

## GILBERT MUNICIPAL COURT • 55 E. CIVIC CENTER DR. STE 101 • GILBERT AZ 85296

Phone (480) 635-7800 • Fax (480) 635-7815 • [www.gilbertaz.gov/court](http://www.gilbertaz.gov/court)

Hours: 7:00 a.m. to 6:00 p.m. • **Monday - Thursday**, Si necesita ayuda en Español, favor de llamar al 480-635-7800 y oprima el #1.

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

You have been charged with a traffic offense. Next to each charge on your citation, the officer has indicated whether the charge is *civil* or *criminal*. **If you have been charged with a violation of 28-3473, marked CRIMINAL, you must appear in court in person on the date and time listed on your citation or a warrant could be issued for your arrest.**

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

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

If you do not complete option 1, 2 or 3 *before* the court date listed on your citation, **YOU MUST APPEAR IN COURT ON THE LISTED DATE.** 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 due to a disability or **wish to appear remotely**, call the number listed above, or visit the website [www.gilbertaz.gov/court](http://www.gilbertaz.gov/court) as soon as possible for instructions.

### **OPTION 1 – ATTEND DEFENSIVE DRIVING SCHOOL**

If you meet ALL of the following criteria, you may attend Defensive Driving School as a diversion program:

- You have been charged with a moving violation;
- You have not attended a defensive driving school for a violation within the past twelve months of your current violation;
- You *have not* been involved in an accident involving serious physical injury or death;
- 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 at least 7 days before your court date*, the charge will be dismissed and no conviction will appear on your driving record. **You do not need to appear in court for that violation. To select this option**, you must call **1-888-334-5565** or visit [www.azcourts.gov/drive](http://www.azcourts.gov/drive) to determine which defensive driving school you may attend and what the fee is for the school. *If you intend to attend the defensive driving school but do not complete it prior to the court date, you must appear on your court date and you may request an extension in person.* If you need special accommodations for a defensive driving class, please notify the school's registration personnel at the time of your registration.

### **OPTION 2 - PLEAD NOT RESPONSIBLE AND CONTEST THE CHARGE(S) AT A CIVIL TRAFFIC HEARING**

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

- **Appear in person** on the court date listed on the citation (if you are under 18 years old, a parent must accompany you to court), **OR** notify the Court in Writing, prior to your arraignment date, and
- **Request a hearing date** (please note that the hearing will take place on a future court date and that you will **lose the option of attending defensive driving school**), and
- **Appear in person** on the hearing date; failure to appear for a scheduled court date 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.

### **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. To enter a plea of responsible and pay online without appearing in court, simply go to the Gilbert Municipal Court webpage [www.gilbertaz.gov/court](http://www.gilbertaz.gov/court) and follow the instructions provided. If you pay online using Visa, MasterCard or Discover card, a convenience fee of 3.5% + \$2.50 will be charged.

You may also enter a plea of responsible either:

- **in person** by appearing on the court date listed on your citation; or
- **in writing** by completing and signing this document and filing it with the court *before your court date*; or
- **Online** by visiting [www.CitepayUSA.com](http://www.CitepayUSA.com) and following the directions for the Gilbert Municipal Court.

If you exercise this option, the law requires you to **pay the sanction amount(s) in full at the time you plead responsible.** To determine the presumptive fine amount, please find the "Violation Code(s)" listed on your citation on the graph on the reverse side of this page. The Gilbert Municipal Court accepts the following forms of payment for civil traffic sanctions: cash, *only if presented in person at court (DO NOT MAIL)*, personal checks, money orders and cashier checks, **Payable to the Gilbert Municipal Court.** **Credit cards are accepted at CitepayUSA.com and at the court, but not by mail – convenience fees apply.**

To request payment plans, show proof of insurance or registration, or show proof of a child car seat you **must**:

- **Appear in person** on the court date listed on your citation OR
- **Appear in person** after receiving instructions from court staff verifying a rescheduled court appearance.

(over)

**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: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Complaint Number (box on upper left corner of citation): \_\_\_\_\_ Violation Date (box on middle of left side of citation): \_\_\_\_\_

Sanctions (circle each charge to which you wish to plead responsible and write the fine amount listed):

A: \$ \_\_\_\_\_ Method of Payment: \_\_\_\_\_  
 B: \$ \_\_\_\_\_ Money Order Personal Check Cash (In Person Only, DO NOT Mail or Use Drop Box)  
 C: \$ \_\_\_\_\_  
 D: \$ \_\_\_\_\_  
 E: \$ \_\_\_\_\_ Total: \$ \_\_\_\_\_

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

Defendant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CIVIL TRAFFIC SANCTION SCHEDULE**

To find the presumptive fine amount(s) in your case, please find the "Violation Code(s)" listed on your citation and follow the graph to the presumed fine amount. Mandatory surcharges are included in these amounts. Time payment fees are *not* included. If your charge is not listed on the schedule, you must appear in court.

| <b>Violation Code</b>   | <b>Fine Amount:</b> |                         |           |                        |           |
|-------------------------|---------------------|-------------------------|-----------|------------------------|-----------|
| 28-448                  | \$ 188.00           | *28-701(E)              | \$ 248.00 | 28-952 thru 28-966     | \$ 188.00 |
| *28-644                 | \$ 248.00           | *28-704                 | \$ 248.00 | 28-981                 | \$ 188.00 |
| *28-645 +               | \$ 248.00           | *28-721 thru 28-796     | \$ 248.00 | 28-1093 thru 28-1098   | \$ 188.00 |
| 28-646                  | \$ 188.00           | *28-797(F) or (G)       | \$ 248.00 | 28-2060                | \$ 188.00 |
| *28-647+                | \$ 248.00           | *28-797(H) or (I)       | \$ 481.00 | 28-2153(A), (B), & (C) | \$ 215.00 |
| *28-651                 | \$ 248.00           | 28-811 thru 28-817      | \$ 188.00 | 28-2155 thru 28-2158   | \$ 188.00 |
| *28-701(A)              |                     | *28-851 thru 28-856     | \$ 248.00 | 28-2203                | \$ 188.00 |
| 30&over posted limit    | \$ 388.00           | 28-857.A.1 & 28-857.A.2 | \$ 551.50 | 28-2354                | \$ 188.00 |
| 21-29 over posted limit | \$ 313.00           | 28-871 thru 28-886      | \$ 158.00 | 28-3151 thru 28-3157   | \$ 188.00 |
| 16-20 over posted limit | \$ 263.00           | *28-891 thru 28-897     | \$ 248.00 | 28-3169(A)             | \$ 188.00 |
| 10-15 over posted limit | \$ 238.00           | 28-898                  | \$ 188.00 | 28-3512 (J) & (K)      | \$ 552.00 |
| 1-9 over posted limit   | \$ 223.00           | *28-903 thru 28-906     | \$ 248.00 | MC 62-67 thru 62-71    | \$ 158.00 |
|                         |                     | 28-922 thru 28-947      | \$ 188.00 | MC 62-72               | \$ 178.00 |

\*Moving Violations Eligible for **defensive driving school**; +Upon conviction, MVD will require you to complete Traffic Survival School in addition to paying fines.

\* 28-701(A) Failure to Control Speed - Collision **\$223.00**  
 28-907 Child Restraint Violation **\$184.00**

OR appear on the listed court date with proof of child restraint and fine may be reduced

\* 28-914 Mobile Device Violations **\$229.00**  
 \* 28-775E1 & 28-775E2 Move Over Violations **\$586.25**  
 \* 28-909 Seat Belt Violation **\$112.00**

28-2532 & 28-2533, Registration \$ 631.00 OR appear on your court date with proof of valid registration for reduction consideration.

28-4139 \$553.00 (No reduction available)

28-4135 No Insurance **\$1009.00**

OR appear on your court date with proof of insurance **on the date of the violation** to request dismissal. OR appear on your court date with proof of purchasing an insurance policy (**six-month policy minimum**) and provide a **39 month Motor Vehicle Record "MVR" showing no previous insurance violations** in order to request a reduced fine. You may obtain this report online [www.servicearizona.com](http://www.servicearizona.com) or an MVD office.

28-3482, CIVIL - Driving on a License Suspended for FTA/FTP- **\$388.00** OR appear with valid license to request dismissal.

28-3473, CRIMINAL -Must Appear. You must appear in court on your assigned court date.

**FREQUENTLY ASKED QUESTIONS:**

1. **How do I change my court date?** File a **written request** with the court prior to your court date. Filing is permitted in person, by mail, and by fax, 480-635-7815 or at [www.GilbertAZ.gov/court](http://www.GilbertAZ.gov/court). Include your current address and phone number, the complaint number, and the reason for your request.
2. **I missed my court date; what should I do?** Contact the court immediately.
3. **I have proof of insurance / registration / car seats / equipment repairs; how do I present this?** Appear on the court date listed on your citation OR a verified rescheduled court date. The judge will review your proof.
4. **How can I get a payment plan?** Appear on the court date listed on your citation OR a verified rescheduled court date. A \$20 time payment fee will be added if a payment plan is authorized.
5. **May I attend Defensive Driving School if I have a Commercial Drivers License?** YES BUT, State Law prevents those with a CDL from attending Defensive Driving School if driving a commercial vehicle at the time of the violation.
6. **May I pay my fine using the internet?** YES, provided the fine amount is listed above. Visit [www.CitepayUSA.com](http://www.CitepayUSA.com) and follow the instructions.
7. **If I am under 18 years of age and I want to appear in court, do I have to bring a parent to court with me?** YES.