

Fountain Hills Municipal Court
16705 East Avenue of the Fountains
Fountain Hills, AZ 85268
Phone: 480-816-5103
Fax: 480-837-8256
www.fh.az.gov/publicsafety/court

PLEASE READ THIS SECTION FIRST

YOU MUST APPEAR at the Fountain Hills Municipal Court on the date and time specified on your ticket/complaint IF:

- ✓ **You have been charged with a criminal traffic, criminal or petty offense.**
- ✓ **Any violation code on your ticket/complaint does not appear on this fine schedule.**
- ✓ **Your ticket/complaint was issued as a result of an accident involving death or serious injury.**

If you have been charged with a civil traffic violation, you may resolve it by using one of the options listed below:

Option 1 - Attend a Defensive Driving Class (Page 2)

You may be eligible for diversion and dismissal of a charge through the completion of a defensive driving class. If you are eligible and complete the class, the charge will be dismissed and no points will be assessed on your driving record.

Option 2 - Pay the fine

By Mail (Page 3): You would waive your right to a hearing, enter a plea of guilty / responsible, and pay the fine by money order or check. You do not have to appear in Court if the fine is paid before your appearance date.

By Telephone (Page 3): You may call the Court and pay the fine with VISA or MasterCard.

In Person: Cash, checks, money orders, VISA and MasterCard are accepted at the Court Monday - Thursday, 7:00 am to 5:30 pm.

Option 3 - Request a hearing (Page 4)

If you feel you are not guilty / responsible, you may request a hearing, which is like a trial. **The Court will schedule the hearing according to its calendar. At the hearing, you may bring witnesses and/or evidence, and present your case before a judge.**

IMPORTANT NOTICE: If you have been cited for a violation of Arizona Revised Statutes (ARS) 28-645A3a or 28-647(1), **or** are under age 18 and are found responsible for a (first offense) moving violation, you will be required to attend a Traffic Survival School (TSS) by the Motor Vehicle Division (MVD). If you are eligible for Defensive Driving diversion, and complete a defensive driving class, the violation will be dismissed and you will not be subject to the requirement to attend a TSS class by MVD.

OPTION 1 - DEFENSIVE DRIVING CLASS

If you have a commercial driver's license, you are not eligible for the Defensive Driving Class diversion program. You may be eligible for diversion and dismissal of a charge if you have not attended a defensive driving class within 2 years (based on violation dates) and your ticket/complaint was not issued as a result of a collision involving death or serious injury. **Check the Civil Traffic Fine Schedule on pages 5 and 6 to see if your charge qualifies.**

THE ADVANTAGES OF COMPLETING THE CLASS:

- The charge for which you attended will be dismissed.
- No points will be assessed on your driving record.
- You do not have to appear in Court on this charge.

IF YOU ARE ELIGIBLE AND WANT TO ATTEND DEFENSIVE DRIVING CLASS:

- Contact the provider within the first week after receiving your traffic ticket/complaint. Have your copy of the ticket/complaint with you when you call the provider to register.
- Complete the class at least seven days before the court appearance date on your traffic ticket/complaint.
- For class room classes - bring your driver's license, your copy of the ticket/complaint and a money order for the registration fee to the class. The providers **will not** accept cash or personal checks. If you have lost your ticket/complaint, the Court will provide you with a copy for a charge of \$.50.

If you wish to attend a defensive driving class, you must contact a provider certified by the Arizona Supreme Court. A list of certified providers is available at

www.azdrive.com

or by calling 1-888-334-5565.

Miscellaneous Information

- Fountain Hills Municipal Court is open from 7:00 a.m. to 6:00 p.m., Monday - Thursday. Additional information can be obtained by calling 480-816-5103.
- Interpreting services are available. Hay servicios de interpretación, telefono 480-816-5103.
- If you require special accommodations to use our facilities or services, please call the Court.
- No court date extensions will be granted by phone. Requests for extensions must be in writing and may be faxed, mailed or delivered in person prior to the court date. The judge will then grant or deny the request.
- Failure to appear, pay the fine or attend a defensive driving class if eligible, will result in additional monetary penalties and suspension of your driver's license or privileges.

OPTION 2 - PAY YOUR FINE
(ENTER A PLEA OF GUILTY / RESPONSIBLE)

PAYMENT BY TELEPHONE

PLEASE WAIT 5 WORKING DAYS TO ALLOW TIME FOR YOUR TICKET TO BE FILED WITH THE COURT.

If you are charged with a violation listed on the Civil Traffic Fine Schedule (see pages 5 & 6) AND you do not want a hearing, you may pay the fine by telephone with VISA or MasterCard.

Call 480-816-5103 Monday – Thursday, between 7:00 am and 5:30 pm to talk to a Court representative.

PAYMENT BY MAIL

1. Read and sign the following statement:

I waive my right to a hearing, enter a plea of guilty / responsible and consent to judgment imposing the specified fine. I understand I do not have to appear in Court. I understand that the Court will enter a judgment of responsible, report the finding to the Motor Vehicle Division, and points will be assessed on my driving record for any moving violation.

 Signature Date

 Parent Signature (required if under 18)

2. Write the complaint number located in the upper left corner of your ticket/complaint here _____

3. Circle the letter of each violation you wish to pay. **Write the violation (section) code** on the line and enter the amount listed from the Fine Schedule on **pages 5 and 6**. The total of these fine amounts is the amount you should pay.

	<u>Violation Code</u>	<u>Fine Amount</u>
A	28-_____	\$ _____
B	28-_____	\$ _____
C	28-_____	\$ _____
D	28-_____	\$ _____
E	28-_____	\$ _____
	TOTAL	\$ _____

Checks and money orders payable to the **Town of Fountain Hills** are accepted for payment by mail. **DO NOT MAIL CASH.** A charge of \$ 29 will be imposed on all checks that are returned for insufficient funds.

4. Complete the PERSONAL INFORMATION box on page 4.

5. Mail this form, along with your payment and a copy of your traffic ticket/complaint, in the envelope provided at least 7 days prior to your court date.

If you fail to appear or fail to pay the fine on or before your court date, a default judgment will be entered against you. The amount of the judgment will include the total amount of the fines plus all additional fees or costs. Failure to pay on time may also result in suspension of your driver's license or privilege.

OPTION 3 - REQUEST A HEARING

Complete the following information **ONLY** if you wish to have a hearing.

1. Read and sign the following statement:

*I wish to enter a plea of **NOT GUILTY/RESPONSIBLE** and wish to have a hearing set on the following charge(s):*

Circle the letter (A–E) for each violation for which you are requesting a hearing: A B C D E

Signature _____ Date _____

Parent Signature (required if under 18)

2. Write the complaint number located in the upper left corner of your traffic ticket/complaint on this line: _____

3. Complete the PERSONAL INFORMATION box below.

4. Check if applicable:

- I will be represented by an attorney.
- I will need an interpreter. _____ (Language)
- I will need an accommodation to use court facilities or services. Please specify: _____

5. Mail this form, in the envelope provided, at least 5 business days (10 days if you intend to be represented by an attorney) prior to the court date on your ticket / complaint. You will be notified by mail of your assigned hearing date. There are no additional fees imposed to exercise your right to a hearing.

PERSONAL INFORMATION		
Please print the following information:		
Name (as it appears on your traffic ticket/complaint) _____		
Address (include apt. or unit number) _____		
City _____	State _____	ZIP _____
(_____) _____		
Daytime Phone Number _____		

FAILURE TO APPEAR MAY RESULT IN ADDITIONAL MONETARY PENALTIES AND SUSPENSION OF YOUR DRIVER'S LICENSE OR PRIVILEGES.

BE PREPARED TO PAY ANY FINE THAT MAY BE IMPOSED ON THE DAY OF YOUR HEARING.

CIVIL TRAFFIC FINE SCHEDULE
(Effective July 1, 2010)

Listed below are ARS VIOLATION CODES with fine amounts. Mandatory State surcharges (84%) are included. **If payment is not received by the appearance date on your ticket/complaint, there will be additional fees and costs added to the original fine amount.** (See ** at bottom of page 6)

VIOLATIONS ELIGIBLE FOR DEFENSIVE DRIVING CLASS

28-644 thru 28-645A1B	\$170.00
28-645A3A – 28-645A3B & 28-647.1	\$200.00
(See Important Notice on Page 1)	
28-645B thru 28-646A1; 28-647.2; 28-651	\$170.00
28-701A (Accident without serious injury)	\$170.00
28-701A & 28-702.01C	
01-09 MPH over posted limit	\$175.00
10-15 MPH over posted limit	\$190.00
16-20 MPH over posted limit	\$205.00
21-25 MPH over posted limit	\$230.00
NOTE: If your speed is 26 or more over the posted limit, you must appear in Court.	
28-701E, 28-704A to 28-706B	\$170.00
28-721 thru 28-794.3 (other than pedestrian violations)	\$170.00
28-797F & G (first offense)	\$200.00
28-797H & I	\$287.80
28-815D	\$170.00
28-855 thru 28-856.3;	\$170.00
28-857A1 & A2 (first offense)	\$510.00
28-858; 28-891A & B, 28-894 thru 28-897	\$170.00
28-903A - 28-904A	\$170.00

VIOLATIONS NOT ELIGIBLE FOR DEFENSIVE DRIVING CLASS

TITLE & REGISTRATION VIOLATIONS	
28-2008; 28-2058A2B & 28-2060	\$140.00
28-2152C; 28-2153A to 28-2153B2 & 28-2158C	\$140.00
28-2158C (fine may be waived with proof of registration)	\$140.00
28-2532A & 28-2533A	\$601.00
28-4139A	\$510.00
(If valid, current registration is shown by the court date, the fine for 28-2532A, 28-2533A and 28-4139A will be reduced to \$165.00.)	

INSURANCE VIOLATIONS

28-4135A to 28-4135C	\$970.00
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If your insurance was in effect **on the date and time of** violation and you present proof by the court date, the violation will be dismissed. If you **did not** have insurance in effect on the date and time of violation, you must appear in Court on or before the date on your citation.

DRIVER'S LICENSE VIOLATIONS

28-3151A	\$140.00
28-3156B & 28-3169A	\$140.00

If license was valid **on the date and time of violation**, and you present proof by the court date, the violation will be dismissed. 28-448A \$140.00

If you provide the Court with notification that your address change has been filed with MVD, the fine may be waived.

CIVIL TRAFFIC FINE SCHEDULE, CON'T.

PEDESTRIAN VIOLATIONS	
28-793A to 28-793C & 28-795	\$ 145.00
28-796A to 28-796C	\$ 145.00

CHILD PASSENGER RESTRAINT VIOLATION	
28-907A	\$141.00
<i>Fine may be waived with proof of installation of child restraint</i>	

SEAT BELT VIOLATION	
28-909	\$ 56.80

EQUIPMENT VIOLATIONS	
28-921A1 to 28-984A2	\$140.00
28-2354A1 to 28-2354B3	\$140.00
<i>Fine may be waived with proof of repair / correction.</i>	

TOWN CODE VIOLATIONS	
12-2-2B, 12-2-4B & 12-2-5B	\$170.00
12-2-6 & 12-2-9	\$170.00
12-2-10A to 12-2-10D	\$170.00
12-2-11 & 12-2-12A to 12-2-12F	\$170.00

PARKING VIOLATIONS	
(Registered owner's liability per A.R.S. 28-885 & F.H.T.C. 12-3-13)	
12-3-1 thru 12-3-5	\$ 75.00
12-3-6A thru 12-3-7B	\$135.00
12-3-8 thru 12-3-10	\$ 75.00
12-4-1	\$ 75.00
12-4-2B & 12-4-3	\$115.00
28-871A thru 28-873A3	\$ 75.00
28-873A4	\$135.00
28-873A5 thru 28-873A12	\$ 75.00
28-873A14	\$115.00
28-874A & C	\$ 75.00
28-884A	\$135.00

U.S. MOTOR CARRIER VIOLATIONS REQUIRE THE DEFENDANT TO APPEAR IN COURT.

** Fines are due by the appearance date on the ticket / complaint. Per ARS 12-116A, an additional \$20.00 per ticket/complaint is assessed if payment is not received by the date the fine is imposed.

Per Fountain Hills Town Code Resolution, there is a default judgment fee assessed in the amount of \$25.00 per violation **when a default judgment is entered for failure to appear on a civil traffic matter.**

JUVENILES: See Important Notice on page 1.

No weapons are allowed in the building.