

NORTH KINGSTOWN MUNICIPAL COURT

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KNOW YOUR RIGHTS

An explanation of your rights and the procedures followed by the North Kingstown Municipal Court

YOU HAVE BEEN CHARGED WITH A CIVIL TRAFFIC VIOLATION

The ticket you received is a legal document charging you with a violation and serves as a legal summons for your appearance for hearing. It states the offense, whether or not it is payable by mail, or if you must appear in Municipal Court.

What should you do?

1. Read the ticket carefully
2. Consider your options
3. Does the ticket state a fine? If it does, you **can pay by mail**.
4. If there is no fine listed or the officer wrote **hearing** on the ticket in the fine box, you **must** appear in Municipal Court.
5. You may also appear in Municipal Court to contest the ticket if you feel you did not commit the violation.

If you must appear or choose to appear in the North Kingstown Municipal Court, you will be assessed court costs of \$35.00 per violation unless dismissed by the Judge.

PAY BY MAIL

Benefits of Paying by Mail:

1. You will save money as there are no court costs assessed
2. You do not have to appear in court

An envelope is provided with each ticket in which you can enclose a personal check, bank check, or money order payable to the North Kingstown Municipal Court.

If you request a court appearance or must appear, and fail to do so, you will be found guilty by default and your driver's license will be suspended.

ARRAIGNMENT

If you wish to appear for a hearing, there will be an arraignment. At arraignment, you may admit the charge(s) or request a full hearing (trial) where evidence will be presented.

If you admit the violation, a judgment will be entered with a fine and \$35.00 court costs per violation. Payment will be required at that time.

If you plead not guilty, the matter will be continued to another date for trial.

TRIAL

There is no continuance policy in effect. The trial date issued by the Judge during your arraignment is date certain. You will be required to appear along with any witnesses.

If you are found not to have violated the law, the matter will be dismissed and no money will be paid. You will have no record of a traffic violation.

If you are found guilty of the violation, a judgment enters and you will be ordered to pay fines and court costs.

PAYMENT OF FINES & COSTS

Fines, costs and assessments must be paid immediately.

If you are unable to pay at the end of the trial, a payment schedule may be established.

Failure to pay fines and costs will result in loss of your driver's license and/or loss of your vehicle registration.

APPEALS PROCEDURE

You have the right to appeal any judgment of the North Kingstown Municipal Court to the appellate panel of the Rhode Island Traffic Tribunal.

You must then file a Notice of Appeal within 10 days with a fee of \$25.00.

The appeals procedure requires a certification that a copy of the complaint has been served on the prosecution. All appeals will follow the rules and procedures provided by law: the Administrative Procedures Act.

The appellate panel will review the record to determine if the judgment which was entered is in accordance with law. There will not be a new trial or evidentiary hearing unless remanded back to the trial court for further hearing.

GOOD DRIVING RECORD

(RI General Law 31-41.1-7)

If you have a good driving record, you may request that your summons be dismissed upon payment of court costs by pleading guilty with a good driving record. You must appear in Municipal Court to request this procedure. Good driving record means that you have not received a moving violation within three years prior to the current violation and the violation can not be a violation issued during involvement in a motor vehicle accident. Drivers must possess a license for at least three years to qualify.

Out of State drivers **must** go to the motor vehicle division in their home state and obtain a certified copy of their driver's record and bring it with them to Court.

If you meet the requirements and your plea under the Good Driver Statute is accepted by the Court, court costs of \$60.00 will be assessed.

The following violations shall not be dismissed pursuant to this statute:

1. Any violation within the original jurisdiction of superior or district court;
2. A refusal to submit to a chemical test of breath, blood or urine pursuant to Section 31-27-2.1;
3. Any violation involving a school bus;
4. Any violation involving an accident where there has been property damage or personal injury;
5. Any speeding violation in excess of fourteen miles per hour (14 m.p.h.) above the posted speed limit;
6. Any violation involving child restraints in motor vehicles pursuant to Section 31-22-22;
7. Any violation committed by a holder of a commercial license as defined in Section 31-10.3-3 or any violation committed in a commercial motor vehicle as defined in Section 31-10.3-3 by an operator who does not hold a commercial license.