

FOUNTAIN HILLS MUNICIPAL COURT

16705 E. AVENUE OF THE FOUNTAINS • FOUNTAIN HILLS AZ 85268

Phone (480) 816-5103 • Fax (480) 837-8256 • Email: fountainhillscourt@courts.az.gov • Web: www.fountainhillssaz.gov/court

Hours: 7:00 a.m. to 6:00 p.m. **Monday – Thursday**

For all **CIVIL TRAFFIC** violations, please read this entire document OR visit our website before calling the court.

Next to each charge on your citation, the deputy has indicated whether the charge is civil or criminal. If you have been charged with a **CRIMINAL** offense YOU MUST APPEAR on the date and time specified on your citation.

When you are charged with a civil traffic violation, you **may** have **three options**:

1. Attend a Defensive Driving School class to have **one** moving violation dismissed.
2. Plead not responsible and request a civil traffic hearing.
3. Plead responsible and pay the sanction(s).

YOU ARE NOT REQUIRED TO ENTER THE SAME PLEA FOR ALL VIOLATIONS.

If you do not complete option 1, 2 or 3 *before* your court date listed on your citation, YOU MUST APPEAR IN COURT ON THE LISTED DATE. IF YOU ARE UNDER 18 YEARS OF AGE, your parent or guardian must accompany you to court. Failure to respond to the citation may result in the imposition of monetary penalties and referral to the State FARE program initiating collections activity and adversely affecting vehicle registration and state tax refunds. If you need special accommodations for your court appearance, call the number listed above. Interpreting services are available. *Hay servicios de interpretacion disponibles.*

OPTION 1 – ATTEND DEFENSIVE DRIVING SCHOOL (DDS)

If you meet **ALL** of the following criteria, you may attend DDS as a diversion program:

- You have been charged with a moving violation (List of eligible violations can be found at www.azcourts.gov/drive/Eligible-Violations);
- You have not attended DDS for a violation within the past twelve months (based on violation dates);
- Your ticket was not issued as a result of a collision involving death or serious injury;
- Your case has not been set for a civil traffic hearing.
- If you have a commercial drivers' license (CDL) AND you were driving a **non-commercial vehicle** at the time of the alleged violation.

You may only select this option for ONE moving violation on your citation. If you choose this option, you will not owe fines to the Court but you must pay a registration fee to the driving school. If you complete the class, the charge will be dismissed, and no conviction will appear on your driving record. To select this option, you must call **1-888 334-5565** or visit www.azcourts.gov/drive. **You MUST complete the class at least seven days before the court appearance date on your traffic ticket.** If you are within 7 days, contact the court at the number above.

OPTION 2 – PLEAD NOT RESPONSIBLE – REQUEST A HEARING

If you want to contest the charge(s) on your citation, **you must**:

- Request a hearing date in writing prior to your arraignment date.
- Be prepared to pay any fine that may be imposed on the day of your hearing.

OPTION 3 – PLEAD RESPONSIBLE AND PAY THE FINE

If you exercise this option, the conviction may appear on your driving record, and you will waive your right to a hearing and to appeal the conviction or sanction. This Court is required to report convictions for moving violations and no insurance violations to the Motor Vehicle Department, which may then impose additional consequences upon your driving privileges.

Payment options:

- By Mail: Pay the fine by money order or check payable to the Town of Fountain Hills. **DO NOT MAIL CASH.**
- By Telephone: Pay the fine with a credit / debit card. Call (844) 400-6732 M-F 6 a.m. to 6 p.m. MST and Sat – Sun 8 a.m. to 12 p.m. MST to speak to a representative.
- In Person: Cash, checks, money orders, credit / debit cards are accepted at the Court Monday – Thursday, 7:00 am to 5:30 pm. Checks or money orders in the drop box on the south side of Town Hall Building.
- Online: www.fountainhillssaz.gov/courtpayments

A 5% service charge will be added to all credit / debit card transactions. A charge of \$30 will be imposed on all checks that are returned for insufficient funds.

IF YOU WISH TO PLEAD RESPONSIBLE WITHOUT APPEARING IN COURT, complete the following information, file this card with the Court, and pay your fines in full before the court date listed on your citation. Filing by mail or the court's 24-hour drop box is permitted. YOU MAY **NOT** SELECT THIS OPTION AFTER THE COURT DATE LISTED ON YOUR CITATION HAS PASSED. If the date has passed, you must contact the court immediately.

NAME: _____ PHONE: _____

ADDRESS: _____

COMPLAINT NUMBER: _____ EMAIL: _____

SANCTIONS (write the violation code on the line and enter the amount listed from the fine schedule below):

A: _____ \$ _____ B: _____ \$ _____ C: _____ \$ _____

D: _____ \$ _____ E: _____ \$ _____ TOTAL: \$ _____

I hereby waive the right to a civil traffic hearing and enter my plea of **responsible** to the charge(s) above.

Defendant's Signature: _____ Date: _____

CIVIL TRAFFIC SANCTION SCHEDULE

If your charge is not listed below, you must contact the court. Violations codes below with a * are eligible for DDS. A complete list of eligible violations can be found at www.azcourts.gov/drive/Eligible-Violations. If you have been cited for a violation of 28-645A3A, 28-647(1), 28-694A, **or** are under age 18 and plea or are found responsible for a moving violation, you will be **required** to attend a Traffic Survival School (TSS) by the Motor Vehicle Division (MVD).

<u>Violation Code</u>	<u>Fine Amount:</u>
<u>MOVING VIOLATIONS</u>	
*28-645A3A – 28-645A3C & 28-647.1	\$ 343.00
*28-645B thru 28-646A1; 28-647.2; 28-651	\$ 313.00
*28-914A 1A	\$ 353.00
*28-701A	
Accident or 01-09 MPH over posted limit	\$ 318.00
10-15 MPH over posted limit	\$ 343.00
16-20 MPH over posted limit	\$ 348.00
21-25 MPH over posted limit	\$ 373.00
26-30 MPH over posted limit	\$ 403.00
31-35 MPH over posted limit	\$ 423.00
*28-797F & G (first offense)	\$ 343.00
*28-855 thru 28-856.3	\$ 313.00

<u>TITLE AND REGISTRATION VIOLATIONS</u>	
28-2152C; 28-2153A to 28-2153B2	\$ 283.00
28-2158C (fine may be waived with proof of registration)	\$ 283.00
28-2322	\$ 338.00
28-2532A (dismissed with renewed registration shown)	\$ 728.00
28-2533A	\$ 728.00
28-4139A	\$ 653.00

If valid, current Arizona registration is shown by the court date, the fine for 28-2322, and 28-2533A will be reduced to \$ 268.00 and 28-4139A will be reduced to \$ 378.00.

To obtain a dismissal for 28-4139A, the defendant must submit a copy of the Mandatory Insurance Suspension Clearance Letter issued by the Arizona Motor Vehicle Division (MVD).

Fines are due by the court appearance date on the ticket. Per ARS 12-116A, an additional \$ 20.00 per ticket assessed if payment is not received by the date the fine is imposed. Pursuant to Senate Bill 1197, effective 10/31/2023 juvenile cases filed with the court are no longer subject to the \$20.00 time payment fee.

If you fail to appear or fail to pay the fine on or before your court date, a default will be entered against you. The amount of the default will include the total amount of the fines plus all additional fees or costs.

Per Fountain Hills Town Code Resolution, there is a default fee assessed in the amount of \$ 50.00 per violation when a default is entered for failure to appear on a civil traffic matter.

No weapons are allowed in the building.

<u>Violation Code</u>	<u>Fine Amount:</u>
<u>INSURANCE VIOLATIONS</u>	
28-4135A to 28-4135C	\$ 1,113.00

For 28-4135B&C – If your insurance was in effect **on the date and time of violation**, proof from the vehicle insurance provider can be submitted for a dismissal or appear on your court date.

If you **did not** have insurance in effect on the date and time of violation, **on or before your court date show proof of current 6-month policy of insurance and a 39 month MVR from MVD fine MAY reduce to \$ 308.00.**

<u>DRIVER'S LICENSE VIOLATIONS</u>	
28-3151A	\$ 283.00
28-3156B & 28-3169A	\$ 283.00
<i>If license was valid on the date and time of violation, and you present proof by the court date, the violation will be dismissed.</i>	
28-3316	\$ 388.00
28-3482A	\$ 388.00
<i>If license is provided prior to court date, fine may be waived.</i>	
28-448A	\$ 283.00
<i>If you provide the Court with <u>notification that your address change has been filed with MVD</u>, the fine may be waived.</i>	

<u>FOUNTAIN HILLS TOWN CODE</u>	
12-2-2b	\$ 343.00