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TIME 4:20 PM

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

SEP 21 2021

VIRLYNN TINNEL
CLERK SUPERIOR COURT
BY: TA DEPUTY

IN THE MATTER OF:)	
)	
)	Administrative Order
)	2021-32
DISPOSITION OF CIVIL OFFENSES)	(Replaces 2015-41)
BY COURT CLERKS)	
)	
)	

The Court having considered options for better achieving swift, fair justice in the disposition of civil offenses in the Justice Court,

IT IS ORDERED, a Clerk designated by the Court shall dismiss the charges when the Defendant meets the stated conditions in the following matters:

Moving and bicycle violations:

Provides proof from a certified defensive driving school that the Defendant successfully completed a defensive driving school class.

ARS § 28-4135(B) / (C): Failure to Present Proof of Insurance

Provides proof that the vehicle was insured at the time the violation occurred on or before court date. Acceptable forms of proof are: presentation of a current insurance card or insurance policy document that reflects that the motor vehicle was insured at the time the violation occurred. If the card or policy document appears to lack authenticity or any other form of proof is presented, the matter shall be referred to a Judicial Officer.

ARS § 28-3169: Failure to Possess a Driver's License While Operating a Motor Vehicle

Presents an acceptable form of proof that his or her driver license was current at the time the violation occurred. Acceptable forms of proof are: presentation of the Defendant's driver license that was valid at the time the violation occurred or presentation of a duplicate driver license issued to the Defendant that was valid at the time the violation occurred.

IT IS FURTHER ORDERED, each Defendant who wishes to admit the allegations shall be informed of the Defendant's right to appear before a Judicial Officer and present an explanation, and to have the court consider the explanation in determining the civil penalty to be imposed.

IT IS FURTHER ORDERED, when a Defendant admits the allegations and does not ask to appear before a Judicial Officer, a Court Clerk designated by this Court shall enter the stated disposition when the Defendant meets all of the stated conditions for each of the following matters:

ARS § 28-907(A) / (B): Fail to Properly Use a Child Restraint System

If the citation was issued for failing to equip the motor vehicle with a child restraint system and proof of subsequent remediation is presented, the Clerk shall suspend the civil penalty. Acceptable forms of proof are: presentation of the actual child restraint system; presentation of the child restraint system installed in the vehicle; presentation of a photograph of the child restraint system installed in the vehicle or presentation of a receipt that reflects the proof of purchase of a child restraint system.

- Civil penalty not imposed, acceptable form of proof provided to the court.

If the citation was issued for failing to equip the motor vehicle with a child restraint system and proof of subsequent remediation is not presented:

- The Clerk shall impose the full civil penalty as set forth in the court's bond schedule.

ARS § 28-3151: Driving without a Valid Driver's License and Proper Endorsement.

Presents an acceptable form of proof that he or she has become licensed to drive after the time the violation occurred:

- The total civil penalty may be reduced to the amount set forth in the court's bond schedule.

Acceptable forms of proof are: presentation of the Defendant's valid driver license.

ARS § 28-448: Failure to Notify the Motor Vehicle Division (MVD) of a Name or Address change.

- The Clerk shall impose the full civil penalty amount as set forth in the court's bond schedule

ARS § 28-957.01: Fail to Equip a Motor Vehicle with an Appropriate Windshield

- The Clerk shall impose the full civil penalty amount as set forth in the court's bond schedule

If the Defendant requests to have the civil penalty reduced or suspended, they can write a letter to the judge with proof of a receipt from a repair shop reflecting that the vehicle's windshield was repaired or replaced.

ARS § 28-959.01: Excessive Window Tint

- The Clerk shall impose the full civil penalty amount as set forth in the court's bond schedule

If the Defendant requests to have the civil penalty reduced or suspended, they can write a letter to the Judge and provide written proof that the window tint is in compliance with the law.

ARS § 28-4135: Fail to Possess or Present Evidence of Financial Responsibility

Presents an acceptable form of proof of BOTH of the following:

That the Defendant has not been found responsible for a violation of section 28-4135 within the past twenty-four months or not more than one violation within the past thirty-six months as evidenced by the Defendant's driving record; and

That the Defendant has purchased a six month policy of insurance that meets the requirements of ARS § 28-4009, the following is imposed:

- The total civil penalty may be reduced to the amount set forth in the court's bond schedule.

Acceptable forms of proof are: a copy of the Defendant's official MVD driving record and presentation of an insurance card or insurance policy document that reflects effective dates after which the date of violation occurred.

ARS § 28-2158(C): Fail to Carry Registration Card in the Vehicle.

Presents a registration card that was current at the time the violation occurred:

- The Clerk shall suspend the total civil penalty.

ARS § 28-2153: Fail to Register a Vehicle for the Current Registration Year.

Presents an acceptable form of proof of current registration and their registration has not been expired for more than thirty (30) days:

- The Clerk shall suspend the total civil penalty.

If the registration has been expired more than thirty (30) days:

- The Clerk shall impose the full civil penalty amount as set forth in the court's bond schedule.

Acceptable forms of proof are: presentation of the vehicle registration that reflects current registration or a receipt from MVD reflecting that the vehicle's registration is current.

ARS § 28-4139: Displaying a License Plate with Suspended Registration or License Plate

Presents an acceptable form of proof that the registration or license plate was erroneously suspended, the Clerk shall dismiss the charge.

The acceptable form of proof is: presentation of a letter from MVD stating the registration or license plate was erroneously suspended.

If the Defendant is not able to provide proof that the license plate was erroneously suspended, the Clerk will impose the mandatory minimum fine set forth on the court's bond schedule.

ARS § 28-2532: Fail to Register or Display Plates for the Current Registration Year

Presents an acceptable form of proof of current registration in this state or current license plates:

- The Clerk shall dismiss the violation.

Acceptable forms of proof are: presentation of the vehicle registration showing that the vehicle has been registered in this state; a picture of the license plate that reflects tags for the current registration year; or a receipt from the MVD reflecting that the vehicle has been registered in this state.

If the Defendant presents an acceptable form of proof that the Defendant was not the owner of the vehicle cited, the Clerk shall waive the total civil penalty.

The acceptable form of proof is: presentation of the vehicle registration that identifies someone other than the Defendant as the owner.

Effective September 29, 2021

Retroactive July 1, 2021 If an individual is cited after 7/1/21 and before 9/29/21 the court may continue the court date until 9/29/21 to dismiss the violation with proof shown.

ARS § 28-2533: Resident with Out of State Plates

- The Clerk shall impose the mandatory civil penalty amount as set forth in the court's bond schedule.

ARS § 28-2058A2B: Fail to Register Transfer of Title within 30 Days

- The Clerk shall impose the full civil penalty amount as set forth in the court's bond schedule.

Upon request, the Clerk shall grant one (1) thirty (30) day extension to complete a class or provide proof for:

Defensive Driving Class
Insurance Violations
Registration Violations
Driver License Violations

IT IS FURTHER ORDERED that all cases must be referred to a Judicial Officer for resolution if:

- a. The authenticity of any documentary evidence is at issue, or
- b. Any party requests the opportunity to be heard by a Judge, or
- c. The Clerk is presented with any issue for which specific direction is not provided in this order.

Dated this 20th day of September, 2021.



Honorable Steve Moss, Presiding Judge
Mohave County Superior Court

Original filed with the Clerk of Superior Court in Mohave County