

## MINOR TRAFFIC OFFENSE DIVERSION PROGRAM

The Chillicothe Law Director and the Chillicothe Municipal Court offer a diversion program for drivers who have been charged with minor moving violations. The program is designed to allow drivers to avoid a conviction for the moving violation while improving their driving skills. To apply, you must complete an application, pay a non-refundable fee of \$35.00 plus the waiver fee, and be accepted into the program by the Law Director. To successfully complete the program, you must also complete either the Responsible Driver Adult Education class if you are less than 55 years of age or the AARP Driver Safety Program if you are 55 years of age or older. The eligibility requirements and application process are set out below:

**ELIGIBILITY** - You must meet all of the following requirements:

- (1) Receive a traffic citation for a minor misdemeanor moving violation after July 1, 2007;
- (2) Committed no other moving traffic violations within the twelve (12) months preceding the date of violation;
- (3) Committed no more than three (3) traffic violations in the ten (10) years preceding the date of violation;
- (4) Not previously completed this program or a substantially similar program; and
- (5) Not be rejected from the program.
- (6) Not be involved in a motor vehicle accident involving injury to another person at the time of the violation.
- (7) Not be operating a commercial motor vehicle at the time of the violation.

**APPLICATION PROCESS** - You must do all of the following **within 15 days of your arraignment date**:

- (1) Sign and complete the application for acceptance into the diversion program;
- (2) Provide the court with an abstract of your driving record from the Bureau of Motor Vehicles;
- (3) Provide proof of financial responsibility that was in effect at the time of the offense;
- (4) Pay a non-refundable application fee of \$35.00 and all applicable waivers for the offenses charged. *(If you fail to submit your application and make payment within 15 days of your arraignment date, you will be subject to a \$15.00 late fee);*
- (5) Plead guilty and waive your right to a trial *(If you are accepted into the program and then fail to complete the program, you will be found guilty based on this plea and the conviction will be reported to the Bureau of Motor Vehicles. If you successfully complete the program, then the guilty plea will be withdrawn, and the case will be dismissed.);* and
- (6) Complete either the Responsible Driver Adult Education class if you are less than 55 years of age or the AARP Driver Safety Program if you are 55 years of age or older. The course must be completed within ninety (90) days of the offense.

**You are responsible for providing the court with satisfactory proof that the course has been completed.**

**PROGRAM OVERVIEW** - You must complete one of the following programs as assigned by the court.

- (1) AARP Driver Safety Program
  - a. For age 55 and older
  - b. Requires four (4) hours of class work. Classes are held at the Ross County Senior Citizens Center, 1824 Western Avenue, Chillicothe, Ohio.
  - c. The program is \$12.00 for AARP members, \$14.00 for non-members.
  - d. There is no test, but you must complete a workbook to get your certificate of completion.
  - e. Participants shall contact Deputy Dave Weber by phone to schedule class time.
- (2) Responsible Driver Adult Education
  - a. For age 54 and under.
  - b. Requires three (3) hours of class work. Classes are held at the Ross County Highway Patrol Station, 201 Hospital Road, Chillicothe, Ohio.
  - c. There is no fee for the program.
  - d. You must pass a test at the conclusion of the program to get your certificate.
  - e. Participants shall contact the Ohio State Highway Patrol by phone to schedule class time.

### **BENEFITS**

- (1) Successful completion of the program will result in the case being dismissed and no points being assessed by the Bureau of Motor Vehicles.
- (2) You will gain increased knowledge and improved driving skills.
- (3) Many insurance companies offer discounts for successful completion.

IN THE CHILLCOTHE MUNICIPAL COURT

STATE OF OHIO
CITY OF CHILLCOTHE
VS.

CASE NO. \_\_\_\_\_

APPLICATION FOR MINOR TRAFFIC
OFFENSE DIVERSION PROGRAM

Defendant

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I am applying for the Chillicothe Municipal Court/Chillicothe Law Director Minor Traffic Offense Diversion Program. I understand that if I am accepted into the program and I complete all of the terms of the program, then my case will be dismissed. I understand that if I am accepted into the program and I fail to complete any of the terms of the program, then the Chillicothe Municipal Court will accept my guilty plea, and I will be convicted of all of the charges against me. In either event, I understand that I will not be entitled to any refund of any money paid to the court or to the driving courses described below. I understand that if I am not accepted into the program then I shall be given a date to appear before the court for arraignment as if I had never made application to the program. In this event, I understand that the waiver fee that I have paid to the court will be held as bail.

I further certify that: (initial each)

- I have not previously participated in this or a similar program.
I have not been convicted of or paid waivers for any other moving violations within the last twelve (12) months.
I have not been convicted of or paid waivers for more than three moving violations in the last ten (10) years.
Automobile liability insurance or financial responsibility was in effect and covered the vehicle I operated at the time of the offense herein.
I was not operating a commercial motor vehicle at the time of the violation.

I have been charged with \_\_\_\_\_.

I have attached copies of:

- My driving abstract from the applicable Ohio Bureau of Motor Vehicles.
Proof of insurance or financial responsibility.
My citation received in this incident.

GUILTY PLEA, WAIVER OF TRIAL, PAYMENT OF WAIVER FINE AND COSTS

I do hereby enter my written plea(s) of guilty to the offense(s) charged. I realize that by signing below, I am admitting my guilt to the offense(s) charged, and I waive my right to contest the offense(s) in a trial before the court or jury. Further, I realize that a record of this plea will be sent to the Ohio Bureau of Motor Vehicles if I do not successfully complete the minor traffic offense diversion program. I am paying a non-refundable application fee of \$35.00 and the waiver fee for fine and costs of \$\_\_\_\_\_ which will be held as set out above.

Date

Signature

Printed Name

Address City, State, Zip Code Telephone Number

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For Court Use Only

- The above application is accepted and defendant shall complete the following program within 90 days.
Responsible driver adult education class. Contact State Highway Patrol, 740-775-7782.
AARP Driver Safety Program. Contact Ross County Sheriff Deputy Dave Weber, 740-773-1186.
The above application is denied. The defendant shall appear in court for arraignment on \_\_\_\_\_ at 9:00 a.m.

Law Director Date

Judge Date