

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 fine and court costs, and be accepted into the program by the Law Director. To successfully complete the program, you must also complete the Responsible Driver Adult Education class. The eligibility requirements and application process are set out below:

ELIGIBILITY - You must meet all of the following requirements:

- (1) Received a traffic citation for a minor misdemeanor moving violation;
- (2) Committed no other moving traffic violations within the twelve (12) months preceding the date of this violation;
- (3) Committed no more than one (1) moving traffic violation in the three (3) years preceding the date of this violation;
- (4) Not be involved in a motor vehicle accident involving injury or property damage to another person as the result of this violation;
- (5) Not be licensed as a commercial driver at the time of this violation;
- (6) Not previously completed this program or a substantially similar program; and
- (7) Not be rejected from the program.

APPLICATION PROCESS - You must do all of the following:

- (1) Sign and complete the application for acceptance into the Minor Traffic Offense Diversion Program;
- (2) Provide your *Certified 3-Year Driving Record* from the Bureau of Motor Vehicles - Ross County License Bureau, 475 Western Ave., Chillicothe, Ohio - or - bmv.ohio.gov (Click on *My BMV Profile*).
- (3) Provide proof of financial responsibility that was in effect at the time of the offense and is currently in effect;
- (4) Pay a non-refundable application fee of \$35.00 and all applicable waiver fines and court costs for the offenses charged;
- (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 If you successfully complete the program, then the guilty plea will be withdrawn, and the case will be dismissed.*); and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 the Responsible Driver Adult Education class. If you are accepted into the program, you will be given a new arraignment date. You must complete the required class before your new arraignment date. The class instructor will provide proof of completion to the court. **You are responsible for calling the court to confirm the proof of completion was received.**

RESPONSIBLE DRIVER ADULT EDUCATION CLASS OVERVIEW

- (1) Requires three (3) hours of class work. Classes are held at the Ross County Ohio Highway Patrol Station, 201 Hospital Road, Chillicothe, Ohio, from 9:00 am -12:00 pm on one Saturday each month.
- (2) There is no fee for the class.
- (3) You must pass a test at the conclusion of the class to get your certificate.
- (4) Participants shall contact the Ohio State Highway Patrol by phone to schedule class time.

BENEFITS

- (1) Successful completion of the Minor Traffic Offense Diversion 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 CHILLICOTHE MUNICIPAL COURT

STATE OF OHIO
CITY OF CHILLICOTHE
VS.

CASE NO. _____

APPLICATION FOR MINOR TRAFFIC
OFFENSE DIVERSION PROGRAM

Defendant

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 the application fee or the waiver fee for fine and costs paid to the court. 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 one (1) other moving violation in the last three (3) years.
Automobile liability insurance or financial responsibility was in effect and covered the vehicle I operated at the time of the offense herein and is currently in effect.
I was not licensed as a commercial driver at the time of the violation.
I waive my right to a speedy trial.
This incident was not an accident involving injury or property damage to another person.

I have been charged with _____.

I have attached copies of:

- My Certified 3-Year Driving Record from the 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 if my application is accepted, or if I fail to appear for my new arraignment in the event my application is denied. 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

For Court Use Only

The above application is accepted and defendant shall complete the Responsible Driver Adult Education class before the new arraignment date at 9:00 am on _____. Contact Ohio State Highway Patrol, Chillicothe Post, 740-775-7782.

The above application is denied. The defendant shall appear in court for arraignment at 9:00 am on _____. If the defendant does not appear for arraignment on this date, then the above Guilty Plea, Waiver of Trial, and Payment of Waiver Fine and Costs will be accepted, and the record of the plea will be sent to the Ohio Bureau of Motor Vehicles.

Law Director

Date

Judge

Date