

# Know Your Rights

## 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 a 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 then you may pay by mail.
4. If there is no fine indicated 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 Charlestown Municipal Court, you will be assessed court costs of \$36.00 unless dismissed by the Judge.

### PAY BY MAIL

#### Mailing Address:

Charlestown Municipal Court  
4540 South County Trail  
Charlestown, RI 02813

### Benefits of Paying by Mail or Phone (with credit card):

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

Place the ticket in an envelope and include a personal check, bank check or money order payable to the **Charlestown Municipal Court**.

***DO NOT make your check out to the Rhode Traffic Tribunal IF the front of the ticket has the Charlestown Municipal Court checked.***

***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.***

If a hearing is not required, you may also pay this ticket, at the CHARLESTOWN MUNICIPAL COURT. PAYMENT MUST BE CASH, CHECK, MONEY ORDER OR CREDIT CARD. To pay by CREDIT CARD, CALL 401-364-1210.

## PAY IN PERSON

### **Payments may be made at:**

Charlestown Town Hall  
Monday through Friday  
8:30 AM to 4:00 PM

For your convenience after hours, you may drop your payment, in an envelope, into the white "mail box" at the rear of the building which is marked "for Town Hall Business only". This is not a mailbox for US mail.

## 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. Payment will be required at that time.

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

## Good Driving Record

### (RI General Law 31-41.1-7)

#### **If you are a Rhode Island Driver:**

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 court violation and the violation cannot be a violation issued during involvement in a motor vehicle accident or with a CDL License.

If you meet the requirements, and your plea under the Good Driver Statute is accepted by the Court, court costs of \$35.00 will be assessed along with a \$25.00 State assessment and a \$1.00 State Emergency Medical Services assessment. (\$61.00 total).

#### **If you are an Out of State Driver:**

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 \$35.00 will be assessed along with a \$25.00 State assessment and a \$1.00 State Emergency Medical Services assessment. (\$61.00 total).

## 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, after 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 will be entered and you will be ordered to pay fines and court costs.

## PAYMENT OF FINES AND COSTS

Fines, costs and assessments must be paid immediately!!!

If you are unable to pay, a payment plan may be established if you are arraigned in court.

Failure to pay fines and court costs will result in a loss of your driver's license.

All payments on court day must be in the form of cash, check, money order or credit card.

## APPEALS PROCEDURE

You have the right to appeal any judgment of the Charlestown Municipal Court to the Appellate panel of the Rhode Island Traffic Tribunal.

You must then file a Notice of Appeal within 10 days accompanied by a fee of \$25.00

The appeals procedure requires 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.