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215 West Main Street  
Troy, Ohio 45373

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### **Miami County Traffic Safety Program**

- Your application, for the Miami County Municipal Court Traffic Safety Program, **MUST** be approved by the Court before payment can be accepted.
- The Program fee is \$150.00 and \$50.00 for each sub-case of the original charge. In addition to the program fee, court costs will be associated with your case(s). All program fees and court cost must be paid prior to scheduling the Traffic Safety Class.
- Upon completion of the program, your case will be dismissed, (or reduced), allowing for NO POINTS to be assessed on your driving record.
- Your Traffic Safety Class will be scheduled through the Miami County Municipal Court Services Department, located on the second floor of the old court house, 215 W. Main St., Troy, Ohio. **Classes are held the last Friday of every month from 12:00 p.m. to 2:00 p.m.** You must report in person to the 3<sup>rd</sup> floor, Large Courtroom, 15 minutes prior to the classroom instruction.
- If the Prosecutor for your case(s) objects or disapproves your application, you will be notified by mail and be required to appear in Court for a Pre-Trial Conference to plea to the charge(s).
- Failure to pay the required Program Fees/Court Cost associated with this offense and/or failure to complete the scheduled Traffic Safety Class will result in a new hearing to plea to the charge(s).
- Please read the following program description and guidelines; then complete the registration form located on the last page of this packet. Be sure to sign and date this form, affirming your acknowledgment of all program guidelines.

## **General Explanation**

The Miami County Traffic Safety Program enables you to have your “minor misdemeanor traffic offense” dismissed or reduced, if you comply with all terms of the program. If you fail to comply with any one of the program guidelines, you will be set for a Pre-Trial Conference in order to plea to the case(s) for which you are charged.

The Program provides you an opportunity to attend a two-hour traffic safety class provided by the Ohio State Patrol. Upon successful completion of this program, the citation/violation will be dismissed in order to allow for no points added to your driving record.

The approved participants must meet the following criteria:

- Must provide proof of auto insurance.
- Be free of any criminal charges accompanying the traffic violation.
- Have not been through the Miami County Municipal Court Traffic Program within the last 24 months.
- Have not already paid the fine for the citation.
- Must apply prior to a Change of Plea, if applicable.

The following violations are not eligible for the program, even though they may meet the above criteria. These charges are not conclusive and a prosecutor reserves the right to deny any application based on charges not listed:

- Driving Under Suspension
- Driving Under the Influence
- Drag Racing
- Reckless Operation
- Fleeing and Eluding
- Passing a school bus
- Leaving the scene of an accident
- Traffic Accident violations when personal injury occurs, or when there is property damage to another.

Once approved, and the program fees are paid, you must schedule your class through the Municipal Court Services Department. Failure to pay all associated fees or failure to complete the class on the scheduled date and time will require you to appear in court for a Pre-Trial Conference to plea to the case(s) for which you are charged.

You must pay all associated Traffic Safety Program Fees and Court Cost within thirty (30) days of the approval date. Court Cost begins at \$84.00 but will be assessed on a case-by-case basis. The Traffic Safety Class must be completed within sixty (60) days of the arraignment date. No Continuances will be accepted.

**Participation is not automatic.** You must apply through the Miami County Municipal Court Services Department. If you choose not to appear for your scheduled court date, your application must be received prior to your court appearance. If you are interested in applying for the Traffic Safety Diversion Program on the day of your scheduled court date, you must appear and will then be required to complete the application after your court appearance.

Applicants' eligibility will be determined by the Miami County Prosecutor's Office. Approved application will be required to pay all associated fees and to contact the Court Services Office to schedule the next available Traffic Safety Diversion Class. All denials will be required to appear in Court for a Pre-Trial Conference to enter a plea to the case(s) for which you are charged.

Any questions should be forwarded to the Court Services Office of the Miami County Municipal Court, 215 W. Main St., Troy, Ohio Troy, Ohio 45373, or by calling (937) 440-3940. Completed applications may be faxed to (937) 440-3941 or emailed to AGOwens@MiamiCountyOhio.gov. Hours of operation are Monday through Friday, from 8:00 a.m. to 4:00 p.m.

### **Application Process**

- I understand that I am willfully entering a Not Guilty plea to all cases.
- I understand that I am willfully executing a Time Waiver, and agree to the terms and conditions of the Traffic Safety Program.
- I understand that my application must be approved prior to any payment made.
- Upon payment, I will immediately be scheduled to attend the Traffic Safety Class, and must have completed it within 60 days from the approval date.
- I understand that the \$150.00 Program Fee plus Court Costs must be paid at least 30 days prior to the scheduled class date and that failure to do so may result in an unsuccessful termination from the program.
- I will keep the Court informed of my address and phone number changes.
- I understand the Court will stay my citation until they are in receipt of the verification of attendance of the Safety Class, and until all Program Fees are paid.
- I understand that upon successfully completing the Traffic Safety Program, my associated traffic offense(s) will be dismissed, that they will not be reported to the BMV, and that no points will be assessed on my driving record.

### **Class**

- The Ohio State Patrol will conduct the training class for the Miami County Municipal Court Traffic Safety Program.
- The classes are scheduled for two (2) hours. You must report at least 15 minutes prior to the beginning of the class. Anyone late will be sent home.
- Anyone disrupting the class, inattentive in class, or otherwise sent home by the OSP instructor will forfeit their program fee, and subsequently be scheduled for a Pre-Trial Conference in order to plea to the case(s) for which you are charged..

### **Completion and Dismissal of the Violation(s)**

- Upon verification of the class completion, the Court will process the offender's Court file to the appropriate prosecutor with a **Recommendation for Dismissal** of the offense(s).
- The file and a **Motion to Dismiss** will be routed to the Presiding Judge or Magistrate for disposition.
- A judgment entry will be signed by the Judge or Magistrate, and will then be docketed by the Court Services Department.

### **Unsuccessful Completion and Disposition of the Violation(s)**

- Upon verification of non-compliance with the Program guidelines, the Court will schedule you for a Pre-Trial Conference in order to plea to the case(s) for which you are charged.

### **Fee Collection**

- The Court Costs collected shall be dispersed according to the Miami County Municipal Court Costs statutory requirements. The Program Fees shall be placed into the Probation Fund, 0135-135183. Any instructor, supplies or material costs associated with the OSP classroom instruction will be billed to and paid from the Probation Fund.

