

☐ **Check** here if this address is a change from the address listed on the Complaint

Circle the charges being paid, enter the amount for each charge, add fee AND enter total amount:

A=	$ _____
B=	$ _____
C=	$ _____
D=	$ _____
E=	$ _____
Add Justice Court Security Fee	**$** 36.60
Total:	$ **36.60**

Method of Payment:

☐ Money Order ☐ Check Credit Card: ☐ Visa ☐ MasterCard ☐ Discover Card

Exp. Date: _____ Cardholder Name (print or type): _____

Credit Card Number: | | | | | | | | | | | | | | | | | | | |

Cardholder Signature: _____

OPTION #3 REQUEST A TRIAL/HEARING DATE:

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

   "I request a trial/hearing to contest the charges indicated below. I enter my plea of <u>Not Guilty/Responsible</u>. I understand that I am giving up the option of attending a defensive driving class on those charges for which I have requested a trial/hearing be set."

   SIGN HERE: _____

From your Arizona Traffic Ticket and Complaint:

2. **ENTER** the Complaint Number (located in upper left corner of your citation) in the boxes below.

3. For ***each*** charge you are requesting a trial or hearing be set, **ENTER** the statute number(s) here. →

	Charges:
A.	
B.	
C.	
D.	
E.	

4. **PRINT or ENTER** the following information:

   NAME _____ D.O.B. _____

   ADDRESS _____

   CITY _____ STATE _____ ZIP _____

   DAY PHONE # _____ Other Phone # _____

   ☐ Check here if this address is a change from the one listed on the Complaint.

5. **CHECK** one box:

   ☐ **I will be** represented by an attorney

   ☐ **I will not be** represented by an attorney

6. **PRINT** this page with either the original or a photocopy of the Complaint and **MAIL** at least 5 working days before the court date written above your signature on the Complaint. If your request is not received by your court date, a warrant will be issued or default judgment entered and additional fees will be assessed.

7. You will be notified by mail of your assigned trial/hearing date. You must appear on that date and be ready to present evidence and examine witnesses before a judge or hearing officer.

YOU MUST BE PREPARED TO PAY ANY FINE IMPOSED ON THE DAY OF YOUR TRIAL/HEARING. FAILURE TO APPEAR WILL RESULT IN ADDITIONAL MONETARY PENALTIES, DRIVER'S LICENCE SUSPENSION, AND/OR THE ISSUANCE OF A WARRANT FOR YOUR ARREST.

Fine/Sanction Schedule

A plea of guilty/responsible **must** *be received by the court before payment can be accepted.*
Violation codes in RED *are eligible for the Defensive Driving Program.*
For any violation cited as the cause of a traffic accident the minimum *fine/sanction is $175.00.*
For Federal Trucking Regulations contact the Court for fine amount.

*** NO PERSONAL CHECKS WILL BE ACCEPTED FOR LATE PAYMENTS OR SUSPENSIONS ***

Please see Court link for on-line payments or payments by credit card.

VIOLATION CODE	FINE / SANCTION	WITH ACCIDENT
28-448A	137.00	N/A
28-644A1	137.00	N/A
28-645A1B	137.00	175.00
28-645A2B	137.00	175.00
28-645A3A See "Important Notices"	137.00	175.00
28-645A3B &	137.00	175.00
28-645A3C	137.00	175.00
28-645A3D	119.00	175.00
28-646A1	137.00	175.00
28-646A2	119.00	175.00
28-646B	119.00	175.00
28-647.1 See "Important Notices"	119.00	175.00
28-647.2 See "Important Notices"	119.00	175.00
28-650	197.00	N/A
28-651	137.00	175.00

Fine Schedule for Speeding Violations
Maximum fine for Civil Traffic is $420.00

MPH OVER POSTED LIMIT	FINE / SANCTION	
	Civil Traffic	Criminal Traffic
1-5	95.00	95.00
6-10	165.00	165.00
11-15	235.00	235.00
16-20	305.00	305.00
21-25	375.00	375.00
26-30	420.00	445.00
31-35	420.00	515.00
36-40	420.00	585.00
41-45	420.00	655.00
46-50	420.00	725.00
51-55	420.00	795.00
56-60	420.00	865.00
61-65	420.00	935.00

VIOLATION CODE	FINE / SANCTION	WITH ACCIDENT
28-701A See **Speeding** Fine Schedule		
28-701E See **Speeding** Fine Schedule		
28-701.02A1 **Criminal Traffic Fine Only - See Speeding Fines**		
28-701.02A2 **Criminal Traffic Fine Only - See Speeding Fines**		
28-701.02A3 **Criminal Traffic Fine Only - See Speeding Fines**		
28-702.01A ***NOT*** Eligible for Traffic School	62.00	N/A
28-702.01C thru 28-702.04B See **Speeding** Fine Schedule		
28-704A See **Speeding** Fine Schedule		
28-704B See **Speeding** Fine Schedule		
28-721 through 28-735A	137.00	175.00
28-751.1 through 28-792B	137.00	175.00
28-793A	119.00	175.00
28-793B	119.00	175.00
28-793C	119.00	175.00
28-794.2	119.00	175.00
28-794.3	119.00	175.00
28-795	119.00	175.00
28-796A, B & C	119.00	175.00
28-797F Miles per hour over 15 mph limit		
1-5	95.90	N/A
6-10	165.87	N/A
11-15	236.49	N/A
16-20	301.28	N/A
28-797G	248.00	N/A
28-797H (Signs Present) Miles per hour over 15 mph limit		
1-5	129.18	N/A
6-10	237.38	N/A
11-15	346.59	N/A
16-20	446.79	N/A
28-811A	113.00	175.00
28-813A through 28-815B	113.00	175.00
28-815D	113.00	175.00
28-855B	137.00	175.00
28-855C	137.00	175.00
28-856.1	137.00	175.00
28-856.2	137.00	175.00
28-856.3	137.00	175.00
28-857A1	495.00	N/A
28-857A2	495.00	N/A
28-871A	137.00	N/A

*** NO PERSONAL CHECKS WILL BE ACCEPTED FOR LATE PAYMENTS OR SUSPENSIONS ***

Please see Court link for on-line payments or payments by credit card.

VIOLATION CODE	FINE / SANCTION	WITH ACCIDENT
28-873A1 through 28-873A14	137.00	N/A
28-874A	137.00	175.00
28-874C	137.00	175.00
28-884A	137.00	N/A
28-891A	137.00	175.00
28-896	137.00	175.00
28-897	137.00	175.00
28-898A	197.00	175.00
28-898B	197.00	175.00
28-903A through 28-903D	137.00	175.00
28-904A	137.00	175.00
28-906	137.00	175.00
28-907A See "Important Notices"	127.00	N/A
28-909A1	53.00	N/A
28-909A2	53.00	N/A
28-909B	53.00	N/A
28-921A1A through 28-964B	107.00	175.00
28-965	107.00	N/A
28-981A1	107.00	175.00
28-981A2	107.00	175.00
28-983A through 28-983D2	107.00	175.00
28-1091A through 28-1098B	107.00	175.00
28-1104C	130.00	N/A
28-2008 through 28-2060E	131.00	N/A
28-2153A	535.00	N/A
28-2153B1	535.00	N/A
28-2153B2	535.00	N/A
28-2158C through 2165A	131.00	N/A
28-2203	161.00	N/A
28-2322	477.00	N/A
28-2354A1 thru 28-2354B3	131.00	N/A
28-2531B1	477.00	N/A
28-2532A See "Important Notices"	610.00	N/A
28-2533A	550.00	N/A
28-3151A through 28-3157B	161.00	N/A
28-3169A See "Important Notices"	161.00	N/A
28-3222 through 28-3225B3	161.00	N/A
28-3474	477.00	N/A
28-3475	210.00	N/A
28-4135A See "Important Notices"	965.00	N/A
28-4135B See "Important Notices"	965.00	N/A
28-4135C See "Important Notices"	965.00	N/A
28-4139A	495.00	N/A

VIOLATION CODE	FINE / SANCTION	WITH ACCIDENT

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