

Deferred Disposition

Is Defendant charged with a Rules of the Road offense in a work zone with workers present (**other than pedestrian/inspection/seat belt offenses**)?

YES

Defendant is ineligible for deferred disposition.

YES

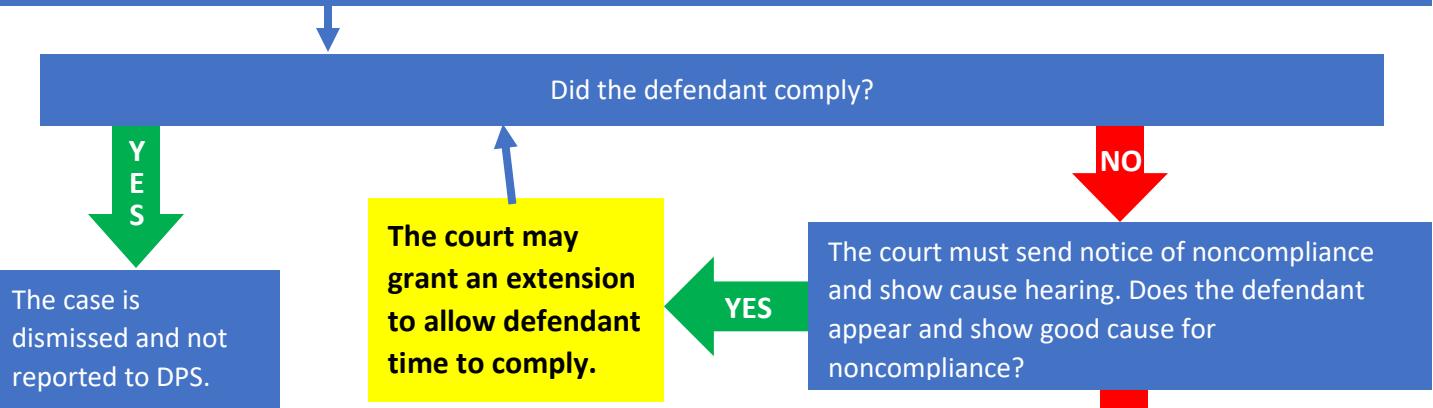
Does Defendant have a CDL or had one at the time of the offense **AND** is the offense charged related to motor vehicle control?

NO

NO

Defendant is eligible for deferred disposition.

1. Defendant must enter plea of guilty or nolo (or be found guilty at trial).
2. Defendant must pay the special expense fee and court costs or if the defendant is unable to pay, judge must order alternative satisfaction of fine and costs (such as payment plan or community service).
3. Court must issue a written order containing the conditions of the deferral and the time period (from 1-180 days), and the special expense fee, if any (**must not exceed maximum fine for the offense**).
4. If the defendant is under 25 and the offense is a moving violation, the conditions must include that the defendant take a Driving Safety Course.
5. If the defendant has a provisional license and the offense is a moving violation, the conditions must include that the defendant retake the driving test.



NOTE: A time payment reimbursement fee must be assessed if any amount owed is paid more than 30 days after the order to pay (but only one fee may be assessed per case).

The judge should enter a conviction and may assess a fine as punishment for the offense. Any special expense fee is credited against the fine as punishment for the offense. The defendant may not be held in contempt or charged with FTA for not appearing or not complying.