

# STATE OF MINNESOTA

## Office of the State Auditor



**Rebecca Otto**  
**State Auditor**

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### **SPECIAL REVIEW OF ADMINISTRATIVE TRAFFIC CITATIONS AND LOCAL TRAFFIC DIVERSION PROGRAMS**

## **Description of the Office of the State Auditor**

The mission of the Office of the State Auditor is to oversee local government finances for Minnesota taxpayers by helping to ensure financial integrity and accountability in local governmental financial activities.

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LOCAL TRAFFIC DIVERSION PROGRAMS**



November 13, 2013

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## Executive Summary

- The number of local governments using administrative traffic citations issued under Minn. Stat. § 169.999 during 2010, 2011, and 2012 has remained fairly stable. However, the total revenues collected through administrative traffic citations have increased by approximately 15 percent, from almost \$349,000 in 2010 to over \$400,000 in 2012.<sup>1</sup>
- The use of traffic diversion programs by both cities and counties is growing, especially in cities.<sup>2</sup> The total amount of fees collected by local governments for the traffic diversion programs in 2010, 2011, and 2012 (approximately \$1.6 million) exceeded the total amount in fines collected by local governments for administrative traffic citations for the same time period (approximately \$1.1 million).<sup>3</sup>
- Traffic diversion programs present a patchwork of traffic enforcement practices by local governments.<sup>4</sup>
- Whether local governments should be granted the authority to operate local traffic diversion programs is a question for the Legislature. The Office of the State Auditor recommends that the Legislature consider the following issues:<sup>5</sup>
  - The integrity of Minnesota's driving records;
  - The risk of losing federal highway aid and grant funds;
  - The merits of uniformity in traffic enforcement;
  - A statewide database for local traffic diversion programs;
  - Monitoring the use, scope, and effectiveness of local traffic diversion programs;
  - Standards for local traffic diversion programs;
  - Fee and surcharge requirements applicable to local traffic diversion programs;
  - Contracting authority for the use of third-party vendors for local traffic diversion programs; and
  - The data practice status of driver data collected during the operation of local traffic diversion programs.

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<sup>1</sup> See page 15 of this report.

<sup>2</sup> See pages 18 - 19 of this report.

<sup>3</sup> See pages 21 - 22 of this report.

<sup>4</sup> See pages 19 - 21 of this report.

<sup>5</sup> See pages 23 - 26 of this report.

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## Scope and Methodology

This report is a special examination of two enforcement programs used by local governments to respond to traffic offenses. The two programs serve as alternatives to processing traffic tickets through the State court system. This report first examines the use by local governments of administrative traffic tickets authorized by the Minnesota Legislature in 2009.<sup>6</sup> This report then examines the growing number of traffic diversion programs being offered by local governments.

### Administrative Traffic Tickets

To obtain information on the use of administrative traffic tickets, the Office of the State Auditor (OSA) surveyed 147 local governments in August 2013.<sup>7</sup> The local governments were selected for the survey because they: 1) reported the collection of fines for administrative traffic citations on the OSA's 2010 or 2011 financial reporting form;<sup>8</sup> 2) notified the Commissioner of Public Safety that they had passed a resolution authorizing the implementation of the administrative traffic ticket statute;<sup>9</sup> or 3) transferred money to the Commissioner of Management and Budget (MMB) for deposit in the State's General Fund as required by the 2009 statute.<sup>10</sup>

The surveys asked whether the local government issued administrative traffic citations in 2010, 2011, or 2012, pursuant to the 2009 statute. If so, the local government was asked for the amount collected each year, the amount remitted to MMB, and the amount collected for each administrative traffic citation issued each year. The OSA achieved a 100 percent response rate on the survey. None of the responses were verified, and the financial information provided was self-reported.

### Local Traffic Diversion Programs

The OSA has become aware of traffic diversion programs operated by cities, counties, and local prosecutors. To determine where in Minnesota traffic diversion programs were being offered, the OSA conducted internet searches. From July through the beginning of October 2013, the OSA conducted telephone interviews with local government officials about their traffic diversion programs.<sup>11</sup> The interviews asked about the fees charged for the program; the revenues collected by the program in 2010, 2011, 2012, and the first six months of 2013; the traffic offenses eligible

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<sup>6</sup> See Minn. Stat. § 169.999.

<sup>7</sup> The majority of the surveys were sent by email on August 13, 2013. Included were 108 cities, 34 towns, and 5 counties.

<sup>8</sup> At the time the OSA began its review, not all local governments had submitted their 2012 financial reporting forms to the OSA. Two towns that had reported less than \$5 collected for administrative fines in 2010 were excluded from the survey.

<sup>9</sup> The OSA obtained from the Minnesota Department of Public Safety a list of local governments that had provided the Commissioner with notice that the local government had adopted a resolution on administrative traffic fines.

<sup>10</sup> The OSA obtained from MMB a report of payments MMB had received from local governments pursuant to Minn. Stat. § 169.999, subd. 5.

<sup>11</sup> After the OSA began this review, a lawsuit filed in Wabasha County District Court challenged Wabasha County's authority to operate the County's traffic diversion program. See *Ass'n for Gov't Accountability v. Wabasha County*, Wabasha Co. Dist. Ct. File No. 79-CV-13-751. The OSA was named as a defendant in the lawsuit. As a result, the OSA did not interview Wabasha County officials as part of this review. Instead, the information contained in this review on Wabasha County's Safe Driving Class was obtained from public sources.

for the program; how long the program has been in existence; a description of the class; any payment of a \$75 surcharge to the State; the use of the uniform traffic ticket; and whether the violation went on the driver's record if the class was completed. As part of the interview, the OSA requested a copy of the brochure describing the program provided to drivers eligible for the program.

The OSA's search was not exhaustive. The OSA found and reviewed a total of 36 such programs - 21 operated by cities and 15 operated by counties.<sup>12</sup> None of the responses were verified, and the financial information provided was self-reported.

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<sup>12</sup> The OSA found additional traffic diversion programs in the Cities of Annandale (population 3,280; Wright County), Lester Prairie (population 1,720; McLeod County), and Elbow Lake (population 1,167; Grant County). However, these programs were not included in this review because of their small size.

## Introduction

In 2003, the Minnesota Attorney General's Office (AG) examined the legality of municipal programs that imposed administrative penalties for traffic law violations.<sup>13</sup> Among other things, the AG concluded that the State of Minnesota had "plainly preempted the field of enforcement" for traffic law violations. Citing the strong legislative assertion of state preemption in the area of traffic regulation, the AG concluded that local governments were precluded from creating their own enforcement systems.

Despite the clear direction from the AG, some local governments implemented administrative penalty programs to enforce traffic laws. In 2008, the OSA conducted a Special Study on Administrative Penalty Programs.<sup>14</sup> The Special Study revealed that administrative penalty programs implemented by local governments for traffic law enforcement had the following characteristics:

1. All the revenue collected was retained by the local government.
2. The monetary fines were often less than the fines associated with State traffic tickets.
3. Administrative citations were not reported to other government entities and did not affect an individual's driving record or insurance.
4. Administrative penalty programs were described as "voluntary" because the violators had the option of accepting a State traffic ticket.

In 2009, the Minnesota Legislature provided local governments with the authority to implement administrative citation programs for certain limited traffic violations.<sup>15</sup> Among other things, the legislation set the fine for administrative traffic tickets at \$60. Of that amount, \$40 is credited to the local government's general revenue fund, and \$20 is transferred to the Commissioner of Management and Budget (MMB) for deposit in the State's General Fund.<sup>16</sup> A number of local governments implemented administrative traffic citation programs in compliance with the 2009 law.

Other local governments implemented "traffic diversion programs" to handle certain traffic law violations. Generally under these programs, the local government offers a class for a fee for specific traffic offenses. Upon successful completion of the class, the traffic offense will not appear on the violator's driving record.

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<sup>13</sup> See Letter from Asst. Att'y Gen. Kenneth E. Raschke, Jr., to Minn. State Rep. Steve Smith (Dec. 1, 2003), reproduced in Appendix 1, page 27. See also Letter from State Auditor Awada to Minn. State Rep. Steve Smith (Oct. 2, 2003), at pages 2-4.

<sup>14</sup> See Special Study: Administrative Penalty Programs (Feb. 13, 2008), available on the OSA's website at: [http://www.auditor.state.mn.us/reports/gid/2008/adminpen/adminpen\\_08\\_fullreport.pdf](http://www.auditor.state.mn.us/reports/gid/2008/adminpen/adminpen_08_fullreport.pdf).

<sup>15</sup> See Minn. Stat. § 169.999, subd. 1.

<sup>16</sup> See Minn. Stat. § 169.999, subd. 5. When a state trooper issues the administrative citation, the State's General Fund receives \$40, with the local government retaining \$20. See Minn. Stat. § 169.999, subd. 5(c).

Similar to administrative traffic citation programs prior to the 2009 law, the local traffic diversion programs generally have the following characteristics:

1. All the revenue collected is retained by the local government.<sup>17</sup>
2. The fees for the traffic class are less than the fines associated with State traffic tickets.
3. Citations are not reported to other government entities and do not affect an individual's driving record or insurance.
4. The traffic diversion programs are "voluntary" because the violator has the option of accepting a State traffic ticket.

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<sup>17</sup> The OSA found two cities during this review, the Cities of Coon Rapids (Anoka County) and Red Wing (Goodhue County), that forward a \$75 surcharge to MMB for each participant in their traffic diversion programs. *See* Minn. Stat. § 357.021, subd. 6.

## Background

### State Preemption in Traffic Enforcement

Generally, local governments have no inherent powers beyond those expressly granted by statute or charter, or those implied as reasonable and necessary to the implementation of such express powers.<sup>18</sup> When exercising those powers, local governments may not address areas of the law that have been fully occupied or preempted by state law, or establish programs or procedures that are incompatible with state statutes.<sup>19</sup>

State statutes regulate traffic and motor vehicle operation in Minnesota. With respect to the offenses and procedures defined in the Traffic Code (Chapter 169), the State has preempted the field.<sup>20</sup> Preemption is found in Minn. Stat. § 169.022. The statute provides:

The provisions of this chapter [Chapter 169] shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may adopt traffic regulations which are not in conflict with the provisions of this chapter; provided, that when any local ordinance regulating traffic covers the same subject for which a penalty is provided for in this chapter, then the penalty provided for violation of said local ordinance shall be identical with the penalty provided for in this chapter for the same offense.

Further support of State preemption over traffic enforcement can be found in the statutory requirement that uniform traffic tickets or uniform administrative traffic citations be used for Chapter 169 violations.<sup>21</sup> Similarly, fines for Chapter 169 violations are uniform in amount and application statewide.<sup>22</sup>

As a result, in the area of traffic enforcement, the Minnesota Supreme Court, in at least three cases, and the AG have concluded that local governments are precluded from creating their own traffic enforcement systems.<sup>23</sup>

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<sup>18</sup> See, e.g., *Country Joe, Inc., v. City of Eagan*, 560 N.W.2d 681, 683 (Minn. 1997).

<sup>19</sup> See, e.g., *Mangold Midwest Co. v. Village of Richfield*, 274 Minn. 347, 356, 143 N.W.2d 813, 819 (1966) (A state law may fully occupy a particular field of legislation so that there is no room for local regulation.).

<sup>20</sup> See Letter from Asst. Att’y Gen. Kenneth E. Raschke, Jr., to Minn. State Rep. Steve Smith (Dec. 1, 2003), at pages 4-5. See also *State v. Hoben*, 256 Minn. 436, 444, 98 N.W.2d 813, 818-819 (1959).

<sup>21</sup> See Minn. Stat. §§ 169.99, subd. 1, and 169.999, subd. 3. The uniform traffic ticket must be used by “police and peace officers or any other person for violations of [Chapter 169] or ordinances in conformity thereto.” Minn. Stat. § 169.99, subd. 1(a). It must “be in the form and have the effect of a summons and complaint.” Minn. Stat. § 169.99, subd. 1(a).

<sup>22</sup> See Minn. Stat. § 609.101, subd. 4; Minn. R. Crim. P. 23.03, subd. 2(1).

<sup>23</sup> See *State v. Hoben*, 256 Minn. 436, 98 N.W.2d 813, 818-819 (1959); *Duffy v. Martin*, 265 Minn. 248, 252, 121 N.W.2d 343, 347 (1963); *State v. Kuhlman*, 729 N.W.2d 577, 581 (Minn. 2007); Letter from Asst. Att’y Gen. Kenneth E. Raschke, Jr., to Minn. State Rep. Steve Smith (Dec. 1, 2003), at pages 5-6.

## Penalties for Traffic Violations

Most traffic offenses are petty misdemeanor or misdemeanor offenses. Generally, petty misdemeanor offenses are “payable offenses.” That is, the fine can be paid without a court appearance, and payment of the fine constitutes a plea of guilty.<sup>24</sup>

The total amount paid by a violator of a traffic law is generally composed of three items:

- The base fine, which is generally the amount set by the judicial branch and found in a uniform statewide fine schedule known as the Statewide Payables List;<sup>25</sup>
- A surcharge set by statute at \$12 for parking violations and \$75 for all other violations;<sup>26</sup> and
- A law library fee that varies by county.<sup>27</sup>

The distribution of proceeds from the fine, surcharge, and law library fee is established in statute.<sup>28</sup> For example, traffic fines are generally distributed 2/3 to the local government where the violation occurred and 1/3 to the State.<sup>29</sup> However, distributions may differ, depending upon the violation. Fines from seat belt violations, for example, must go to an emergency medical services relief account.<sup>30</sup>

## The Surcharge

In 1999, the Legislature imposed a surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, other than violations related to vehicle parking.<sup>31</sup> The surcharge does not apply when a person is convicted of a petty misdemeanor for which no fine is imposed.<sup>32</sup>

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<sup>24</sup> See Minn. R. Crim. P. 23.03, subd. 3.

<sup>25</sup> See Minn. Stat. § 609.101, subd. 4; Minn. R. Crim. P. 23.03, subd. 2(1). The Statewide Payables List is available at: <http://www.mncourts.gov/?page=1774>.

<sup>26</sup> See Minn. Stat. § 357.021, subd. 6.

<sup>27</sup> See Minn. Stat. §§ 134A.09, subd. 3 (Hennepin and Ramsey Counties) and 134A.10, subd. 4 (all other counties).

<sup>28</sup> For a detailed description of the disbursement allocations, see the Minn. House Research Dep’t Information Brief on Traffic Citations (Sept. 2012), available at: <http://www.house.leg.state.mn.us/hrd/pubs/trafcit.pdf>.

<sup>29</sup> See, e.g., Minn. Stat. § 484.90, subd. 6.

<sup>30</sup> See Minn. Stat. § 169.686, subd. 3 (90 percent for eight regional emergency medical services systems and 10 percent to the State Patrol for traffic safety education programs).

<sup>31</sup> See Minn. Stat. § 357.021, subd. 6(a). For a history of the surcharge, see the Minn. House Research Dep’t Information Brief on Traffic Citations (Sept. 2012).

<sup>32</sup> See Minn. Stat. § 357.021, subd. 6(a).



Since 2009, the surcharge has been \$75. The surcharge must be forwarded by the “court administrator or other entity collecting a surcharge” to the Commissioner of MMB. It may not be waived, even upon a showing of indigency or undue hardship.<sup>33</sup> Generally, the \$75 surcharge is distributed among the State’s General Fund, the peace officers training account, and the game and fish fund for Department of Natural Resources (DNR) officer training.<sup>34</sup>

In addition to raising the surcharge to \$75 in 2009, amendments to the statute provided that the surcharge does not apply to administrative citations issued pursuant to section 169.999, but does apply to people who successfully complete a diversion or similar program for a violation of Chapter 169.<sup>35</sup> In 2011, the statute was amended again to its current language: “A person who enters a diversion program, continuance without prosecution, continuance for dismissal, or stay of adjudication for a violation of chapter 169 must pay the surcharge described in this subdivision. A surcharge imposed under this paragraph shall be imposed only once per case.”<sup>36</sup>

## **Driving Records**

Chapter 169 violations are recorded in a centralized database maintained by the Driver and Vehicle Services Division of the Minnesota Department of Public Safety.<sup>37</sup>

Minnesota law prohibits certain speeding violations from appearing on a driver’s record. The law, known as the “Dimler Amendment,” currently provides that speeding violations will not be placed on a driver’s record if the driver was going no more than ten miles per hour over the speed limit in a 55 or 60 mile per hour zone.<sup>38</sup> Starting August 1, 2014, speeding violations in a 60 mile per hour zone will not appear on the record only if the driver was going no more than five miles per hour over the speed limit. The “Dimler Amendment” does not apply if: 1) the speed limit is other than 55 or 60 miles per hour; 2) the speeding violation occurs in a commercial motor vehicle; or 3) the driver holds a commercial driver’s license (CDL).<sup>39</sup>

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<sup>33</sup> See Minn. Stat. § 357.021, subd. 6(c) and (d).

<sup>34</sup> See Minn. Stat. § 357.021, subd. 7. The percentage distributions generally result in \$65 to the State’s General Fund, \$9.75 to the peace officers training account, and \$0.25 to the game and fish fund for DNR officer training. See Minn. House Research Dep’t Information Brief on Traffic Citations (Sept. 2012).

<sup>35</sup> See 2009 Minn. Laws Chaps. 83, art. 2 § 22 and 158 § 7. The 2009 Chapter 169 diversion program amendment provided: “A person who successfully completes a diversion or similar program for a violation of chapter 169 must pay the surcharge described in this subdivision.”

<sup>36</sup> See 1 Sp. 2011 Minn. Laws Chap. 1, art. 3 § 3. This language is currently found in Minn. Stat. § 357.021, subd. 6(f).

<sup>37</sup> See generally Minn. Stat. § 171.12.

<sup>38</sup> See Minn. Stat. § 171.12, subd. 6.

<sup>39</sup> See Minn. Stat. § 171.12, subd. 6.

Federal law requires that states “not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CDL driver’s conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (except a parking violation) from appearing on the driver’s record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.”<sup>40</sup> Sanctions for noncompliance with this federal law include the withholding of Federal-aid Highway Program funds and Federal Motor Carrier Safety Assistance Program grant funds from the State.<sup>41</sup>

To prevent the loss of federal highway aid and grant funds, Minnesota adopted a statute in 2009 that parallels the language of the federal law. The Minnesota statute provides: “An agency, court, or public official in Minnesota shall not mask, defer imposition of judgment for, or allow an individual to enter into a diversion program that would prevent a conviction for a violation of a state or local traffic control law, except a parking violation, from appearing on the driving record of a holder of a commercial driver’s license, when the violation is committed in any type of motor vehicle, or on the driving record of an individual who committed the violation in a commercial motor vehicle.”<sup>42</sup>

### **Administrative Traffic Citations (Minn. Stat. § 169.999)**

In 2009, the Minnesota Legislature authorized the use of administrative citation programs by local governments for certain traffic violations.<sup>43</sup> The statute, Minn. Stat. § 169.999, requires the following:<sup>44</sup>

1. Passage of a resolution about the program and notification to the Commissioner of Public Safety of the resolution.<sup>45</sup>
2. Limitations on the violations eligible for the program to speeding less than ten miles per hour over the speed limit, failing to obey a stop line, and operating a vehicle in violation of certain safety or equipment-related standards.<sup>46</sup>
3. Use of the uniform administrative citation form prescribed by the Commissioner of Public Safety.<sup>47</sup>
4. A process for contesting the administrative citation.<sup>48</sup>
5. A fine of \$60, with \$40 credited to the local government’s general revenue fund, and \$20 transferred to MMB for deposit in the State’s General Fund.<sup>49</sup>

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<sup>40</sup> See 49 CFR Part 384.226.

<sup>41</sup> See 49 CFR Part 384.401.

<sup>42</sup> Minn. Stat. § 171.163.

<sup>43</sup> 2009 Minn. Laws Chap. 158 § 6.

<sup>44</sup> The OSA’s Statement of Position on Administrative Citations for Traffic Violations provides additional information on Minn. Stat. § 169.999. The Statement of Position is reproduced in Appendix 2, page 37, and is available on the OSA’s website at:

[http://www.auditor.state.mn.us/other/Statements/adminpenaltiestrafficoffenses\\_0907\\_statement.pdf](http://www.auditor.state.mn.us/other/Statements/adminpenaltiestrafficoffenses_0907_statement.pdf).

<sup>45</sup> See Minn. Stat. § 169.999, subd. 1.

<sup>46</sup> See Minn. Stat. § 169.999, subd. 1.

<sup>47</sup> See Minn. Stat. § 169.999, subd. 3.

<sup>48</sup> See Minn. Stat. § 169.999, subd. 4.

<sup>49</sup> See Minn. Stat. § 169.999, subd. 5. The amount remaining with the local government must be used to supplement, but not supplant, existing law enforcement funding. See Minn. Stat. § 169.999, subd. 5(b).

6. A prohibition on the use of the program for violations that occur in a commercial motor vehicle or for drivers holding a CDL.<sup>50</sup>
7. A report of the total amount of administrative traffic fines collected by a local government as a separate category in the local government's financial reports, summaries, or audits.<sup>51</sup>

## **Authorized Traffic Diversion Programs**

The Legislature has authorized two diversion programs for traffic violations: 1) driver improvement clinics and 2) driving after suspension (DAS) and driving after revocation (DAR) diversion pilot programs. As discussed previously in this report, the Legislature has prohibited the use of traffic diversion programs for people holding a commercial driver's license.<sup>52</sup>

### **1. Driver Improvement Clinics**

Minnesota statutes authorize a trial court to require a person convicted of a violation of Chapter 169 (the Traffic Code) to attend a driver improvement clinic as part of, or in lieu of, other penalties.<sup>53</sup>

A "driver improvement clinic" is defined as "a formal course of study established under section 169.972, designed primarily to assist persons convicted of traffic violations in correcting improper driving habits and to familiarize them with the provisions of the Highway Traffic Regulation Act."<sup>54</sup> Under the law, a municipality may establish and conduct a driver improvement clinic and may charge "reasonable tuition fees."<sup>55</sup> The fees, not to exceed \$50, must also not exceed the actual cost of the course.<sup>56</sup>

Under the rules for driver improvement clinics promulgated by the Commissioner of Public Safety, a driver improvement clinic must provide a course of study that is eight to nine hours in length.<sup>57</sup> A person may not be ordered to attend a clinic that is located more than 35 miles from the person's residence.<sup>58</sup>

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<sup>50</sup> See Minn. Stat. § 169.999, subd. 6. This prohibition reflects the federal requirement and prevents the loss of federal highway aid and grant moneys. See 49 CFR Parts 384.226, 384.401.

<sup>51</sup> See Minn. Stat. § 169.999, subd. 8(a). The OSA added a line for this amount on the annual reporting forms local governments submit to the OSA. The OSA must annually report to the Commissioner of Public Safety the administrative traffic fines collected by local governments. See Minn. Stat. § 169.999, subd. 8(b).

<sup>52</sup> See Minn. Stat. § 171.163.

<sup>53</sup> See Minn. Stat. § 169.89, subd. 5.

<sup>54</sup> See Minn. Stat. § 169.971, subd. 2.

<sup>55</sup> See Minn. Stat. § 169.972, subs. 1 and 2. A "municipality" includes any city, county or town. See Minn. Stat. § 169.971, subd. 3.

<sup>56</sup> See Minn. Stat. § 169.972, subd. 2.

<sup>57</sup> See Minn. Rules 7411.5700, subp. 3. The rules also set requirements for instructors, course facilities, course content, and record keeping. See Minn. Rules 7411.5700. A list of approved driver improvement clinics is found in Appendix 3, page 43. See also Minn. Stat. §§ 169.973, subd. 1 (Commissioner of Public Safety shall promulgate rules setting the standards for the curriculum and mode of instruction of driver improvement clinics and youth-oriented driver improvement clinics); and 169.89, subd. 5 ("approved driver improvement clinic or youth-oriented driver improvement clinic" means a clinic whose curriculum and mode of instruction conform to standards promulgated by the Commissioner of Public Safety).

<sup>58</sup> See Minn. Stat. § 169.89, subd. 5.

## 2. DAS/DAR Diversion Pilot Programs

In 2009, the Legislature authorized five cities to each establish a pilot driver's license reinstatement diversion program.<sup>59</sup> The legislation specifically granted cities the authority to contract with a third party to create and administer the diversion program.<sup>60</sup>

The pilot program was created for certain offenders who had been charged with DAS or with certain types of DAR violations, who had not yet entered a plea in the proceedings.<sup>61</sup> The Commissioner of Public Safety and the participating cities are required to report the results of the pilot program to the Legislature.

In 2011, the Legislature made changes to the pilot program, including extending the program to counties and delaying the program's sunset date.<sup>62</sup>

### Other Authorized Diversion Programs

Outside of Chapter 169, the Legislature has mandated the establishment of diversion programs for certain juvenile and adult offenders, and has authorized the establishment of diversion programs for individuals involved with the issuance of dishonored checks.<sup>63</sup>

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<sup>59</sup> See 2009 Minn. Laws Chap. 59, art. 3 § 4. The law authorizes the Commissioner of Public Safety to permit additional cities to establish license reinstatement diversion pilot programs.

<sup>60</sup> See 2009 Minn. Laws Chap. 59, art. 3 § 4, subd. 3.

<sup>61</sup> The legislation provided that an individual with a CDL was not eligible for the pilot program.

<sup>62</sup> See 2011 Minn. Laws Chap. 87. In 2013, the sunset date for the pilot program was extended to June 30, 2017. See 2013 Minn. Laws Chap. 127 § 60.

<sup>63</sup> See Minn. Stat. §§ 388.24 (juveniles); 401.065 (adults); and 628.69 (dishonored checks). "Pretrial diversion" is defined in Minn. Stat. § 388.24, subd. 1(2), as "the decision of a prosecutor to refer [a juvenile] offender to a diversion program on condition that the delinquency petition against the offender will be dismissed or the petition will not be filed after a specified period of time if the offender successfully completes the program." "Pretrial diversion" is defined in Minn. Stat. § 401.065, subd. 1(2), as "the decision of a prosecutor to refer [the adult] offender to a diversion program on condition that the criminal charge against the offender will be dismissed after a specified period of time, or the case will not be charged, if the offender successfully completes the program." "Pretrial diversion" is defined in Minn. Stat. § 628.69, subd. 1(2), as "the decision of a prosecutor to refer an offender to a diversion program on condition that the criminal charges against the offender will be dismissed after a specified period of time, or the case will not be charged, if the offender successfully completes the program."

The statutes set the diversion program components.<sup>64</sup> The statutes require that information on program participants be provided to and maintained by the Minnesota Bureau of Criminal Apprehension.<sup>65</sup> On a biennial basis, county attorneys must report to the state court administrator and to the Legislature on the operation of their diversion programs for adult offenders.<sup>66</sup> On a biennial basis, prosecutors must also report to the Minnesota Supreme Court and to the appropriate House and Senate policy committee chairs on their diversion programs for dishonored checks.<sup>67</sup> Prosecutors are expressly authorized to contract with a private entity to establish a dishonored check diversion program.<sup>68</sup>

Minnesota's Rules of Criminal Procedure govern the procedures in prosecutions for felonies, gross misdemeanors, misdemeanors, and petty misdemeanors in Minnesota's district courts.<sup>69</sup> Minnesota Rule of Criminal Procedure 27.05 governs pretrial diversion agreements, and states that a pretrial diversion agreement must not include a condition the court could not impose as a condition of probation.<sup>70</sup> If charges are not pending before the court, the Comment to Rule 27.05 recognizes that the prosecutor and defendant may agree to diversion of a case without court approval.<sup>71</sup>

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<sup>64</sup> See Minn. Stat. §§ 388.24, subds. 2 and 3 (juveniles); 401.065, subds. 2 and 3 (adults); and 628.69, subds. 3 and 4 (dishonored checks).

<sup>65</sup> See Minn. Stat. §§ 388.24, subd. 4 (juveniles); 401.605, subd. 3a (adults); and 628.69, subd. 6 (dishonored checks). See also Minn. Stat. §§ 299C.095 and 299C.46, subd. 5.

<sup>66</sup> See Minn. Stat. § 401.065, subd. 4.

<sup>67</sup> See Minn. Stat. § 628.69, subd. 7.

<sup>68</sup> See Minn. Stat. § 628.69, subd. 2.

<sup>69</sup> See Minn. R. Crim. P. 1.01.

<sup>70</sup> See Minn. R. Crim. P. 27.05, subd. 1(3).

<sup>71</sup> Similarly, Minn. R. Crim. P. 30.01 states that a prosecutor may dismiss a complaint or tab charge (a brief statement of charges entered in the record by the court administrator) without the court's approval. Reasons for the dismissal must be stated. See Minn. R. Crim. P. 30.01. The Comment to the Rule notes that one of the reasons for a dismissal may include the satisfactory completion of a pretrial diversion program. See Minn. R. Crim. P. Comment to Rule 30. Dismissal of an indictment requires the court's approval. See Minn. R. Crim. P. 30.01.

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## Findings

### Administrative Traffic Citation (Minn. Stat. § 169.999)

Based on the OSA's survey results, the number of local governments using administrative traffic citations during 2010, 2011, and 2012 has remained fairly stable. Administrative traffic citations are primarily used by cities. The total revenues collected through administrative traffic citations have increased by approximately 15 percent, from almost \$349,000 in 2010 to over \$400,000 in 2012.

A summary of the use of administrative traffic fines by local governments is presented in Table 1 below. The survey results for individual local governments are found in Appendix 4, page 47.

	<u>2010</u>	<u>2011</u>	<u>2012</u>
<b><u>Cities</u></b>			
Number of Cities	42	46	46
Amount Collected	\$330,686	\$332,530	\$343,631
Amount Remitted To MMB	\$102,341	\$109,957	\$113,580
<b><u>Counties</u></b>			
Number of Counties	2	3	3
Amount Collected	\$5,440	\$18,650	\$34,560
Amount Remitted To MMB	\$1,960	\$4,760	\$9,700
<b><u>Towns</u></b>			
Number of Towns	2	2	2
Amount Collected	\$12,786	\$16,941	\$25,184
Amount Remitted To MMB	\$4,102	\$5,800	\$8,340
<b><u>Total</u></b>			
Total Amount Collected	\$348,912	\$368,121	\$403,375
Total Amount Remitted to MMB	\$108,403	\$120,517	\$131,620

Notes to Table 1: Amounts are rounded to the nearest dollar. The "Amount Remitted to MMB" is the amount local governments reported in response to the OSA's survey. The amounts do not always agree with the data maintained by MMB. The differences in the amounts appear to be based primarily upon timing. For example, amounts remitted to MMB at year-end may not have been received by MMB until the next calendar year.

## Traffic Diversion Programs Operated by Local Governments

The local traffic diversion programs reviewed by the OSA present a patchwork of traffic enforcement practices by local governments in Minnesota. The programs generally have the following characteristics:

- Certain traffic violators are provided the State traffic ticket and a brochure describing a traffic diversion program.
- The traffic diversion program consists of a traffic class offered for a fee.
- Fees for the traffic classes are less than the fines associated with the State traffic ticket.
- With successful completion of the class, a traffic violation is not reported to other government entities and does not appear on the driver's record.
- All revenue collected for the program is retained by the local government(s).<sup>1</sup>
- If the violator does not participate in the class, the State traffic ticket is enforced.

Counties and cities with traffic diversion programs included in the OSA's review are shown in Table 2 below. A map of the local governments with traffic diversion programs included in the OSA's review is found in Figure 1 on the following page. A summary of the individual programs reviewed by the OSA is contained in Appendix 6, page 55.

**Table 2: Counties and Cities with Traffic Diversion Programs Included in the OSA's Review**

**Counties:**

Chippewa	Chisago	Goodhue
Grant	Kandiyohi	Lac qui Parle
McLeod	Meeker	Norman
Red Lake	Renville	Sherburne
Sibley	Wabasha	Wright

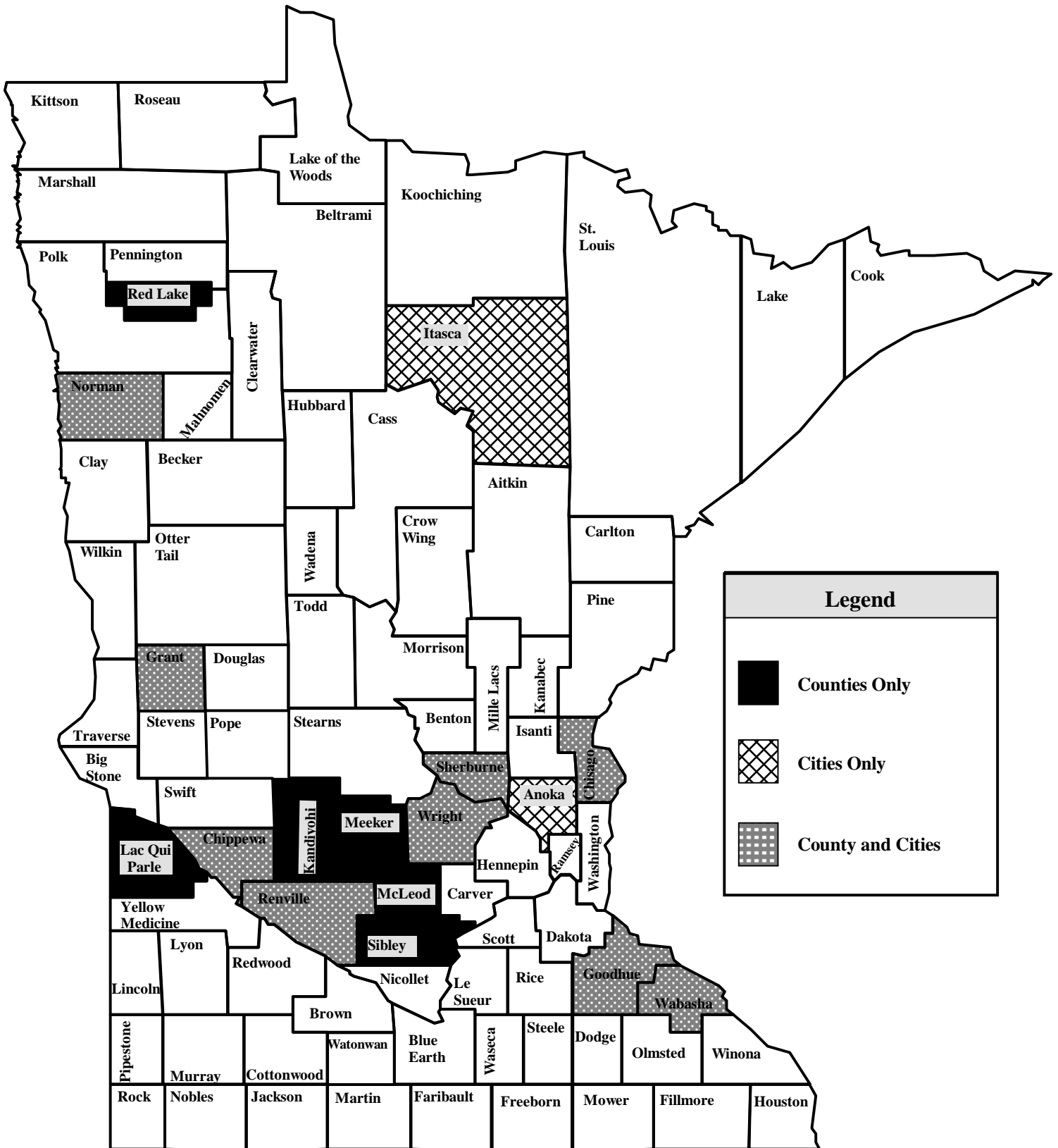
**Cities (and County Where City is Located):**

Ada (Norman)	Ashby (Grant)	Becker (Sherburne)
Big Lake (Sherburne)	Buffalo (Wright)	Centerville (Anoka)
Circle Pines (Anoka)	Clara City (Chippewa)	Coon Rapids (Anoka)
Fairfax (Renville)	Grand Rapids (Itasca)	Howard Lake (Wright)
Lake City (Wabasha)	Lexington (Anoka)	Lino Lakes (Anoka)
North Branch (Chisago)	Plainview (Wabasha)	Red Wing (Goodhue)
Twin Valley (Norman)	Wabasha (Wabasha)	Wyoming (Chisago)

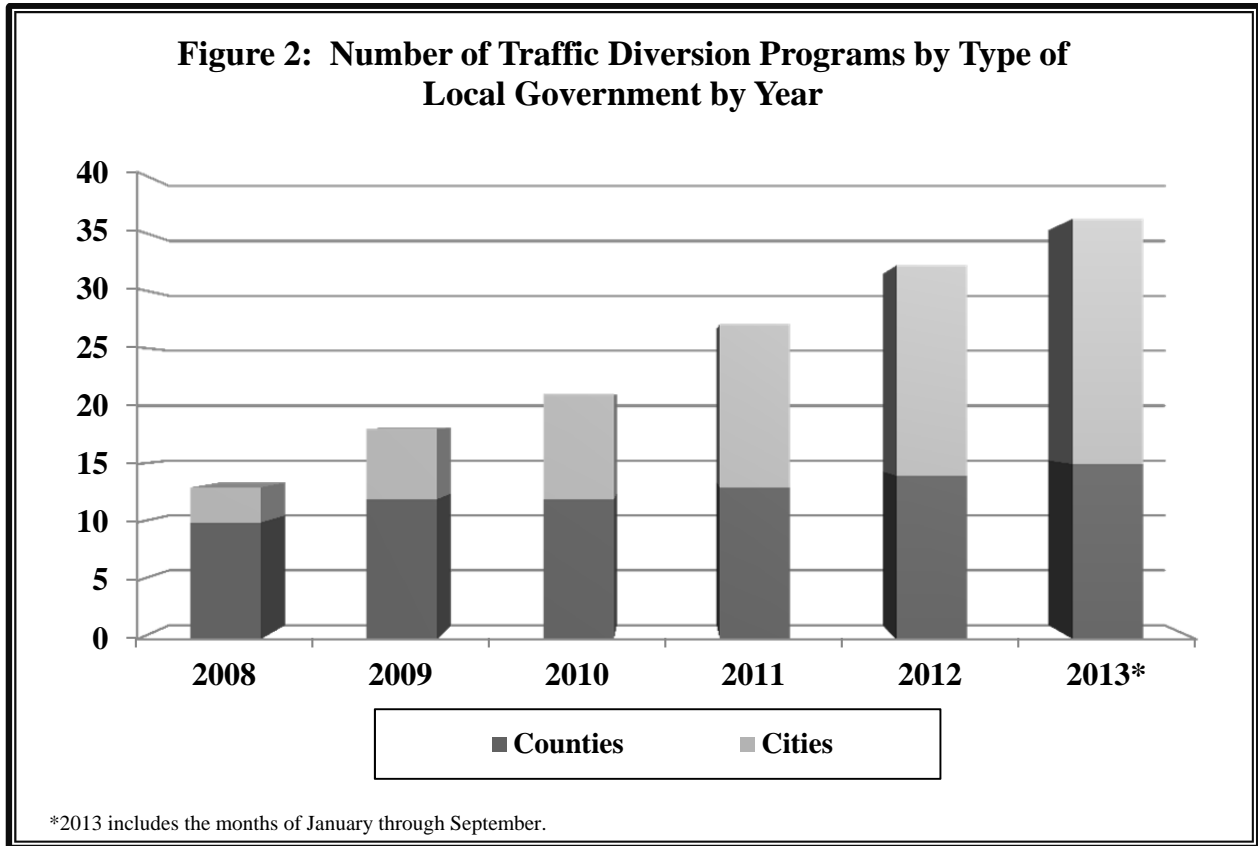
<sup>1</sup> The OSA found two cities during this review, the Cities of Coon Rapids (Anoka County) and Red Wing (Goodhue County), that forward the \$75 surcharge to MMB for each participant in their traffic diversion programs. See Minn. Stat. § 357.021, subd. 6.



**Figure 1: Traffic Diversion Programs Included in the OSA's Review**



The number of local traffic diversion programs is growing, especially in cities, as shown in Figure 2 below and Table 3 on the following page. During its review, the OSA learned that at least four additional local governments are considering the adoption of traffic diversion programs.<sup>73</sup>



<sup>73</sup> The City of Spring Lake Park (Anoka County) anticipates offering an on-line course prior to the end of the year. The Rice County Attorney informed the OSA that Rice County and the Cities of Faribault (Rice County) and Northfield (Rice County) are also considering an on-line course. OSA telephone conversation with Rice County Attorney on Sept. 27, 2013.

**Table 3: Summary of Program Fees Collected for Traffic Diversion Programs by Type of Local Government by Year**

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u> (January – June)
<b><u>Cities</u></b>				
Number of Cities With Traffic Diversion Programs	9	14	18	19
Program Fees Collected	\$133,965	\$214,330	\$262,450	\$150,511
<b><u>Counties</u></b>				
Number of Counties With Traffic Diversion Programs	12	13	14	15
Program Fees Collected	\$370,506	\$333,185	\$343,550	\$124,969
<b><u>Total Fees Collected</u></b>	\$504,471	\$547,515	\$606,000	\$275,480

\*Notes to Table 3: Amounts are rounded to the nearest dollar. Data for individual local governments are found in Appendix 5, page 51, and Appendix 6, page 55. Fees for a city in Renville County are reported under the County’s program; two cities did not begin collecting program fees until after June 2013. One city remits the \$75 surcharge for each program participant out of the program fees collected; another city collects the \$75 surcharge from each program participant in addition to the program fees. Program fees collected in 2013 do not include fees collected by Wabasha County.

### 1. Program Characteristics

The contents of the classes in the traffic diversion programs vary greatly. The classes range from an eight to ten minute on-line class in the City of Grand Rapids to two-hour sessions conducted by law enforcement personnel at the local law enforcement center. At least four additional local governments are considering the adoption of the eight to ten minute on-line class currently used by the City of Grand Rapids.<sup>74</sup> In some programs, the class content may not relate to the violation.

<sup>74</sup> The Cities of Spring Lake Park (Anoka County), Faribault (Rice County), and Northfield (Rice County) and Rice County.

The traffic violations eligible for the programs vary. For speeding violations, some programs have no set limit on the miles per hour (mph) over the speed limit eligible for the program.<sup>75</sup> One program includes speeding violations up to 25 mph over the limit.<sup>76</sup> Other programs include speeding violations up to 20 mph over the limit.<sup>77</sup> Speeding violations are eligible for most programs without regard to the established speed limit where the offense occurred.<sup>78</sup> Seatbelt and texting while driving violations are eligible for some of the programs.<sup>79</sup>

## 2. Additional Local Traffic Diversion Program Findings

The OSA also found the following:

- All of the programs provide that the offense will not appear on the driver's record if the program is successfully completed.
- No central statewide database of participation in the programs exists. Instead, records for participants in a local government's program are maintained locally. While most of the programs limit the number of times a person may participate in the program, there is no mechanism for determining how many times a person may have participated in programs offered by other local governments.
- Some of the programs expressly prohibit participation by a person with a commercial driver's license (CDL), but most do not.<sup>80</sup>
- Fees for the courses range from \$25 to \$125.<sup>81</sup> Three cities using an on-line program set their fees at 90 percent of the Statewide Payables List.<sup>82</sup>

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<sup>75</sup> See, e.g., Lac qui Parle, Norman, Sherburne, and Wright Counties, and City of Becker (Sherburne County) in Appendix 6.

<sup>76</sup> See City of Grand Rapids (Itasca County) in Appendix 6.

<sup>77</sup> See, e.g., McLeod and Sibley Counties, and Cities of Ada and Twin Valley (Norman County) in Appendix 6.

<sup>78</sup> But see Minn. Stat. § 171.12, subd. 6 (the "Dimler Amendment").

<sup>79</sup> See, e.g., Lac qui Parle, Meeker, Renville, Sherburne, Sibley, and Wabasha Counties, and Cities of Becker and Big Lake (Sherburne County), Lake City, Plainview, and Wabasha (Wabasha County) (seatbelt); Wright County and Cities of Buffalo and Howard Lake (Wright County), Grand Rapids (Itasca County), Lino Lakes (Anoka County), and Red Wing (Goodhue County) (seatbelt and texting while driving) in Appendix 6.

<sup>80</sup> Programs that expressly exclude a person with a CDL from participating include: Cities of Centerville, Circle Pines, Coon Rapids, Lexington, and Lino Lakes (Anoka County), Buffalo and Howard Lake (Wright County), and Renville, Sherburne, and Sibley Counties. See Appendix 6. The OSA did not determine as part of this review whether individuals holding a CDL participated in any of the programs.

<sup>81</sup> E.g., Red Lake County (\$25 fee); Cities of Wabasha, Plainview, and Lake City (Wabasha County) and Wabasha County (\$125 fee). See Appendix 6.

<sup>82</sup> See Cities of Centerville, Circle Pines, and Lexington (Anoka County) in Appendix 6.

- Fees for the courses are generally retained by the local government(s). While several of the programs describe themselves as diversion programs, only two of the programs remit the \$75 surcharge to the State. More specifically, the City of Red Wing pays the \$75 surcharge out of the \$100 program fee; the City of Coon Rapids charges (and pays to the State) the \$75 surcharge for traffic offenses using its program in addition to the \$100 program fee.<sup>83</sup>
- Brochures for the programs are provided to drivers along with the uniform traffic ticket. One of the brochures lists the average increase in automobile insurance premiums for a number of common tickets and suggests maintaining a clear driver's record as a "Savings Tip."<sup>84</sup> Copies of the brochures for the programs are included in Appendix 6, page 55.

In addition, the OSA learned that data collected from an adult driver to determine eligibility in a traffic diversion program and submitted to an outside vendor are public data, according to a recent Advisory Opinion by the Minnesota Commissioner of Administration.<sup>85</sup> The public data contained on the driver's license magnetic stripe and submitted to the outside vendor include a driver's height, weight, eye color, birth date, and license number. Because the data would not be transmitted to or from the Minnesota Department of Public Safety, the Advisory Opinion concluded that the Federal Drivers Privacy Protection Act was not applicable.<sup>86</sup>

### **Comparison of Administrative Traffic Citations and Local Traffic Diversion Programs**

The total amount of fees collected in 2010, 2011, and 2012 by local governments for traffic diversion programs (approximately \$1.6 million) exceeds the total amount in fines collected by local governments for administrative traffic citations issued under Minn. Stat. § 169.999 during the same three-year time period (approximately \$1.1 million). The comparison is shown in Figure 3 on the following page. The amount collected in traffic diversion program fees per entity is significantly greater than the amount collected in administrative traffic citation fines per entity.

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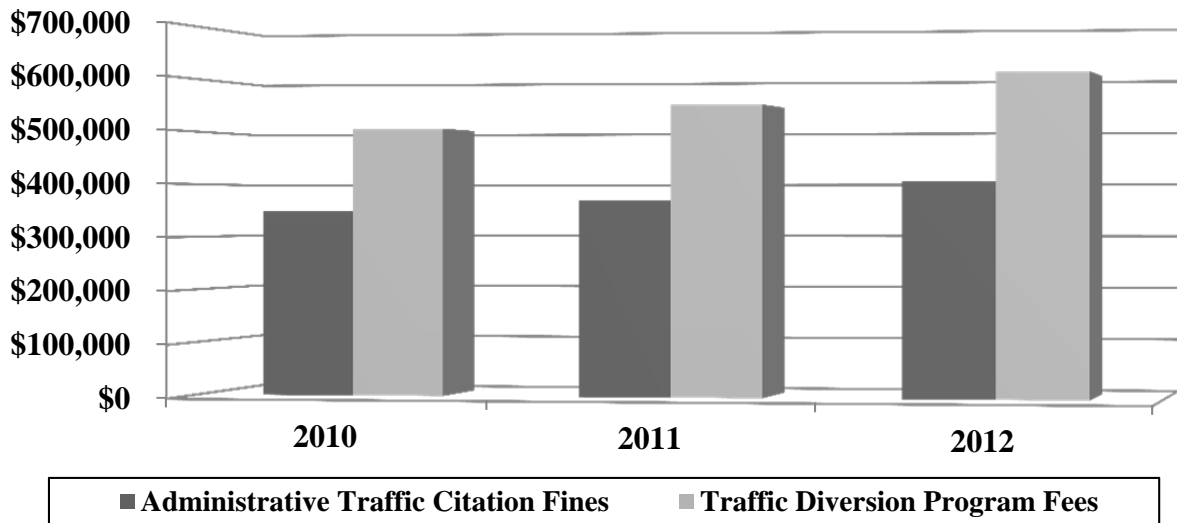
<sup>83</sup> For most petty misdemeanor violations of Chapter 169, the City of Coon Rapids program fee is \$100. The City does not collect the \$75 surcharge for non-traffic offenses using its program.

<sup>84</sup> See City of Grand Rapids Traffic Education Program brochure in Appendix 6.

<sup>85</sup> See Minn. Comm'r of Admin. Advisory Op. 13-013 (Sept. 6, 2013), issued to the City of Spring Lake Park (Anoka County), available at: <http://www.ipad.state.mn.us/opinions/2013/13013.html>. The City did not raise the issue of the data practice status of data from juvenile drivers. The City of Grand Rapids in Itasca County uses the vendor being considered by the Cities of Spring Lake Park, Northfield, and Faribault, and Rice County.

<sup>86</sup> See 18 U.S.C. § 2721 *et seq.* The Act regulates when motor vehicle departments may release driving records and when recipients of motor vehicle department records may share the information with others.

**Figure 3: Administrative Traffic Citation Fines and Traffic Diversion Program Fees by Year**



## Conclusions

The State of Minnesota has long preempted local control of traffic enforcement. This special review documents the increasing use of traffic diversion programs created by local governments. It provides a snapshot of existing programs, and reveals the patchwork of local programs currently controlling traffic enforcement practices in Minnesota.

Minnesota drivers experience vastly different consequences for traffic violations depending upon where the violation occurs. Allowing hundreds of local governments to independently decide which violations to report to the Department of Public Safety threatens the integrity of Minnesota's driving records. Accurate and complete tracking of traffic violations can help remove dangerous drivers from Minnesota's roads.<sup>87</sup>

It is unknown whether commercial drivers in Minnesota have been able to keep traffic violations off their driving records by participating in local traffic diversion programs. Participation of commercial drivers in such programs may put Minnesota at risk of losing federal highway aid and grant funds. In addition, if unsafe drivers, commercially licensed or otherwise, are permitted to operate motor vehicles because their traffic violations were not reported to the Department of Public Safety, the public is put at risk.

Whether local governments should be authorized to design and operate their own traffic diversion programs is a question for the Legislature. If these programs represent good public policy and contribute to the safety of Minnesota's roads, then every local government should be able to implement such a program.

As the Legislature decides whether local governments should be granted the authority to develop and conduct traffic diversion programs, the OSA recommends that the following issues be considered:

### **1) Integrity of Minnesota's Driving Records and Federal Highway Aid and Grant Funds**

Both the administrative traffic citation law and the "Dimler Amendment" establish uniform, statewide criteria for recording offenses on driving records.<sup>88</sup> In contrast, local traffic diversion programs keep various traffic violations, determined at the local level, from being recorded on driving records.

To avoid the loss of federal highway aid and grant funds, Minnesota law expressly prohibits the use of traffic diversion programs by those holding a commercial driver's license or committing a traffic violation in a commercial motor vehicle.<sup>89</sup> All traffic diversion programs must comply with this law or Minnesota risks the loss of federal funds. Only some of the local traffic diversion programs reviewed by the OSA expressly prohibit participation by a person with a commercial driver's license.

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<sup>87</sup> See, e.g., Minn. Stat. § 171.18, subd. 1(a)(4) (license suspensions for habitual violators of the traffic laws).

<sup>88</sup> See Minn. Stat. §§ 169.999, subd. 7, and 171.12, subd. 6.

<sup>89</sup> See Minn. Stat. § 171.163.

## 2) Uniformity in Traffic Enforcement

Current Minnesota law promotes uniform traffic regulation.<sup>90</sup> Instead of fines imposed statewide through the Statewide Payables List, the fees charged for local traffic diversion programs reviewed by the OSA vary among jurisdictions and among offenses. Instead of receiving a uniform traffic ticket, drivers eligible for a local government's traffic diversion program receive the uniform traffic ticket and a brochure that serves as an amendment to the uniform traffic ticket.

## 3) Reporting Requirements

If local traffic diversion programs are authorized, a statewide database of traffic diversion program participants is needed. Current databases of participants are available only to the local government offering the program. In other types of diversion programs authorized by the Legislature, information on program participants is provided to a statewide database available to law enforcement entities.<sup>91</sup> Without such a statewide database for traffic violations, a dangerous driver may attend multiple programs without detection, continue to drive, and avoid serious sanctions.

If these programs are authorized, the Legislature should consider requiring annual reports to be made to the courts and to the Legislature to monitor the use, scope, and effectiveness of local traffic diversion programs. Such reports are required for the pretrial diversion programs authorized by the Legislature for writers of dishonored checks and adult offenders.<sup>92</sup> The Legislature could also require local governments to report the amounts collected through these programs as a separate category on their annual financial reporting forms submitted to the OSA, similar to the requirement for administrative traffic citations.<sup>93</sup>

## 4) Program Standards

Minnesota law requires court-ordered driver improvement clinics to meet standards established by the Commissioner of Public Safety and to be held within 35 miles of the offender's residence.<sup>94</sup> In contrast, existing local traffic diversion programs reviewed by the OSA vary from an eight to ten minute on-line course to live sessions lasting more than two hours conducted by law enforcement personnel at the local law enforcement center, which may well be located more than 35 miles from the offender's residence. There is currently no requirement that the content of the course address the subject matter of the violation. If these programs are authorized, criteria for the programs should be clearly established and implemented statewide.

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<sup>90</sup> See, e.g., Minn. Stat. §§ 169.022; 169.99, subd. 1; and 609.101, subd. 4.

<sup>91</sup> See, e.g., Minn. Stat. §§ 388.24, subd. 4; 401.065, subd. 3a; and 628.69, subd. 6. See also Minn. Stat. §§ 299C.095 and 299C.46, subd. 5.

<sup>92</sup> See Minn. Stat. §§ 401.065, subd. 4, and 628.69, subd. 7.

<sup>93</sup> See Minn. Stat. § 169.999, subd. 8(a).

<sup>94</sup> See Minn. Stat. §§ 169.89, subd. 5, and 169.973. See also Minn. Rules 7411.5700.



## 5) Surcharge and Fee Requirements

The 2009 and 2011 legislative amendments to the \$75 surcharge statute applied the surcharge to everyone who enters a traffic diversion program for a violation of Chapter 169.<sup>95</sup> Many local programs describe themselves as diversion programs, but this review identified only two local governments that remit the \$75 surcharge to the State.<sup>96</sup> If these programs are authorized, the application of the \$75 surcharge to these local traffic diversion programs should be clarified and universally applied.

Fees paid for the local traffic diversion courses reviewed by the OSA are generally retained by the local government(s). No fine is paid to the State. As a result, statutorily-required distributions of traffic fines for specific offenses included in these programs do not occur. The fines do not end up where the Legislature intended. For example, local traffic diversion programs that include seatbelt violations negate the legislative determination that fines for this offense should be directed to the emergency medical services relief account.<sup>97</sup>

In addition, fees paid directly to local law enforcement agencies for traffic violations create public perception issues. For example, the public may suspect that a local “speed trap” is merely a method to increase the revenue for the local police department or government. That suspicion is reinforced when the fee is paid directly to the local law enforcement agency, rather than to the state court system, as is the case with State traffic ticket fines.

The Legislature established a \$50 maximum fee for driver improvement clinics and limited the fees for such clinics to the actual cost of the course.<sup>98</sup> Whether limits should be placed on the fees local governments may charge and retain for local traffic diversion programs is another issue for the Legislature to consider.

## 6) Contracting Authority

No express statutory authority exists for local governments to enter into contracts with third-party vendors for the development and operation of local traffic diversion programs. In contrast, local governments have express statutory authority to contract with third-party vendors for the DAS/DAR pilot and the dishonored check diversion programs.<sup>99</sup> If these programs are authorized, the Legislature should determine whether express authority to contract for the operation of a local traffic diversion program is warranted.

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<sup>95</sup> See Minn. Stat. § 357.021, subd. 6(f).

<sup>96</sup> See Cities of Coon Rapids (Anoka County) and Red Wing (Goodhue County).

<sup>97</sup> See Minn. Stat. § 169.686, subd. 3.

<sup>98</sup> See Minn. Stat. § 169.972, subd. 2.

<sup>99</sup> See 2009 Minn. Laws Chap. 59, art. 3 § 4, subd. 3 (DAS/DAR diversion pilot program authority to contract) and Minn. Stat. § 628.69, subd. 2 (dishonored check diversion program authority to contract).

## 7) Data Practice Status of Driver Data

Data collected from an adult driver to determine eligibility in a traffic diversion program that are submitted to an outside vendor are public data.<sup>100</sup> It is unclear whether the data remain public if the driver is found to be ineligible for or fails to complete the program, resulting in the subsequent transfer of data to the Minnesota Department of Public Safety. If these programs are authorized, the data practice status of any information collected by local governments during the operation of these diversion programs should be clarified by the Legislature.

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<sup>100</sup> See Minn. Comm'r of Admin. Advisory Op. 13-013 (Sept. 6, 2013), issued to the City of Spring Lake Park, available at: <http://www.ipad.state.mn.us/opinions/2013/13013.html>.

## **APPENDIX 1**

**LETTER FROM ASSISTANT ATTORNEY GENERAL  
KENNETH E. RASCHKE, JR., TO MINNESOTA STATE  
REPRESENTATIVE STEVE SMITH (DEC. 1, 2003)**

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# STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

MIKE HATCH  
ATTORNEY GENERAL

December 1, 2003

SUITE 1800  
445 MINNESOTA STREET  
ST. PAUL, MN 55101-2134  
TELEPHONE: (651) 297-2060

The Honorable Steve Smith  
State Representative  
Minnesota House of Representatives  
2710 Clare Lane  
Mound, MN 55364

Dear Representative Smith:

Thank you for your correspondence of October 30, 2003 concerning the legality of certain municipal programs which impose administrative penalties upon persons violating state laws and local ordinances.

## FACTS AND BACKGROUND

You provided with your letter examples of city ordinances and explanatory materials from both home-rule and statutory cities describing "administrative offense" procedures established by those cities.

Most of the procedures are similar in several respects:

1. They are intended to provide an "informal, cost-effective and expeditious alternatives" to traditional prosecutions for certain minor offenses.
2. The covered offenses include violations of the state traffic code (Minn. Stat. Ch. 169) and conforming local ordinances, other statutory offenses such as illegal fireworks (Minn. Stat. Ch. 524), disturbing the peace (Minn. Stat. § 609.72) and shoplifting (Minn. Stat. § 609.52), and conduct regulated solely by local ordinances such as curfew violations, failure to mow lawns and alcohol consumption in public parks.
3. They purport to be "voluntary" in that persons charged can elect to be prosecuted under the normal misdemeanor or petty misdemeanor process instead.
4. They include a schedule of monetary penalties for specified offenses. The penalties are often lower than those normally imposed by courts for similar offenses.
5. All money collected as administrative penalties is retained by the city.

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The Honorable Steve Smith

December 1, 2003

Page 2

6. None apparently provide for reporting any information to other governmental agencies concerning persons "convicted" of, or admitting, violations.
7. Failure to pay the city's administrative penalty results in the city's pursuing a normal misdemeanor or petty misdemeanor prosecution in the courts.

Some of the programs provide alleged offenders a means to challenge the imposition of administrative penalties by way of a hearing conducted by a local official or appointed panel. Others provide that a challenge to the civil penalty will result in the filing of the pertinent misdemeanor or petty misdemeanor charge in court.

You also enclosed information concerning a diversion program employed by one city whereby local peace officers have the option of "holding" citations for certain traffic offenses to give violators an opportunity to complete an eight-hour traffic safety course for which the violator must pay \$75. If the violator completes the course within 21 days, the citation is "torn up."

Cities have cited the need for increased revenues, along with frustration over the time and resources required for court prosecutions, and the results achieved thereby, as reasons for creating their own enforcement programs. You note that the State Auditor has recently expressed her views questioning the authority of cities to adopt such procedures.

Based upon this information, you ask the following questions.

1. Is it permissible for a local governmental unit to issue, for an act that would be the equivalent of a misdemeanor, gross misdemeanor, or felony under state law, an administrative citation that provides a penalty substantially below that which would be imposed for a violation of the comparable statute?
2. Does state law preempt county or statutory or home rule charter city ordinances or policies that allow local law enforcement to assess administrative sanctions in lieu of, in addition to, or as an alternative to a citation for a state traffic law violation?
3. Do local administrative procedures and sanctions conflict with state laws intended to punish repeat traffic violators such as Minn. Stat. § 169.89, subd. 1, and § 171.18 (2002)?
4. Does state law preempt county ordinances, statutory city ordinances, or home-rule city ordinances that allow traffic offenders to attend a driver-safety diversion program in lieu of being charged with a petty misdemeanor traffic citation? Are such ordinances or policies in conflict with state law?

5. Do local administrative hearing procedures deny alleged ordinance violators any of their constitutionally protected due process or equal protection rights?
6. Do local administrative hearing procedures violate the principle of separation of powers between the executive branch and the judicial branch by infringing on the district court's original jurisdiction?

Our analysis of these issues is set forth below.

#### LAW AND ANALYSIS

As a preliminary matter, this Office does not render opinions on hypothetical questions, conduct general reviews of local enactments or proposals to identify possible legal issues or evaluate the constitutionality of legislative enactments. See Op. Atty. Gen. 629a, May 9, 1975. Consequently, we are unable to render definitive opinions that fully address the complete range of issues implicit in your questions. We can, however, offer the following comments which we hope will be helpful to the committee in its deliberations.

First, as you probably know, cities, as subdivisions of the state, have only those powers that are expressly granted by statute or charter, or are reasonable and necessary to implementation of such express powers. See, e.g., *County Joe, Inc. v. City of Eagan*, 560 N.W.2d 681 (Minn. 1997).

Second, in the exercise of their general express or implied powers, cities may not establish programs or procedures that are incompatible with state statutes or address areas of the law that have been preempted by state law either expressly or by implication. See, e.g., *LaCrescent Twp v. City of LaCrescent*, 515 N.W.2d 608 (Minn. Ct. app. 1994); *Northwest Residence v. City of Brooklyn Park*, 352 N.W.2d 764 (Minn. Ct. App. 1984). This principle applies notwithstanding the broad powers of self-government generally exercised under home-rule charters. As noted by the Court in *State ex rel. Town of Lowell v. City of Crookston*, 202 Minn. 526, 91 N.W.2d 81 (1958):

The power conferred upon cities to frame and adopt home rule charters is limited by the provisions that such charter shall always be in harmony with and subject to the constitution and laws of the state.

*Id.* at 528, 91 N.W.2d at 83.

In general, (a) direct conflict occurs when "the ordinance and the statute contain express or implied terms that are irreconcilable;" (b) more specifically, an ordinance conflicts with state law if it "permits what the statute forbids;" (c) similarly, there is conflict if the ordinance "forbids what the statute expressly permits;" and (d) "no conflict exists where the ordinance, though different, is merely additional and complementary to or in aid and furtherance of the statute."

*Mangold Midwest Co. v. Village of Richfield*, 274 Minn. 347, 352, 143 N.W.2d 813, 816-17 (1966) (citations omitted).

In evaluating whether an area of law has been preempted by the legislature, the courts will consider: (1) the subject matter regulated; (2) whether the subject matter is so fully covered by state law that it has become solely a matter of state concern; (3) whether any partial legislation on the subject matter evinces an intent to treat the subject matter as being solely a state concern; and (4) whether the nature of the subject matter is such that local regulation will have an adverse effect on the general state population. See *Mangold Midwest* at 358, 243 N.W.2d 813, 820.

Third, both statutory and charter cities have substantial authority to enact regulatory ordinances, see, e.g., Minn. Stat. § 412.221 (2002), and to fix penalties for violations. See, e.g., Minn. Stat. § 412.231 (2002), which provides:

The council shall have the power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefore. No such penalty shall exceed a fine of \$700 or imprisonment in a city or county jail for a period of 90 days, or both, but in either case the costs of prosecution may be added.

Fourth, the legislature has, however, prescribed in detail the procedures for prosecution of penal offenses. For example, Minn. Stat. § 487.25, subd. 1 (2002) states:

Subdivision 1. **General.** Except as otherwise provided in sections 487.01 to 487.38 but subject to the provisions of section 480.059 [Supreme Court authorized to promulgate rules governing criminal procedure], pleading, practice, procedure, and forms in actions or proceedings charging violation of a criminal law or a municipal ordinance, charter provision, or rule are governed by the rules of criminal procedure.

(Emphasis added). Subdivision 10 of that section allocates the authority and responsibility for prosecution of various offenses. In general, city ordinance violations, petty misdemeanors, and misdemeanors occurring within a city must be prosecuted by city attorneys, while felonies and most gross misdemeanors must be prosecuted by county attorneys. Minn. Stat. § 487.25, subd. 10 (2002).

With the above principles in mind, we turn your specific questions.

1. Given the extent and detail of legislation addressing statutory criminal offenses and prosecution procedures set forth in Minn. Stat. chs. 169 and 609 through 634, it is clear that the state has preempted the field with respect to the offenses and procedures defined in those statutes. Consequently, while cities are empowered to regulate conduct in areas of local interest and to supplement statutory regulations in many areas, cf., *Hannan v. City of Minneapolis*, 623 N.W.2d 281 (Minn. Ct. App. 2001), they may not, in our view, redefine the nature or level of



criminal offenses as specified by statute or modify statutory procedures for enforcement or penalties for an offense.

Further, as you know, city councils are not normally authorized to direct the conduct of county or state law enforcement officers. It is not consistent with state public policy for a public official to direct or urge that city peace officers not enforce the law of the state to the best of their judgment and ability. In addition, while law enforcement officials and prosecutors exercise substantial discretion in making arrest and charging decisions, those decisions should be made on a case-by-case basis in terms of factors pertaining to the evidence, the culpability of the offender and the nature of the offense rather than, for example, the offender's willingness to make a payment directly to the city.

2. In the specific case of traffic offenses, the legislature has plainly preempted the field of enforcement. Minn. Stat. § 169.022 (2002) provides:

The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may adopt traffic regulations which are not in conflict with the provisions of this chapter; provided, that when any local ordinance regulating traffic covers the same subject for which a penalty is provided for in this chapter, then the penalty provided for violation of said local ordinance shall be identical with the penalty provided for in this chapter for the same offense.

In *State v. Hoben*, 256 Minn. 436, 98 N.W.2d 813 (1959), the court affirmed the preemptive nature of state statutes in this area follows:

The fact that the municipality is given authority to adopt such an ordinance does not change the nature and quality of the offense. As we interpret § 169.03, it was the intention of the legislature that the application of its provisions should be uniform throughout the state both as to penalties and procedures, and requires a municipality to utilize state criminal procedure in the prosecution of the act covered by § 169.03. It would be a strange anomaly for the legislature to define a crime, specify punishment therefore, provide that its application shall be uniform throughout the state, and then permit a municipality to prosecute that crime as a civil offense.

*Id.* at 444, 98 N.W.2d at 819. See also Minn. Stat. §§ 169.91 and 169.99 (2002) which specify the procedures to be followed by peace officers in connection with arrest of traffic violators, and the uniform form of traffic ticket, having the effect of a summons and complaint, which must be used by all peace officers. Consequently, while cities are granted specific authority to exercise

The Honorable Steve Smith

December 1, 2003

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certain regulatory control of streets and roads within their boundaries, they are plainly precluded from creating their own enforcement systems inconsistent with those prescribed by statute.

3. Given our response to the second question, it is unnecessary to address whether local administrative enforcement systems conflict with state laws in the particular matter of providing for keeping records of traffic violations. It is likely, however, that the need for uniform and consistent implementation of such programs is one reason for the strong legislative assertion of state preemption in the area of traffic regulation.

4. A number of Minnesota statutes and criminal procedure rules make a provision for pre-trial, or presentencing, "diversion" programs. See, e.g. Minn. Stat. §§ 388.24, 401.065 (2002), 628.69, 30.03, Minn. R. Crim. Proc. Rule 27.05. In particular, in the case of a traffic violation, Minn. Stat. § 169.89, subd. 5 authorizes a trial court to require, as part of or in lieu of other penalties, that convicted persons attend a driver improvement clinic. All such programs, however, require that a *trial court* make the determination as to whether attendance at such a clinic is appropriate. We are aware of no express authority for local officials to create a *pretrial* diversion program.

5. For the reasons set forth in Op. Atty. Gen. 629a, May 9, 1975, the Attorney General's Office does not generally address the constitutionality of statutes or governmentally established procedures. Thus, we are unable to determine the constitutional validity of various administrative "hearing procedures" that might be established by cities.

I note, however, based on the materials you submitted, the majority of the local administrative penalty provisions do not appear to provide for any administrative hearing process at all. Rather, they state that persons who contest their liability or refuse to pay the assessed penalty or complete the required training will be charged through the normal judicial channels. It appears that all the programs to which you refer are entirely voluntary in that the accused may withdraw from the process at any time prior to payment of the city penalty. Given the elective nature of these processes, it is likely that the due process rights of the accused are not jeopardized.

6. Likewise, a completely voluntary process would not appear to offend the separation of powers principles embodied in the constitution or to encroach upon the judicial function. In *Holmberg v. Holmberg*, 588 N.W.2d 720 (Minn. 1999), the court indicated that evaluation of administrative hearing schemes under the separation of powers doctrine involves consideration of, *inter alia* existence of adequate judicial checks, appealability and voluntariness of entry into the administrative process. *Id.* at 725. Furthermore, as the court pointed out in concluding that the role of the administrative board was not judicial in nature in *Meath v. Harmful Substance Compensation Board*, 550 N.W.2d 275 (1996):

The Honorable Steve Smith

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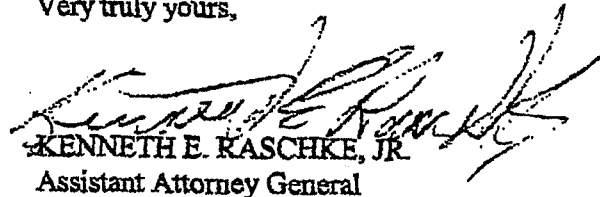
Page 7

The claimant makes no election of remedies by bringing a claim to the board; the only purpose of the board's investigation or hearing is to provide the claimant the opportunity to prove eligibility for an award. The board's decision is not only unenforceable but, in fact, decides nothing except whether to make the claimant an offer of compensation. If the board makes no offer or if the claimant considers the offer inadequate, the claimant has the option of turning his or her back on the board's treatment of the claim. The claimant, unencumbered by the board's response, which is inadmissible in a civil action, can then commence a civil action against the person or persons alleged to be responsible for the claimant's injury.

*Id.* So long as a citizen is not legally bound by the city's action until he or she accepts the city's "offer" by payment of the specified penalty, the procedures described would not likely be found to impermissibility encroach upon judicial functions.

I hope these comments are helpful to you and to the Committee.

Very truly yours,



KENNETH E. RASCHKE, JR.  
Assistant Attorney General

(651) 297-1141 (Voice)

(651) 297-1235 (Fax)

AG: #945560-v1

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## **APPENDIX 2**

### **OFFICE OF THE STATE AUDITOR'S STATEMENT OF POSITION ON ADMINISTRATIVE CITATIONS FOR TRAFFIC VIOLATIONS**

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REBECCA OTTO  
STATE AUDITOR

## STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500  
525 PARK STREET  
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)  
(651) 296-4755 (Fax)  
state.auditor@osa.state.mn.us (E-mail)  
1-800-627-3529 (Relay Service)

### **Statement of Position Administrative Citations for Traffic Violations**

Before the 2009 Minnesota Legislative session, both the Office of the State Auditor and the Minnesota Attorney General's Office had taken the position that local governments in Minnesota lacked authority to issue administrative fines for traffic offenses. Some local governments, however, had implemented administrative penalty programs to enforce traffic laws.

The legislature clarified this issue in 2009, and enacted section 169.999 of Minnesota Statutes. This statute, among other things, provides the authority for local governments to implement an administrative citation program, identifies the procedures that must be followed to implement an administrative citations program, and provides a limited list of covered violations.

#### **Resolution Required**

The law requires that the governing board of a local unit of government pass a resolution before implementing an administrative citation program. The resolution must:

- authorize issuance of administrative citations;
- obligate the local unit of government to provide a neutral third party to hear and rule on challenges to administrative citations; and
- bar peace officers from issuing administrative citations in violation of the new law.

Local units of government that had administrative penalty programs for traffic violations in place before the law was enacted had to bring their programs into compliance with current law. The law requires local units of government to notify the Commissioner of Public Safety after they pass the required resolution.

#### **A Limited List of Covered Offenses**

The statute limits the violations for which a peace officer may issue an administrative citation. The violations are limited to:

Reviewed: November 2012  
Revised: November 2012

2007-1002

This Statement of Position is not legal advice and is subject to revision.

An Equal Opportunity Employer

- Speeding under ten miles per hour over the lawful speed limit;
- Failing to obey a stop line; or
- Operating a vehicle in violation of one or more safety or equipment-related standards.<sup>1</sup>

### **Uniform Administrative Citation**

The law requires the use of the uniform administrative citation prescribed by the Commissioner of Public Safety. The uniform administrative citation includes notice that the person has the right to contest the citation. An administrative citation may not be issued to someone who has a commercial driver's license or to a driver of a commercial vehicle.

### **Right to Contest an Administrative Citation**

A local unit of government implementing an administrative citation program must provide a civil process for a person to contest the administrative citation, and the peace officer who issues the administrative citation must inform the vehicle operator of his or her right to contest the citation. The person must be allowed to challenge the citation before a neutral third party. The local unit of government may employ a person to hear and rule on challenges, or may contract with another local unit of government or a private entity to provide the service.

### **Amount, Distribution and Use of the Fine**

The statute sets the fine payable for an administrative violation at \$60. Two-thirds of this amount (\$40) must be credited to the general revenue fund of the local unit of government that employs the peace officer who issued the citation, and one-third (\$20) must be transferred to the Commissioner of Management and Budget (MMB) for deposit in the state general fund. If a state trooper issues the administrative citation, the state general fund receives \$40,<sup>2</sup> and the local unit of government that collects the fine and provides the hearing officer receives \$20.

A local unit of government receiving administrative fines must use at least one-half of the funds for law enforcement purposes. These funds "must be used to supplement but not supplant any existing law enforcement funding."

### **Reporting**

A county, city, or town that employs a peace officer to issue administrative citations and collects administrative fines must include the total amount collected as a separate

<sup>1</sup> See Minn. Stat. §§ 169.46-.68, and 169.69-.75 (identifying primarily safety and equipment-related violations).

<sup>2</sup> The League of Minnesota Cities publishes the form used in remitting funds to MMB, and has additional information on this topic, in the "Administrative Traffic Citations Tool Kit," which can be downloaded at: <http://www.lmc.org/media/document/1/adminfinestoolkit.pdf>.



category in any financial report, summary, or audit. The State Auditor will annually report administrative fines collected by local units of government to the Commissioner of Public Safety.

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## **APPENDIX 3**

**DRIVER IMPROVEMENT CLINICS APPROVED BY  
THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY**

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MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
DRIVER AND VEHICLE SERVICES  
445 Minnesota St., Saint Paul, MN 55101  
Phone: (651) 201-7626 TTY: (651) 282-6555  
Fax: (651) 296-5316  
dvs.dps.mn.gov

## DWI/DIC Clinics

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The following organizations have been approved to offer a DWI or Driver Improvement Clinic in Minnesota.

### **Anoka County**

Sharon Clair, Administrator  
Anoka County Community Corrections  
DWI Clinic  
3300 4<sup>th</sup> Ave.  
Anoka, MN 55303  
(763) 712-2209

Timothy White, Administrator  
Moving Forward Assessment Services  
DWI Clinic #110A  
8445 Center Dr.  
Spring Lake Park, MN 55432  
(763) 355-5092

### **Cass County**

Steven T. Johnson, Administrator  
Lakes Area DWI Clinic  
DWI Clinic #70A  
1632 Townline Lane  
Longville, MN 56655-3070  
(218) 363-3799

### **Douglas County**

John M. Heydt, Administrator  
DWI Clinic #65A  
The Exchange  
1110 Douglas St.  
Alexandria, MN 56308  
(320) 760-5120

### **Goodhue County**

Robert Glasenapp, Administrator  
Goodhue County Mental Health Center  
DWI Clinic #58A  
426 West Ave.  
Red Wing, MN 55066  
(651) 385-6180

### **Itasca County**

Northland Recovery Center  
DWI Clinic  
1215 SE 7<sup>th</sup> Ave.  
Grand Rapids, MN 55744  
(218) 327-1105

### **Kandiyohi County**

Rick Lee, Administrator  
Woodland Centers  
DWI Clinic #55A  
1125 SE 6<sup>th</sup> St., P.O. Box 787  
Willmar, MN 56201  
(320) 235-4613

### **Olmsted County**

Judith Eichman Schleich, Director  
Zumbro Valley Mental Health Center  
DWI Clinic #35A  
343 Wood Lake Dr. SE  
Rochester, MN 55904  
(507) 281-6248

### **Ottertail County**

Mary Matteson, Director  
DWI Clinic #28A  
ISD 544 Community Education  
117 W Washington Ave.  
Fergus Falls, MN 56537  
(218) 998-0544 ext. 1600

### **Redwood County**

Scott Gilsrud, Administrator  
Southwest Health and Human Services  
DWI Clinic #40A  
P.O. Box 510  
Redwood Falls, MN 56283  
(507) 637-4050

### **Roseau County**

David E. Anderson, Administrator  
Roseau County Social Services  
DWI Clinic #60A  
208 6<sup>th</sup> St. SW  
Roseau, MN 56751  
(218) 463-2411

### **Stearns-Benton-Sherburne Counties**

Tiffany Litchy, Administrator  
Central Minnesota Mental Health Center  
DWI Clinic #31A  
1321 N 13<sup>th</sup> St.  
St. Cloud, MN 56303  
(320) 252-5010

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## **APPENDIX 4**

### **ADMINISTRATIVE TRAFFIC CITATION FINES COLLECTED BY LOCAL GOVERNMENTS PURSUANT TO MINN. STAT. § 169.999 BY YEAR (BY TYPE OF LOCAL GOVERNMENT)**

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## Appendix 4: Administrative Traffic Citation Fines Collected by Local Governments Pursuant to Minn. Stat. § 169.999 by Year

Administrative Traffic Citations Pursuant to Minn. Stat. § 169.999 - Cities									
City	County	2011 Population	Amount Collected			Amount Remitted to MMB			Resolution Sent to Public Safety
			2012	2011	2010	2012	2011	2010	
Ada	Norman	1,710	\$ -	\$ 780.00	\$ 1,080.00	\$ -	\$ 520.00	\$ -	No
Adams	Mower	792	1,380.00	1,680.00	1,440.00	-	480.00	160.00	Yes
Amboy/Vernon Center*	Blue Earth	864**	5,280.00	9,240.00	-	1,760.00	3,080.00	-	Yes
Amandale	Wright	3,280	4,550.00	500.00	200.00	1,560.00	200.00	-	Yes
Arden Hills^	Ramsey	9,381	23,520.00	18,240.00	-	7,840.00	6,080.00	-	Yes
Atwater	Kandiyohi	1,131	820.00	1,415.00	845.00	-	-	-	No
Backus	Cass	246	480.00	-	-	160.00	-	-	No
Bemidji	Beltrami	13,528	7,141.00	10,525.39	9,256.64	2,380.33	3,517.48	2,216.80	No
Buffalo	Wright	15,580	7,860.00	11,100.00	7,080.00	3,440.00	5,220.00	-	Yes
Buffalo Lake	Renville	723	-	-	40.00	-	-	-	Yes
Cambridge	Isanti	8,194	9,460.00	25,820.00	37,680.00	3,140.00	8,480.00	12,540.00	No
Dawson	Lac qui Parle	1,533	4,380.00	5,040.00	5,880.00	1,260.00	1,820.00	1,960.00	Yes
Deer Creek	Otter Tail	323	1,620.00	-	-	220.00	-	-	No
Deer River	Itasca	929	-	-	300.00	-	-	-	Yes
Eagle Bend	Todd	532	8,580.00	7,500.00	10,440.00	2,860.00	2,500.00	3,480.00	Yes
Frazee	Becker	1,363	-	40.00	4,050.00	-	-	-	Yes
Gem Lake^	Ramsey	393	4,920.00	3,300.00	2,281.83	1,640.00	1,100.00	760.61	Yes
Goodview	Winona	4,057	600.00	2,100.00	2,580.00	-	-	-	Yes
Grand Meadow	Mower	1,147	360.00	1,320.00	360.00	120.00	440.00	120.00	Yes
Grand Rapids	Itasca	10,879	19,320.00	18,620.00	15,710.00	6,440.00	6,140.00	5,280.00	Yes
Hill City	Aitkin	643	2,690.00	420.00	780.00	660.00	140.00	240.00	Yes
Hokah	Houston	576	360.00	900.00	240.00	180.00	260.00	40.00	Yes
Isanti	Isanti	5,286	5,650.00	4,920.00	13,740.00	1,920.00	1,640.00	4,580.00	Yes
Isle	Mille Lacs	765	600.00	1,320.00	420.00	480.00	340.00	-	Yes
Lake Shore	Cass	1,005	1,980.00	2,280.00	2,460.00	-	-	-	No
Little Canada^	Ramsey	9,839	30,960.00	28,680.00	20,533.14	10,320.00	9,560.00	6,844.38	Yes
Lowry	Pope	296	1,080.00	420.00	-	500.00	-	-	Yes
Madison Lake	Blue Earth	1,033	23,640.00	15,120.00	22,140.00	7,880.00	5,040.00	7,380.00	Yes
Mapleton	Blue Earth	1,761	2,940.00	4,020.00	3,000.00	980.00	1,340.00	1,000.00	Yes
Milaca	Mille Lacs	2,944	2,520.00	-	-	840.00	-	-	Yes
Montevideo	Chippewa	5,360	9,660.00	7,140.00	5,160.00	3,220.00	2,380.00	1,720.00	Yes
Montgomery	Le Sueur	2,952	60.00	300.00	-	-	-	-	Yes
New York Mills	Otter Tail	1,195	4,380.00	960.00	180.00	1,120.00	100.00	-	Yes
North Oaks^	Ramsey	4,539	7,200.00	8,400.00	7,445.40	2,400.00	2,800.00	2,481.80	Yes
Paynesville	Stearns	2,434	2,400.00	2,280.00	4,140.00	800.00	760.00	1,380.00	No
Pequot Lakes	Crow Wing	2,176	-	-	12,600.00	-	-	4,200.00	Yes
Perham	Otter Tail	2,995	5,940.00	-	-	1,980.00	-	-	Yes
Pillager	Cass	466	180.00	540.00	780.00	60.00	440.00	-	No
Pine River*	Cass	940	11,460.00	540.00	-	3,820.00	180.00	-	Yes
Proctor	Saint Louis	3,058	1,500.00	840.00	1,800.00	-	-	-	Yes
Rochester	Olmsted	107,630	1,400.00	3,240.00	8,700.00	700.00	1,620.00	4,350.00	Yes
Sartell	Stearns	15,963	1,260.00	240.00	1,560.00	420.00	80.00	520.00	No
Sebeka	Wadena	708	-	1,020.00	1,620.00	340.00	620.00	-	Yes
Shoreview^	Ramsey	25,118	46,380.00	47,760.00	36,969.35	15,460.00	15,920.00	12,323.10	Yes
St. James	Watonwan	4,597	4,140.00	4,080.00	4,080.00	-	1,360.00	1,360.00	Yes
Starbuck	Pope	1,297	1,260.00	660.00	-	420.00	220.00	-	Yes
Tyler	Lincoln	1,130	1,050.00	2,700.00	-	2,280.00	-	-	Yes
Vadnais Heights^	Ramsey	12,393	29,880.00	26,820.00	21,074.16	9,960.00	8,940.00	7,024.72	Yes
Verndale	Wadena	601	-	4,140.00	10,020.00	-	1,440.00	3,220.00	Yes
Wadena	Wadena	4,014	910.00	1,850.00	1,720.00	60.00	280.00	460.00	Yes
West Concord	Dodge	785	1,620.00	1,560.00	2,820.00	540.00	520.00	940.00	Yes
White Bear Lake	Ramsey	23,820	17,520.00	15,660.00	9,480.00	5,840.00	5,220.00	3,160.00	No
Wyoming	Chisago	7,796	22,740.00	26,500.00	38,000.00	7,580.00	9,180.00	12,600.00	Yes
<b>Total for Cities:</b>			\$ 343,631.00	\$ 332,530.39	\$330,685.52	\$113,580.33	\$ 109,957.48	\$ 102,341.41	

Sources: Local government responses to OSA's surveys for amounts collected and amounts remitted to MMB; population estimates from Minnesota State Demographic Center; Department of Public Safety for resolution information.

\*Police departments submitted the funds to MMB.

^Citations issued by Ramsey County Sheriff's Office on city's behalf.

\*\* Population of two cities combined.

Note: Amounts collected may be less than \$60 per citation because: 1) the matter went into collections; or 2) the city charged less than \$60 per citation. Amounts sent to MMB each year may be other than 1/3 the amount of the citations that year because: 1) timing issues (e.g., 2010 amount remitted in 2011); or 2) an omission by the city.

## Appendix 4: Administrative Traffic Citation Fines Collected by Local Governments Pursuant to Minn. Stat. § 169.999 by Year (continued)

<b>Administrative Traffic Citations Pursuant to Minn. Stat. § 169.999 - Counties</b>								
County*	2011 Population	Amount Collected			Amount Remitted to MMB			Resolution Sent to Public Safety
		2012	2011	2010	2012	2011	2010	
Big Stone	5,240	\$ 6,660.00	\$ 2,640.00	\$ 1,790.00	\$ -	\$ -	\$ 600.00	No
Isanti	38,209	26,640.00	12,600.00	-	8,880.00	4,200.00	-	Yes
Morrison	33,212	1,260.00	3,410.00	3,650.00	820.00	560.00	1,360.00	No
<b>Total for Counties:</b>		\$ 34,560.00	\$ 18,650.00	\$ 5,440.00	\$ 9,700.00	\$ 4,760.00	\$ 1,960.00	

Sources: Local government responses to OSA's surveys for amounts collected and amounts remitted to MMB; population estimates from Minnesota State Demographic Center; Department of Public Safety for resolution information.

\*Amounts collected by Ramsey County Sheriff's Office on behalf of contracting cities are listed under the cities.

Note: Amounts collected may be less than \$60 per citation because: 1) the matter went into collections; or 2) the county charged less than \$60 per citation. Amounts sent to MMB each year may be other than 1/3 the amount of the citations that year because: 1) timing issues (e.g., 2010 amount remitted in 2011); or 2) an omission by the county.

<b>Administrative Traffic Citations Pursuant to Minn. Stat. § 169.999 - Towns</b>									
Town	County	2011 Population	Amount Collected			Amount Remitted to MMB			Resolution Sent to Public Safety
			2012	2011	2010	2012	2011	2010	
Paynesville	Stearns	1,431	\$ 944.00	\$ 500.00	\$ 900.00	\$ 260.00	\$ 320.00	\$ 140.00	No
White Bear <sup>^</sup>	Ramsey	10,966	24,240.00	16,441.00	11,886.11	8,080.00	5,480.00	3,962.04	Yes
<b>Total for Towns:</b>			\$25,184.00	\$16,941.00	\$12,786.11	\$8,340.00	\$5,800.00	\$4,102.04	

Source: Local government responses to OSA's surveys for amounts collected and amounts remitted to MMB; population estimates from Minnesota State Demographic Center; Department of Public Safety for resolution information.

<sup>^</sup>Citations issued by Ramsey County Sheriff's Office on Town's behalf.

Note: Amounts collected may be less than \$60 per citation because: 1) the matter went into collections; or 2) the town charged less than \$60 per citation. Amounts sent to MMB each year may be other than 1/3 the amount of the citations that year because: 1) timing issues (e.g., 2010 amount remitted in 2011); or 2) an omission by the town.

## **APPENDIX 5**

### **PROGRAM FEES COLLECTED FOR TRAFFIC DIVERSION PROGRAMS BY LOCAL GOVERNMENT BY YEAR (BY TYPE OF LOCAL GOVERNMENT)**

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## Appendix 5: Program Fees Collected for Traffic Diversion Programs by Local Government by Year

<b>Traffic Diversion Programs - Cities</b>							
City	County	2011 Population	Program Fees Collected				Year Program Began (Month if 2012 or 2013)
			January - June 2013	2012	2011	2010	
Ada	Norman	1,710	\$ 750.00	\$ 1,600.00	N/A	N/A	2012 (April)
Ashby	Grant	448	-	65.00	845.00	715.00	2007
Becker	Sherburne	4,581	3,995.00	7,600.00	4,800.00	N/A	2011
Big Lake	Sherburne	10,164	5,925.00	2,700.00	N/A	N/A	2012 (October)
Buffalo	Wright	15,580	4,200.00	6,600.00	7,800.00	3,825.00	2009
Centerville	Anoka	3,804	12,335.00	25,600.00	1,365.00	N/A	2011
Circle Pines	Anoka	4,922	4,211.00	8,495.00	270.00	N/A	2011
Clara City	Chippewa	1,349	5,100.00	8,770.00	7,365.00	8,850.00	2005
Coon Rapids <sup>^</sup>	Anoka	61,766	28,210.00	78,275.00	88,350.00	91,100.00	2009
Grand Rapids	Itasca	10,879	29,590.00	N/A	N/A	N/A	2013 (January)
Howard Lake	Wright	1,978	-	150.00	1,500.00	1,350.00	2009
Lake City <sup>*</sup>	Wabasha	5,053	11,000.00	16,670.00	N/A	N/A	2012 (June)
Lexington	Anoka	2,078	7,700.00	9,845.00	480.00	N/A	2011
Lino Lakes	Anoka	20,505	22,000.00	50,725.00	55,300.00	18,200.00	2010
Plainview <sup>*</sup>	Wabasha	3,348	2,800.00	4,100.00	4,800.00	N/A	2011
Red Wing <sup>^^</sup>	Goodhue	16,432	9,075.00	28,105.00	36,030.00	4,775.00	2010
Twin Valley	Norman	823	700.00	350.00	N/A	N/A	2012 (July)
Wabasha <sup>*</sup>	Wabasha	2,516	2,920.00	12,800.00	5,425.00	5,150.00	2010
<b>Total for Cities:</b>			\$ 150,511.00	\$ 262,450.00	\$ 214,330.00	\$ 133,965.00	

Sources: City responses to the OSA's interviews (rounded to nearest dollar); population estimates from the Minnesota State Demographic Center. Note: Fees for the City of Fairfax in Renville County are reported under Renville County. Programs in the Cities of North Branch and Wyoming in Chisago County are too new to be included in the time frame reported in this table.

<sup>^</sup>In addition to the program fees collected, the City of Coon Rapids collected and remitted to the State a \$75 surcharge from each participant for Chapter 169 violations. The total surcharges remitted to the State were: \$18,375 in January - June 2013; \$48,450 in 2012; \$57,450 in 2011; and \$70,425 in 2010.

<sup>^^</sup>Out of the program fees collected, the City of Red Wing pays the \$75 surcharge to the State for each participant. The total surcharges remitted to the State were: \$6,525 in January - June 2013; \$21,000 in 2012; \$13,500 in 2011; and \$0 in 2010.

<sup>\*</sup>Fees for the cities in Wabasha County using the County Sheriff's program do not include the amount paid to the Sheriff because Wabasha County's revenues included city payments to the County.

**Appendix 5: Program Fees Collected for Traffic Diversion Programs by  
Local Government by Year (continued)**

<b>Traffic Diversion Programs - Counties</b>						
County	2011 Population	Program Fees Collected				Year Program Began (Month if 2012 or 2013)
		January - June 2013	2012	2011	2010	
Chippewa	12,332	\$ 1,275.00	\$ 2,325.00	\$ 4,945.00	\$ 7,049.00	2005
Chisago	53,929	3,450.00	N/A	N/A	N/A	2013 (May)
Goodhue	46,168	24,720.00	59,680.00	73,870.00	93,150.00	2008
Grant	5,993	2,990.00	10,495.00	9,030.00	11,800.00	2007
Kandiyohi	42,118	5,325.00	29,550.00	31,275.00	28,350.00	2004
Lac qui Parle	7,195	1,050.00	3,675.00	2,400.00	N/A	2011
McLeod	36,489	2,475.00	8,475.00	11,250.00	11,925.00	2008
Meeker	23,242	1,125.00	5,250.00	6,000.00	5,775.00	2005
Norman	6,859	3,250.00	5,950.00	N/A	N/A	2012 (April)
Red Lake	4,105	125.00	725.00	1,100.00	1,025.00	2009
Renville*	15,540	8,400.00	27,975.00	25,350.00	20,650.00	2008
Sherburne	88,954	42,975.00	67,660.00	40,005.00	47,349.00	2006
Sibley*	15,193	8,475.00	24,900.00	27,525.00	36,825.00	2005
Wabasha^	21,589	UNKNOWN	31,430.00	28,690.00	36,635.00	2003
Wright	126,033	19,334.00	65,460.00	71,745.00	69,973.00	2009
<b>Total for Counties:</b>		\$ 124,969.00	\$ 343,550.00	\$ 333,185.00	\$ 370,506.00	

Sources: Except for Wabasha County, County responses to the OSA's interviews (rounded to nearest dollar); population estimates from the Minnesota State Demographic Center.

\*Includes amounts paid to cities using the County's program.

^ Information on Wabasha County's Safe Driving Class was obtained from public sources.

## **APPENDIX 6**

### **SUMMARIES OF INDIVIDUAL TRAFFIC DIVERSION PROGRAMS REVIEWED, INCLUDING PROGRAM BROCHURES**

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## Cities of Centerville, Circle Pines, and Lexington in Anoka County

**Program Name:** Ticket Education Program

**Brief Program Description:** The three cities served by the Centennial Lakes Police Department, a joint powers entity, offer a Ticket Education Program for those who have been stopped for certain traffic violations in the cities. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** 90 percent of the amount on the Statewide Payables List.<sup>1</sup> (If multiple offenses are on a citation, the amount includes the fee amount for each offense charged.)<sup>2</sup>

**Amount Remitted to State:** \$0<sup>3</sup>

**Offenses Eligible for Program:** All statutory petty misdemeanor offenses from the Statewide Payables List and violations of city ordinances are eligible for the program.

**Ineligibility:** The program does not cover parking violations,<sup>4</sup> offenses involving accidents or endangerment, or offenses committed by persons with commercial driver's licenses. Except for petty misdemeanor parking violations (when they become eligible for inclusion in the program), a person may only use the program once in a 12-month period.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2012 (testing of the program began in 2011)<sup>5</sup>

**Description of Class:** On-line class

**Revenues:** Under the current contracts, the company operating the on-line class keeps one-third of the proceeds.<sup>6</sup>

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<sup>1</sup> See Centennial Lakes Police Dep't brochure; Centennial Lakes Joint Powers Police Governing Board Meeting Minutes for Nov. 5, 2012.

<sup>2</sup> See Program Policies and User Agreement.

<sup>3</sup> According to the company's website, "[p]re-arraignment collection of revenue avoids the statutory collection of surcharges or distribution of fine revenue with the court." See Ticket Education Program "Details," available on iGovernment Solutions' website at <http://www.igovernmentolutions.com/page-15>.

<sup>4</sup> At its November 5, 2012, meeting, the Centennial Lakes Joint Powers Board decided to include parking violations in the program. However, the program had not implemented the parking component at the time of the OSA's review.

<sup>5</sup> At the end of 2012, the cities entered into three-year contracts for the program. See City of Centerville City Council Meeting Minutes for Nov. 28, 2012; City of Circle Pines City Council Meeting Minutes for Oct. 23, 2012; and City of Lexington City Council Meeting Minutes for Dec. 6, 2012. See, e.g., Agreement between Smith & Glaser, LLC, d/b/a iGovernment Solutions, and the City of Lexington (Dec. 7, 2012).

<sup>6</sup> See, e.g., Agreement between Smith & Glaser, LLC, d/b/a iGovernment Solutions, and the City of Lexington (Dec. 7, 2012).

<b>Cities of Centerville, Circle Pines, and Lexington - Ticket Education Program Revenues</b>			
	<u>2011</u>	<u>2012</u>	<u>January - June 2013</u>
<b><u>Centerville</u></b>			
Gross Revenues	\$1,365.00	\$25,600.00	\$12,335.00
Net Revenues	\$1,314.56	\$18,371.96	\$8,223.33
<b><u>Circle Pines</u></b>			
Gross Revenues	\$270.00	\$8,495.00	\$4,211.00
Net Revenues	\$259.92	\$5,882.67	\$2,807.33
<b><u>Lexington</u></b>			
Gross Revenues	\$480.00	\$9,845.00	\$7,700.00
Net Revenues	\$459.82	\$7,148.63	\$5,133.33
<b><u>Total</u></b>			
Gross Revenues	\$2,115.00	\$43,940.00	\$24,246.00
Net Revenues	\$2,034.30	\$31,403.26	\$16,164.00

**Additional Information:** The company operating the on-line class is a division of the law firm that serves as the city prosecutor for two of the cities.<sup>7</sup> A program guide notes a “255% Net Revenue Increase” for participating entities. The Centennial Lakes Police Department reported that speeding violations increased from 381 in 2011 to 542 in 2012.<sup>8</sup> The League of Minnesota Cities gave the cities a 2013 City of Excellence award for the program.<sup>9</sup>

<sup>7</sup> See iGovernment Solutions’ website, <http://www.igovernmentsolutions.com/company>. The City Attorney is appointed special prosecutor for the third city as part of the Ticket Education Program.

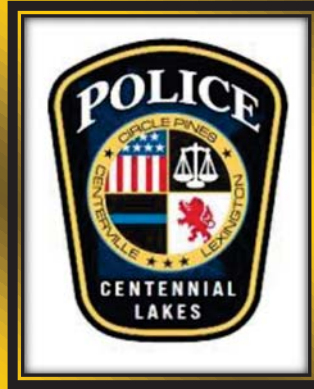
<sup>8</sup> See Traffic Report for January 1, 2012, through December 31, 2012, available on the Centennial Lakes Police Department’s website, <http://www.centenniallakespd.govoffice2.com/>.

<sup>9</sup> See League of Minnesota Cities’ website at <http://www.lmc.org/page/1/COEwinners13-nr.jsp>.



# CENTENNIAL LAKES POLICE DEPARTMENT

54 North Road  
Circle Pines, MN 55014  
763-784-2501  
WWW.CLPDMN.COM



# CENTENNIAL LAKES POLICE DEPARTMENT

54 North Road  
Circle Pines, MN 55014  
763-784-2501  
WWW.CLPDMN.COM

**You have received a Ticket.  
You Have Three Options:**

**You have received a Ticket.  
You Have Three Options:**

<p><b>1) TAKE A CLASS</b></p> <ul style="list-style-type: none"> <li>• 10% Discount</li> <li>• Your Ticket Is Dismissed</li> <li>• Take Class On The Web Anytime Day Or Night</li> </ul> <p><a href="http://WWW.PAYYOURTICKET.ORG">WWW.PAYYOURTICKET.ORG</a></p>	<p>Many traffic, parking, and other low-level offenses qualify for Class.</p> <p>Please wait 5-days for your ticket to reach the website.</p> <p><b>Deadline: Finish Class 7-days before your court date.</b></p>
<p><b>2) PAY THE STATE</b></p> <ul style="list-style-type: none"> <li>• Pay By Phone: 651-281-3219</li> <li>• Pay Via Internet:</li> </ul> <p><a href="http://WWW.PAYYOURTICKET.ORG">WWW.PAYYOURTICKET.ORG</a></p>	<p>Paying some tickets will revoke your driver's license. Typical charges: No Insurance, Driving After Revocation, Suspension, or Withdrawal.</p>
<p><b>3) GO TO COURT</b></p> <ul style="list-style-type: none"> <li>• Court Date Is On Your Ticket</li> <li>• Courthouse location: 325 East Main Street Anoka, MN 55303</li> <li>• Clerk Of Courts: 763-422-7350</li> <li>• You Can Take Any Ticket To Court</li> </ul>	<p>Some tickets are not payable. You must appear in Court. Typical charges: DWI, Assault, Disorderly Conduct, Theft, Car Accidents, Endangering Life or Property. Call Clerk for more details.</p>

<p><b>1) TAKE A CLASS</b></p> <ul style="list-style-type: none"> <li>• 10% Discount</li> <li>• Your Ticket Is Dismissed</li> <li>• Take Class On The Web Anytime Day Or Night</li> </ul> <p><a href="http://WWW.PAYYOURTICKET.ORG">WWW.PAYYOURTICKET.ORG</a></p>	<p>Many traffic, parking, and other low-level offenses qualify for Class.</p> <p>Please wait 5-days for your ticket to reach the website.</p> <p><b>Deadline: Finish Class 7-days before your court date.</b></p>
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**EMERGENCY – DIAL 911**

**EMERGENCY – DIAL 911**



# TICKET EDUCATION PROGRAM™

## How Does It Work?

1. Go To [WWW.PAYYOURTICKET.ORG](http://WWW.PAYYOURTICKET.ORG)
2. Pay The Program Fee  
**(10% Less Than Ticketed Fine)**
3. Attend Class On The Web
4. Your Ticket Is Dismissed

### Benefits of the Ticket Education Program

- The violation does not go on your driving record
- Class is on the Internet: 24-hours & 7-days a week
- Go to Class instead of Court

### Important Information

- **Deadline:** Complete Class no later than 7-days before your scheduled court date
- The Program is available for selected, low level offenses. Find out if you qualify at [WWW.PAYYOURTICKET.ORG](http://WWW.PAYYOURTICKET.ORG)
- No Internet access? Use any Anoka County Library, Centennial Branch, 100 Civic Heights Circle, Circle Pines
- Questions about the Program? Read our rules and policies at [WWW.PAYYOURTICKET.ORG](http://WWW.PAYYOURTICKET.ORG) or call 612-338-0102

### Fines – Summary

SPEEDING	TICKETED FINE
1-10 MPH over limit.....	125.00
11-14 MPH over limit.....	135.00
15-19 MPH over limit.....	145.00
20-25 MPH over limit.....	225.00
26-30 MPH over limit.....	285.00
31 MPH and above over limit.....	385.00
<b>OTHER MOVING VIOLATIONS</b>	
Stoplight / stop sign.....	135.00
Unreasonable acceleration.....	125.00
Lane usage, turning, signaling.....	135.00
Fail to yield.....	135.00
Following too closely.....	135.00
Equipment.....	125.00
Expired plates.....	115.00
Seat belt.....	110.00
Lighting.....	125.00
<b>PARKING</b>	
Stopping, standing or parking.....	42.00
Fire hydrant.....	42.00
Handicapped parking violation.....	285.00
<b>INSURANCE &amp; DRIVERS LICENSE</b>	
Insurance violations.....	385.00
License violations.....	285.00

FOR A COMPLETE LIST OF FINES & RULES SEE: [WWW.PAYYOURTICKET.ORG](http://WWW.PAYYOURTICKET.ORG)



# TICKET EDUCATION PROGRAM™

## How Does It Work?

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### Important Information

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Lane usage, turning, signaling.....	135.00
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Equipment.....	125.00
Expired plates.....	115.00
Seat belt.....	110.00
Lighting.....	125.00
<b>PARKING</b>	
Stopping, standing or parking.....	42.00
Fire hydrant.....	42.00
Handicapped parking violation.....	285.00
<b>INSURANCE &amp; DRIVERS LICENSE</b>	
Insurance violations.....	385.00
License violations.....	285.00

FOR A COMPLETE LIST OF FINES & RULES SEE: [WWW.PAYYOURTICKET.ORG](http://WWW.PAYYOURTICKET.ORG)

## City of Coon Rapids in Anoka County

**Program Name:** Coon Rapids Pre-Arrestment Review and Citizens Awareness Project (CAP)

**Brief Program Description:** The Coon Rapids City Attorney's Office offers the CAP diversion program "for minor traffic and criminal offenders where the offense in comparison to the offender's record is such that it appears inappropriate to convict the offender."<sup>10</sup> If a person successfully completes the program, the prosecutor will dismiss the case, and the violation will not be on the person's driving record.

**Fee for Program:** For most traffic violations, the CAP fees range from \$25 to \$200.<sup>11</sup> For eligible speed and most other petty misdemeanor violations of Chapter 169, the CAP fee is \$100. For Chapter 169 violations, the person pays a \$75 surcharge in addition to the CAP fee.<sup>12</sup>

**Amount Remitted to State:** The \$75 surcharge for Chapter 169 violations is remitted to the State.

**Offenses Eligible for Program:** The program covers certain traffic, vehicle registration, driver license, and ordinance violations, and miscellaneous criminal offenses, as described in the CAP Eligibility Table, including speeds of 0 - 14 mph over the limit and other petty misdemeanor violations of Chapter 169. The City Attorney, not the police officer, determines program eligibility.

**Ineligibility:** The program is not available for offenses involving accidents, endangerment, restitution, or violence. "Serious offenses, as determined by the Prosecutor, may be excluded from CAP."<sup>13</sup> Offenses committed by people who have a commercial driver's license are not eligible for the program. For most traffic moving offenses, the person may not have a prior moving offense or CAP disposition within the past two years. Some offenses (such as speeding and most other petty misdemeanor violations of Chapter 169) may be recharged if the person has a new offense within one year of completing the program.

**Uses Uniform Traffic Ticket?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2009

**Description of Class:** The traffic violations generally require the person to watch offense-specific videos at City Hall.

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<sup>10</sup> See CAP Eligibility Table (revised Aug. 15, 2013), available on the City's website at <http://www.ci.coon-rapids.mn.us/Pdf/CAPEligibleOffenses.pdf>.

<sup>11</sup> See CAP Eligibility Table (revised Aug. 15, 2013). For example, the CAP fee for no seatbelt (not child-related) is \$25; the CAP fees for no proof of insurance, no insurance (vehicle not insured), DAR, and other DAC (unless endangerment or accident) are \$200.

<sup>12</sup> The surcharge is not collected for non-traffic offenses using the CAP program.

<sup>13</sup> See CAP Eligibility Table (revised Aug. 15, 2013).

**Revenues:**

<b>City of Coon Rapids - CAP Revenues and Surcharges Remitted to State</b>		
<b>Year</b>	<b>CAP Revenues (Excluding Surcharge)</b>	<b>Surcharge Remitted to State</b>
2010	\$91,100	\$70,425
2011	\$88,350	\$57,450
2012	\$78,275	\$48,450
2013 (January - June)	\$28,210	\$18,375

you have questions regarding the charge(s), call the number noted above.

**What happens if I just ignore the ticket?**

Failure to respond to a Misdemeanor ticket may result in:

- The Department of Public Safety and/or the Department of Natural Resources being notified of your failure to appear. These agencies may suspend your driver's license or DNR licenses for failing to appear.
- A warrant may be issued for your arrest.
- Late fees may be assessed.

Failure to respond to a **Petty Misdemeanor** by paying the amount due, appearing in court or contacting the court Payment Center will be considered a plea of guilty and waiver of the right to trial unless the failure to appear is due to circumstances beyond your control. (M. S. § 169.91; 609.491). In addition, the Department of Public Safety and/or the Department of Natural Resources will be notified of your failure to appear and conviction. These agencies may suspend your driver's license or DNR licenses for failing to appear.

**WARNING! If you fail to pay your fine or appear in court one or more of the following may occur: YOUR DRIVER'S LICENSE MAY BE SUSPENDED, A WARRANT FOR YOUR ARREST MAY BE ISSUED, AND/OR YOUR ACCOUNT MAY BE REFERRED TO A COLLECTION AGENCY.**

**Can I talk to the Prosecutor at Court?** If you want to talk with the prosecutor before you see the Judge you should ask when you check in at the Court's Information Desk or after you listen to a video that describes your rights. Your file will be given to the prosecutor located in the back of the courtroom. The prosecutor will call your name when he or she is ready to speak with you. Please be aware that the prosecutor represents the State of Minnesota and is not there to represent your interests. **Note: If you did not qualify for CAP or you chose not to participate in CAP the prosecutor will NOT negotiate your case to keep it off your driving record.**

**Important Telephone Numbers:**

CAP Office.....763-767-6428  
Court Call/Pay Center.....651-281-3219 or 1-800-657-3611  
Court Administration, Criminal/Traffic.....763-422-7385  
Anoka County Corrections Dept.....763-323-5830  
Anoka County Warrants.....763-422-7500  
Department of Public Safety.....651-296-6911

Prepared by:

**Coon Rapids City Attorney's Office**

11155 Robinson Drive N.W.  
Coon Rapids, MN 55433  
763-767-6428

[www.coonrapidsmn.gov](http://www.coonrapidsmn.gov)

For additional CAP information:

<http://www.coonrapidsmn.gov/cityattorney/CAP.htm>

Court information provided by:

**Anoka County Court Administration**

325 East Main Street  
Anoka, MN 55303-2489  
763-422-7385

Payments by phone:

651-281-3219 (metro line)  
1-800-657-3611 (out state)

By web: [www.mncourts.gov](http://www.mncourts.gov)

Information only:

[www.co.anoka.mn.us/departments/courts/services.htm#TRAFFIC](http://www.co.anoka.mn.us/departments/courts/services.htm#TRAFFIC)

Note: A convenience fee is added for web payments.

Revised: 3/13/2012



Citizen Awareness Project

(CAP)

By the Coon Rapids City Attorney's Office

**YOU JUST GOT  
A TICKET  
IN COON RAPIDS...**

**READ THIS  
FLYER:**

**You might be  
able to avoid  
going to  
court!!!**

**Do I have to go to Court?** You can avoid court and can keep this violation off your driving record if:

1. This is a parking ticket (any kind), or
2. You are charged with no proof of insurance but had it, or
3. You have a regular, Non commercial driver's license and are charged with a non-accident traffic offense and have a good driving record, or
4. You are charged with a minor criminal offense and have a good criminal record.

For parking tickets, look at the fee envelope for the fee amount, unless directed to this brochure. If you want to provide proof of sale or proof you were validly using a handicap permit, call the CAP hotline for information.

**\* Don't delay: CAP has strict time limits! Read on: \***

**Do I qualify for CAP? For other than parking tickets,** to find out if you qualify, and your CAP fee, wait at least **THREE DAYS AFTER** you received your ticket, then call 763-767-6428 or send an email to [CAP@coonrapidsmn.gov](mailto:CAP@coonrapidsmn.gov). Have the ticket handy when you call. You will need to leave a message with your full name, citation number and be sure to provide your return phone number. You will receive a call or email letting you know if you qualify.

If you qualify you must finish the CAP requirements at least **ONE WEEK BEFORE THE COURT DATE** on your ticket. Your ticket will **NOT** be dismissed and you will have to go to Court if you miss these timelines. Once you have successfully completed the CAP requirements your ticket will be dismissed and you will be given a copy of the dismissal. You should keep this dismissal for your records.

**You do not HAVE to do CAP:** If you believe you have not committed the offense on the ticket you need to go to Court on your ticketed court date to challenge the charges. **NOTE: What is CAP?** CAP is a voluntary diversion program offered by the Prosecutor in cooperation with the Police Department. Parking tickets are fee-payable. CAP requirements typically include viewing educational videos and payment of a non-refundable CAP fee plus a State surcharge of \$75. For parking tickets, you must pay a CAP fee only as noted on the violation envelope.

**Where do I go to complete the CAP requirements?**

To complete CAP you need to go to Coon Rapids City Hall

located about a mile south of the Hanson Blvd/Hwy 10 interchange on Robinson Drive N.W. CAP Office Hours are **Monday/Wednesday/Friday** (except legal holidays), 10:00 a.m. to 3:30 p.m.

**What does the ticket mean to me?** The ticket charges you with a petty misdemeanor or a misdemeanor offense.

- A **petty misdemeanor** has a max fine of \$300 (typically minor violations like speeding and seat belt). You can hire an attorney at your own expense but you cannot get a public defender. If you plead not guilty a Judge will try your case without a jury (Court Trial).
- A **misdemeanor** is a crime with a maximum penalty of \$1,000 and/or 90 days jail (No insurance, drive after suspension, etc.) You can hire an attorney or apply for a public defender (apply at the Courthouse). If you plead not guilty your case will be tried by jury of six persons. You can choose a court trial.

**Can I just pay my ticket and be done?** If you do not qualify for CAP or if you choose not to participate in CAP, certain tickets can just be paid without going to Court. If you choose to pay your ticket you will be deemed guilty of the offense(s) on the ticket. You can pay by one of the following methods:

- **Online:** Using MasterCard or Visa, access [www.mncourts.gov/fines](http://www.mncourts.gov/fines). Have your citation number available.
- **By phone:** Using MasterCard or Visa call 651-281-3219 in the metro or 1-800-657-3611 outside the metro area. Have your citation available.
- **By Mail:** Check or Money Order payable to Court Administration, Send to Minnesota Court Payment Center, P.O. Box 898, Willmar, MN 56201. Include a copy of your citation or indicate the citation number on the check or money order.

**BY PAYING THE FINE(S) TO COURT, YOU PLEAD GUILTY** to the offense(s) and voluntarily waive the following rights: (Minn.R.Crip.P.23.03)

1. To a court trial, if the offense is a petty misdemeanor, or a court or jury trial for all other offenses;
2. To be represented by an attorney;
3. To be presumed innocent until proven guilty beyond a reasonable doubt;
4. To confront and cross examine all witnesses; and
5. To either remain silent or to testify on your own behalf.

If you plead guilty (by paying the fine or by pleading guilty in Court) you will be convicted. If convicted, you must pay a state imposed surcharge of \$12 for parking-related offenses and \$75 for all other offenses. Additionally, a law library fee must be paid that supports the County law library. These surcharges and fees are included in the total payable amount that will be provided to you by phone or online.

**Can I choose to appear in court and see a Judge?** Please refer to the front of your ticket. If a court date is noted, you must either pay your fine by this date (if allowed) or you may choose to appear in court on the date, time and at the location indicated. If no court date is noted, you must either pay the fine or schedule a Court appearance within 30 days from the date the ticket was issued. To make a payment or schedule a Court appearance call: 651-281-3219 in metro area or 1-800-657-3611 outside metro area. Please wait 10 business days (from the date you receive your citation) before calling.

**What if I forget to pay my ticket?** Under Minn. Stat. § 480.15, Subd. 10c, unpaid fines may be referred for collections. If your ticket is for an offense that requires a Court appearance you may be arrested if you do not go to Court or pay your fine.

If you issue a worthless check to the court it is a crime, and you will be subject to civil and criminal penalties. In addition, a charge of up to \$30 will be assessed on all returned checks (MN 609.113 subd. 2).

Other important notices regarding your rights can be found on the Minnesota Judicial Branch website at [www.mncourts.gov/fines](http://www.mncourts.gov/fines).

**Are there offenses where I have no choice but to go to Court?** Certain offense(s) require you to appear in court. To verify if the charge(s) you have received require a court appearance, please call 651-281-3219 in the metro or 1-800-657-3611 outside of the metro area and refer to the front of the ticket. If you must appear in court and a court date is noted on the front of your citation, your appearance is scheduled for the date, time and location. If you must appear in court and no court date is noted on the front of the citation, a Notice to Appear indicating a court date will be mailed to the address on the citation. If this address is not correct, you must immediately notify the Court at the number noted above. Failure to appear may result in a bench warrant requiring that you be arrested. If



## City of Lino Lakes in Anoka County

**Program Name:** Lino Lakes Police Department Achieving Compliance Through Education (ACE) Program

**Brief Program Description:** The Lino Lakes Police Department offers the ACE Program for those who have been stopped for certain traffic violations in the City. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** The program fees range from \$50 - \$100; fees for moving traffic violations are \$100.<sup>14</sup>

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** The program is used for traffic, equipment, parking, ordinance, and other violations. Eligible moving traffic violations include speeding 0 - 14 mph over the limit, texting while driving, and seat belt violations (non-child related).

**Ineligibility:** No person with a commercial driver's license is eligible for the program. No juvenile misdemeanor offenses are eligible for the program. Offenses involving accidents or endangerment are not eligible for the program.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** June 2010

**Description of Class:** Program participants must complete one or more of seven different educational blocks, depending on the violation, at the Lino Lakes Police Department. There are separate blocks for moving violations, equipment violations, traffic safety, ordinance violations, status offenses, parking, and other offenses (e.g., drug, tobacco, and alcohol use and abuse for both adults and juveniles). The materials in the blocks could include videos, news reports, printed laws and ordinances, and testimonials.

<b>Revenues:</b>	2013 (January - June)	\$22,000
	2012	\$50,725
	2011	\$55,300
	2010	\$18,200

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<sup>14</sup> The fee for a seasonal parking ordinance violation is \$25.

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received before the scheduled court appearance indicated on the front side of your ticket.

If paying in person, payments can be made at the criminal counter located on the first floor, center of the courthouse, 325 E Main Street, Anoka, MN. Office hours are 8:00 a.m. to 4:30 p.m. If you are unable to make your payment during these hours, there is a ticket payment "drop box" located at the courthouse front door at 4<sup>th</sup> Avenue and Main Street in Anoka. Visa and MasterCard, payments are accepted in person or by calling 763-422-7473.

**DO NOT CALL IN CREDIT CARD PAYMENTS UNTIL SEVEN DAYS PRIOR TO THE COURT APPEARANCE.**

**You must appear in court if:**

1. You wish to plead not guilty;
2. You wish to plead guilty, but offer an explanation;
3. The officer checked the "Endangered Person or Property" box on the ticket;
4. You were involved in an accident;
5. You have posted bail or bond.
6. You do NOT want to participate in the ACE program and your ticket is not payable.

**Court Appearance:**

You are required to make a court appearance at the date and time indicated on the front of your ticket if you wish to plead not guilty or plead guilty with an explanation. Please verify the courtroom at the Court's Information Desk located on the first floor of the courthouse. Go directly to Criminal Counters and check in at Windows 1 and 2. If you are interested in applying for a public defender the Court Clerk will give you the necessary forms to provide your financial information. The Judge will determine whether or not you will be granted a public defender. Please keep in mind that you are only eligible if you have been charged with a misdemeanor and meet the financial guidelines.

**WARNING**

**If you fail to pay your fine or appear in court as directed, YOUR DRIVER'S LICENSE MAY BE SUSPENDED. A WARRANT FOR YOUR ARREST MAY BE ISSUED, AND/OR YOUR ACCOUNT MAY BE REFERRED TO A COLLECTIONS AGENCY.**

**Municipal Prosecutor:**

If you wish to speak with the prosecutor at your Court appearance, you may do so after hearing your rights from the Judge. Inform the in-court deputy administrator and he or she will get your file to the prosecutor in the back of the courtroom. The prosecutor will call your name and speak with you as soon as possible. Please be aware that the prosecutor represents the State and therefore, is not there to represent your interests. **Note: If your case does not qualify for ACE, the prosecutor will not negotiate your case to keep it off your driving record.**

Contact ACE at 651-982-2312 for more information or email us at [llace@ci.lino-lakes.mn.us](mailto:llace@ci.lino-lakes.mn.us).

**Fine Payment after Sentencing:**

Your file will be brought to the Criminal Counter upon sentencing. Please take a number on the post in the main hallway, wait for your number to be called and the next available clerk will assist you. If you pled guilty or are found guilty and ordered to pay a fine, it is assumed that you will pay the same day as your hearing. There are additional fees and surcharges that we are required by the Legislature to impose. If you cannot pay your entire fine on the day you are sentenced, you will be given 90 days to pay. Any additional time to pay must be approved by the Judge.

**Anoka County Corrections:**

After you have appeared in Court, been sentenced, and appeared at the Criminal Counter, you will receive a form called "Conditions of Sentence" which lists what happened in court. If additional conditions have been imposed at sentencing, other than a fine payment, you may be referred to the Corrections Department. It is located across the hallway from the Criminal Counter. The Corrections Department monitors your compliance with any other Court ordered conditions.

**Important Telephone Numbers:**

ACE Office.....651-982-2312  
Court Administration, Criminal/Traffic.....763-422-7385  
Anoka County Corrections Dept.....763-323-5830  
Anoka County Warrants.....763-422-7500  
Department of Public Safety.....651-296-6911



# You've Received A Ticket in Lino Lakes

Here's what to do next.

Prepared by the Lino Lakes Police  
Department

640 Town Center Pkwy.,  
Lino Lakes, MN 55014  
651-982-2300

[www.ci.lino-lakes.mn.us](http://www.ci.lino-lakes.mn.us)

Court information provided by  
Anoka County Court Administration  
325 East Main Street  
Anoka, MN 55303-2489  
763-422-7385

You have just been issued a ticket in Lino Lakes. This ticket charges you with a petty misdemeanor or a misdemeanor. You may qualify for the optional Lino Lakes Police Department Achieving Compliance through Education (ACE) Program. If you do not qualify, you will have to appear in Court on the date stated on the ticket or submit payment directly to the court.

**What is the ACE Program?**

ACE is an educational program offered by the Lino Lakes Police Department. If you qualify and comply with ACE requirements the prosecutor will dismiss your case, you will not have an offense listed on your driving record, and you will not have to appear in Court. The requirements typically include completion of a short educational video or class and payment of an ACE fee. The ACE requirements must be completed at the Lino Lakes Police Department. ACE is not available to people with a Commercial Driver's License. **Participation in the ACE Program is strictly voluntary; you always have the option of a court trial.**

**How can I find out if I am eligible for ACE?**

Eligibility for the ACE Program is determined by the violation you were ticketed for and your history of citations. To find out if you qualify, have your citation with you and either call the ACE Office at 651-982-2312 or fill out the online form on the city website at [www.ci.lino-lakes.mn.us](http://www.ci.lino-lakes.mn.us) (under Public Safety/ACE Program). More information can also be found on the website. Please wait three business days after receiving the citation to contact us. If you are eligible for the program, you will need to complete the educational component at least **TWO WEEKS BEFORE the scheduled court date** indicated on the citation. Failure to complete the program 14 days prior to the court date will result in your having to appear in court at the date / time noted on your citation. ACE Office Hours are Tues.-Thurs. (except legal holidays), 8:00 a.m. to 3:00 p.m.

**ACE Program fees**

Equipment Violation.....	\$50.00
Moving Violation.....	\$100.00
Ordinance Violation.....	\$75.00
<b>Seasonal</b> Parking Violation....	\$25.00
Status Offense.....	\$50.00
Other Violations.....	\$100.00

**What is a petty misdemeanor?**

A petty misdemeanor is not a crime and therefore carries no jail time. The maximum fine for a petty misdemeanor is \$300.00. You may be represented by an attorney hired at your own expense. If you wish to plead not guilty, you are entitled to a court trial. A court trial is a trial by a judge without a jury.

**What is a misdemeanor?**

A misdemeanor is a crime. The maximum penalty is \$1,000 and/or 90 days in jail. If you cannot afford an attorney to represent you, you may apply for a public defender. You will need to provide financial information to determine if you are eligible. If you wish to plead not guilty, you are entitled to a jury trial. At trial, the jury would consist of six persons and all six persons would have to agree that you are guilty before you could be convicted and sentenced.

**Payable Fines**

If you do not qualify for ACE, many fines are payable without a court appearance. You may be able to determine your fine by reading the following schedule of fines and fees. *This is only a partial listing of payable offenses.* Please call 763-422-7385 within **ten (10) days prior to the court date** written on the ticket if your violation is not listed. If you need time to pay, up to 90 days, you must request this in person at the Criminal Counter in Court Administration prior to your court date. **NOTE: Paying a fine could result in withdrawal of driving privileges depending on the nature of the charge or your driving record.** To find out, contact the Driver Evaluators at 651-296-2025.

Paying the fine will also result in the offense going on your driving record. Neither the court nor the prosecutor can keep this from happening if you elect to pay your fine.

**These are examples of fines payable without a court appearance. Read further for circumstances which require a court appearance.**

**I. PARKING – Does not go on driving record:**

Stand, stop or park in traffic lane or on freeway.....	125.00
Fire hydrant.....	34.00
Parking privileges for handicapped.....	285.00

**II. MISCELLANEOUS VIOLATIONS:**

License plates not clean, displayed or fastened properly.....	115.00
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(except illegal use or possession, or dealer plate use)  
 Snowmobile violations..... **Varies**  
 Truck violations..... **Varies**  
 (Contact Court Administrator)

**III. MOVING VIOLATIONS:**

1-10 MPH over limit.....	125.00
11-14 MPH over limit.....	135.00
15-19 MPH over limit.....	145.00
20-25 MPH over limit.....	**225.00
26-30 MPH over limit.....	**285.00
**31 MPH and above over limit.....	**385.00
***unless endangerment is checked	
**Note: 20 miles per hour or more over the posted speed limit results in an additional surcharge.	

Traffic control lights or stop sign.....	135.00
Unreasonable acceleration.....	125.00
Over center line, lane usage, turning	
Backing passing.....	135.00
Signaling violations.....	135.00
Fail to yield.....	135.00
Driving without corrective lenses.....	135.00
Following too closely.....	135.00
Non-emergency stopping on the freeway.....	125.00
Cycle (two-wheel) endorsement.....	135.00
Equipment: each violation (excluding trucks)...	125.00
(including horn, lights, mufflers)(M.S.169.68 to 169.75)	
Expired plates (M.S. 168.09).....	115.00
Fail to Register (M.S. 168.09).....	185.00
Registration current, etc. (M.S. 169.79).....	115.00
Seat belt.....	110.00
Driving without headlights.....	125.00
Unsafe Equipment; each violation (M.S.169.47)....	125.00
Unsafe Tires.....	135.00

**The above offenses, with the exception of the highlighted violations, may be eligible for the ACE program. Contact the ACE Office at 651-982-2312 to determine eligibility.**

*Questions regarding the consequence of moving violations on your driving record should be directed to the Department of Public Safety (651-296-6911).*

**Paying Your Fine**

If paying your fine by mail, **DO NOT SEND CASH.** Make your check or money order payable to "Court Administrator." Mail the payment to the Minnesota Court Payment Center, P. O. Box 898, Willmar, MN 56201. Please include your file number or citation number on your check. Your payment must be

## Chippewa County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of the Chippewa County Attorney’s Office Diversion Program and the County Attorney.”<sup>15</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Chippewa County law enforcement officer for speeding (no more than 15 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too close; failure to signal; and making an illegal turn are eligible for the program.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Chippewa County in the last 12 months, or has “more than two prior [*sic*].”<sup>16</sup> It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2005

**Description of Class:** The two-hour class is taught by a deputy at the Clara City Community Center.

<b>Revenues:</b>	2013 (January - June)	\$1,275
	2012	\$2,325
	2011	\$4,945
	2010	\$7,049

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<sup>15</sup> Chippewa County Sheriff’s Office Driver Awareness Class brochure.

<sup>16</sup> Chippewa County Sheriff’s Office Driver Awareness Class brochure.

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## SAFE DRIVING TIPS

- Use the "2 second rule" to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Remember, you have earned the right to operate an automobile. Don't abuse it.

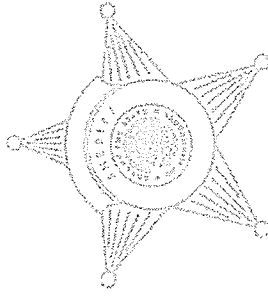
This diversion class is approved as part of the Chippewa County Attorney's Office Diversion Program and the County Attorney.

## CLASS DATE

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CHIPPEWA COUNTY  
SHERIFF'S OFFICE

# DRIVER AWARENESS CLASS



Take our Driver Awareness Class and have:

- No Fine
- No Court Appearance
- *Most Importantly . . . Improve Your Driving Habits*

Educate and learn the traffic laws and have your traffic citation diverted upon completion of the course.

## CHIPPEWA COUNTY SHERIFF'S OFFICE

Sheriff Stacy Tufto  
629 N 11th Street Suite 14  
Montevideo MN 56265

Phone: 320-269-2121  
Fax: 320-269-2698

## YOU ARE ELIGIBLE . . .

If your citation was issued by a Chippewa County Law Enforcement Officer. If your citation was for . . .

- Speeding and the speed is no more than 15 mph over the posted speed limit.
- Violation of a stop sign, stop light, or yield sign.
- Driving left of the center line (not DUI related)
- Passing or lane violations.
- Following too close.
- Failure to signal.
- Making an illegal turn.

If you do not wish to contest your ticket.

If you have not participated in a Driver Awareness Class in Chippewa County in the last 12 months.

If you have not had more than two prior

## YOU ARE NOT ELIGIBLE . . .

Your citation was for . . .

- Parking tickets
- Citations resulting from an accident.
- Multiple violations.
- Major violations such as careless driving, DUI, leaving the scene of an accident or driving without a license.

## CLASSES ARE HELD AT THE CLARA CITY COMMUNITY CENTER

30 NW 2nd Ave  
Clara City, MN 56222

## DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE

## HOW TO REGISTER

Person's must register for the Driver Awareness Class within 10 days after receiving the citation. Registration can be done 7 days a week, 24 hours a day.

You must register in person or by phone at the Chippewa County Sheriff's Office, 320-269-2121, 629 N 11th Street Suite 14, Montevideo MN 56265

The cost of the class is \$75 and can be paid prior to the class or the night of the class.

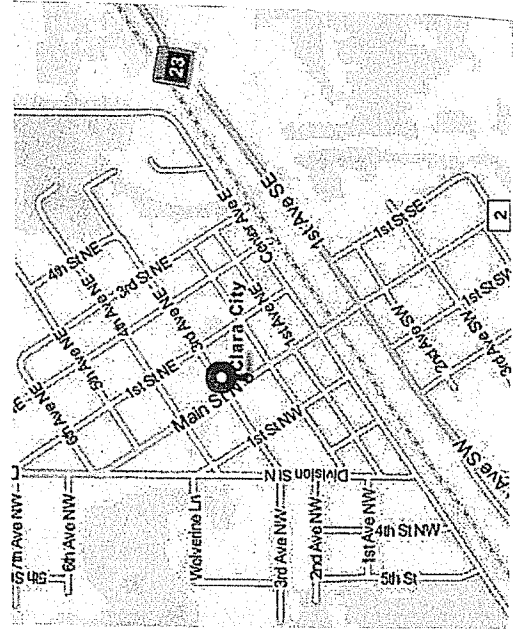
Class begins at 6:30 p.m. sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

Confirmed dates will be provided upon registration.

The class is approximately 2 hours.

There is no failing if you attend this class.

The Driver Awareness Class MUST BE completed within 30 days after the receipt of the citation.





## City of Clara City in Chippewa County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class is approved as part of the Chippewa County Attorney’s Office Diversion Program and as part of the City of Clara City Attorney’s Office Diversion Program.”<sup>17</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (no more than 15 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too close; failure to signal; and making an illegal turn.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Chippewa County in the last 12 months, has already participated in two Driver Awareness classes, or has more than two prior moving violations in the past 12 months, excluding alcohol-related offenses. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2005

**Description of Class:** The approximately two-hour class is taught by a law enforcement officer at the Clara City Community Center.

<b>Revenues:</b>	2013 (January - June)	\$5,100
	2012	\$8,770
	2011	\$7,365
	2010	\$8,850

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<sup>17</sup> Clara City Police Dep’t Driver Awareness Class brochure.

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### Safe Driving Tips

- Use the "2 second rule" to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Remember, you have earned the right to operate an automobile. Don't abuse it.



### Clara City Police Department

215 NW 1st Street

P. O. Box 560

Clara City, MN 56222

320-847-3221

Ralph Bradley, Chief of Police

or

Clara City City Hall

320-847-2140

Monday - Friday

8:00 a.m. to 5:00 p.m.

### Take Our DRIVER AWARENESS CLASS

And Have:

No Fine

No Court Appearance

**Most Importantly...**

Improve Your Driving Habits

### DO NOT CALL THE

### COURT ADMINISTRATOR'S OFFICE

This diversion class is approved as part of the Chippewa County Attorney's Office Diversion Program and as part of the City of Clara City Attorney's Office Diversion Program Dwayne Knutson, County and City Attorney.

Educate and learn the traffic laws and have your traffic citation diverted upon completion of the course.

## YOU ARE ELIGIBLE...

- If your citation was issued by a Clara City Police Officer.
- If your citation was for:
  - Speeding and the speed is no more than 15 mph over the posted speed limit.
  - Violation of a stop sign, stop light, or yield sign.
  - Driving left of the center line (not DUI related).
  - Passing or lane violations.
  - Following too close.
  - Failure to signal.
  - Making an illegal turn.
- If you do not wish to contest your ticket.
- If you have not participated in a Driver Awareness Class in Chippewa County in the last 12 months.
- If you have not had more than two prior moving violations in the past 12 months, excluding alcohol related offenses.

## YOU ARE NOT ELIGIBLE...

- If your citation was for:
- Parking tickets.
  - Citations resulting from an accident.
  - Multiple violations.
  - Major violations such as careless driving, DUI, leaving the scene of an accident, or driving without a license.
  - If you have already participated in two Driver Awareness Classes.

## CLASSES ARE HELD AT

### Clara City Community Center

30 NW 2nd Avenue

Clara City, MN 56222

## REGISTRATION

Persons must register for the Driver Awareness Class within **10 days** after receiving the citation.

Classes will be offered once each month at 6:30 p.m.. Class date will be provided upon registration.

You must register, **in person or by telephone**, at Clara City City Hall, Monday - Friday 8 a.m. to 5 p.m., 320-847-2140.

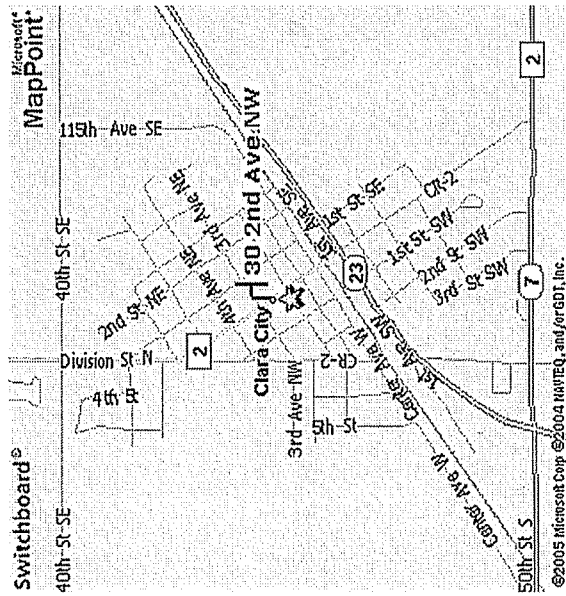
Class cost of \$75.00 must be paid within 10 days of receiving the citation. Payable by check, money order, or cash.

Class starts at 6:30 p.m. sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

The class is approximately 2 hours.

There is no failing if you attend this class.

*The Driver Awareness Class must be completed within 30 days after the receipt of the citation.*



## Chisago County

**Program Name:** Driver Awareness Program

**Brief Program Description:** The program was implemented by the Chisago County Sheriff's Office, with the endorsement of the Chisago County Attorney's Office. If the program is successfully completed, the "driver's traffic citation will be voided and there will be no court arraignment or conviction on the driver's driving record."<sup>18</sup>

**Fee for Program:** \$75 (payable to the Chisago County Sheriff's Office)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** The program is used for petty misdemeanor moving violations, including speeding up to 19 mph over the speed limit, and petty misdemeanor equipment violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Chisago County Driver Awareness Program within the last 12 months or twice in a lifetime, or has a conviction for any moving violation within the past two years. The class is not available for speeding in a school or construction zone, drug or alcohol-related offenses, incidents involving crashes or more than one charge, or no proof of insurance violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** May 2013

**Description of Class:** The two-hour class is taught by area law enforcement at the Chisago County Government Center.

**Revenues:** 2013 (May - June) \$3,450

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<sup>18</sup> Chisago County Awareness Program document received from Chisago County Sheriff.

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**Chisago County  
Sheriff's Office**



**313 North Main Street, Room 100  
Center City, MN 55012**

**DRIVER AWARENESS  
PROGRAM**

IN ORDER TO PARTICIPATE IN THE  
PROGRAM, YOU MUST **REGISTER**  
IN-PERSON OR BY TELEPHONE  
**WITHIN 14 DAYS**  
OF RECEIVING A CITATION.

**In-Person Registration:**

Register at the Chisago County Sheriff's  
Office located in the Chisago County  
Government Center, 313 North Main Street,  
Room 100, Center City, MN 55012;  
Provide photo ID and a copy of citation;  
And Pay \$75 cash, check or money order.

**Phone Registration:**

Call 651-213-6309 or 651-213-6317, Monday  
– Friday between 8:00 am – 4:30 pm;  
Mail \$75 check or money order made  
payable to the "Chisago County Sheriff's  
Office" to the Chisago County Sheriff's  
Office, ATTN: Driver Awareness Program,  
313 North Main Street, Room #100, Center  
City, MN 55012; and bring photo ID and a  
copy of citation with you to your scheduled  
course.

You MUST register and submit \$75 fee  
**WITHIN 14 DAYS** of receiving citation.  
The 14 days INCLUDES weekends and holidays.

**Course attendance is MANDATORY for successful completion of the program.**

**NO registration or payment accepted at the time of scheduled course!**

**If you miss the course you are registered for, there is NO REFUND.**

**You Are Eligible IF:**

- \*You have received a citation from a participating law enforcement agency;
- \*You do not wish to contest your citation;
- \*You have not had a conviction for any moving violation within the past two years; and
- \*You have not participated in the Chisago County Driver Awareness Program within the past 12 months.

**A driver may only attend TWO classes through the Chisago County Driver Awareness Program in a lifetime.**

**Program Benefits:**

NO fine;  
NO court appearance;  
NO conviction entry on your driving record;  
but,  
**MOST IMPORTANT – IMPROVED DRIVING HABITS!**

**CHISAGO COUNTY DRIVER AWARENESS PROGRAM (Course)**

**7:00 pm – 9:00 pm**

**Chisago County**

**Government Center**

**313 N. Main St., Room 131**

**Center City, MN 55012**



## City of North Branch in Chisago County

**Program Name:** Driver Awareness Program

**Brief Program Description:** The North Branch Police Department participates in the Chisago County Driver Awareness Program offered by the Chisago County Sheriff's Department. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$75 (payable to the North Branch Police Department)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** The program is used for petty misdemeanor moving violations, including speeding up to 19 mph over the speed limit, and petty misdemeanor equipment violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in the Chisago County Driver Awareness Program within the last 12 months or twice in a lifetime, or has a conviction for any moving violation within the past two years. The class is not available for speeding in a school or construction zone, drug or alcohol-related offenses, or no proof of insurance violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** September 2013<sup>19</sup>

**Description of Class:** The two-hour class is taught by Sheriff Department deputies at the Chisago County Government Center.

**Revenues:** Program too new for January through June 2013 revenues.

**Additional Information:** The County will bill the City \$25 for every participant the City sends through the program.

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<sup>19</sup> The City's participation in the Program was approved at the August 12, 2013, City Council meeting. See City of North Branch City Council Meeting Minutes for Aug. 12, 2013 (item B3). The first traffic ticket eligible for the program was issued on September 7, 2013.

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## North Branch Police Department



6408 Elm Street,  
PO BOX 910, North Branch, MN 55056

### **DRIVER AWARENESS PROGRAM**

IN ORDER TO PARTICIPATE IN THE  
PROGRAM, YOU MUST **REGISTER**  
IN-PERSON OR BY TELEPHONE  
**WITHIN 14 DAYS**  
OF RECEIVING A CITATION.

#### **In-Person Registration:**

Register at the North Branch Police Department  
located in the lower level of the North Branch  
City Hall Building:  
6408 Elm Street,  
PO BOX 910,  
North Branch, MN 55056  
Monday – Friday • 8:00 a.m. - 4:30 p.m.  
Provide photo ID, copy of citation and pay \$75  
cash, check or money order.

#### **Phone Registration:**

Call the North Branch Police Department at:  
651-674-8848  
Monday – Friday • 8:00 a.m. - 4:30 p.m.  
Mail \$75 check or money order made payable  
to the North Branch Police Department:  
**ATTN: Driver Awareness Program**  
6408 Elm Street,  
PO BOX 910,  
North Branch, MN 55056  
Bring a photo ID and a copy of the citation with  
you to your scheduled course.

You **MUST** register and submit \$75 fee  
**WITHIN 14 DAYS** of receiving citation.  
The 14 days **INCLUDES** weekends and holidays.

**Course attendance is MANDATORY  
for successful completion of  
the program.**

**NO** registration or payment accepted at  
the time of scheduled course!

If you miss the course you are registered  
for, there is **NO REFUND.**

**You Are Eligible IF:**

- \*You have received a citation from a  
participating law enforcement agency;
- \*You do not wish to contest your citation;
- \*You have not had a conviction for any  
moving violation within the past two years;  
and
- \*You have not participated in the Chisago  
County Driver Awareness Program within  
the past 12 months.

**A driver may only attend  
TWO classes through the  
Chisago County Driver  
Awareness Program in a lifetime.**

**Program Benefits:**

NO fine;  
NO court appearance;  
NO conviction entry on your driving record;  
but,  
**MOST IMPORTANT – IMPROVED DRIVING  
HABITS!**

**COURSE LOCATED AT:  
CHISAGO COUNTY DRIVER  
AWARENESS PROGRAM (Course)  
7:00 P.M. – 9:00 P.M.  
Chisago County  
Government Center  
313 N. Main Street, Room 131  
Center City, MN 55012**

## **City of Wyoming in Chisago County**

**Program Name:** Driver Awareness Program

**Brief Program Description:** The Wyoming Police Department participates in the Chisago County Driver Awareness Program offered by the Chisago County Sheriff's Department. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$75 (payable to "Wyoming Public Safety")

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** The program is used for petty misdemeanor moving violations, including speeding up to 19 mph over the speed limit, and petty misdemeanor equipment violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in the Chisago County Driver Awareness Program within the last 12 months or twice in a lifetime, or has a conviction for any moving violation within the past two years. The class is not available for misdemeanor offenses, speeding in a school or construction zone, drug or alcohol-related offenses, incidents involving crashes or more than one charge, or no proof of insurance violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** Yes

**When Did Program Begin?** July 2013

**Description of Class:** The two-hour class is taught by Sheriff Department deputies at the Chisago County Government Center.

**Revenues:** Program too new for January through June 2013 revenues.

**Additional Information:** The County will bill the City \$25 for every participant the City sends through the program. As of October 1, 2013, the City had not received any billings from the County for participants the City sent through the program.

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## Chisago County Sheriff's Office



313 North Main Street, Room 100  
Center City, MN 55012

### **DRIVER AWARENESS PROGRAM**

IN ORDER TO PARTICIPATE IN THE  
PROGRAM, YOU MUST **REGISTER**  
IN-PERSON OR BY TELEPHONE  
**WITHIN 14 DAYS**  
OF RECEIVING A CITATION.

#### **In-Person Registration:**

Register at the Chisago County Sheriff's  
Office located in the Chisago County  
Government Center, 313 North Main Street,  
Room 100, Center City, MN 55012;  
Provide photo ID and a copy of citation;  
And Pay \$75 cash, check or money order.

#### **Phone Registration:**

Call 651-213-6309 or 651-213-6317, Monday  
– Friday between 8:00 am – 4:30 pm;  
Mail \$75 check or money order made  
payable to the "Chisago County Sheriff's  
Office" to the Chisago County Sheriff's  
Office, ATTN: Driver Awareness Program,  
313 North Main Street, Room #100, Center  
City, MN 55012; and bring photo ID and a  
copy of citation with you to your scheduled  
course.

**You MUST register and submit \$75 fee  
WITHIN 14 DAYS of receiving citation.  
The 14 days **INCLUDES** weekends and holidays.**

**Course attendance is MANDATORY for successful completion of the program.**

**NO registration or payment accepted at the time of scheduled course!**

**If you miss the course you are registered for, there is **NO REFUND.****

**You Are Eligible IF:**

- \*You have received a citation from a participating law enforcement agency;
- \*You do not wish to contest your citation;
- \*You have not had a conviction for any moving violation within the past two years; and
- \*You have not participated in the Chisago County Driver Awareness Program within the past 12 months.

**A driver may only attend TWO classes through the Chisago County Driver Awareness Program in a lifetime.**

**Program Benefits:**

NO fine;  
NO court appearance;  
NO conviction entry on your driving record;  
but,  
**MOST IMPORTANT – IMPROVED DRIVING HABITS!**

**CHISAGO COUNTY DRIVER  
AWARENESS PROGRAM (Course)  
7:00 pm – 9:00 pm  
Chisago County  
Government Center  
313 N. Main St., Room 131  
Center City, MN 55012**



## Goodhue County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class has been approved by the Goodhue County Criminal Justice Advisory Committee.”<sup>20</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$80 (raised from \$75 in February 2011)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Goodhue County law enforcement officer for speeding (no more than 15 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too closely; failure to signal; and making an illegal turn are eligible for the program.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Goodhue County in the last 6 months, has participated in three Driver Awareness Classes in a five-year period, or has more than two prior moving violations in the past 12 months, excluding alcohol-related offenses. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** Approximately 2008

**Description of Class:** The two-hour class is taught by a deputy at the Goodhue County Law Enforcement Center.

<b>Revenues:</b>	2013 (January - June)	\$24,720
	2012	\$59,680
	2011	\$73,870
	2010	\$93,150

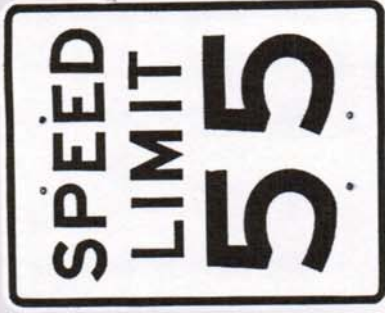
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<sup>20</sup> Goodhue County Sheriff’s Office Driver Awareness Class brochure.

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### Safe Driving Tips

- Use the “3-second rule” to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last, but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.



## Take Our Driver Awareness Class

### And Have:

- No Fine
- No Court Appearance
- No Entry on Your Driving Record
- Most Importantly . . .  
Improve Your Driving Habits



Goodhue County Sheriff

**Scott T. McNurlin**

**Attend and learn the traffic laws and have your traffic citation diverted upon completion of the course.**

Persons must register for the Driver Awareness Class within 10 working days after receiving the citation.

### GOODHUE COUNTY SHERIFF'S OFFICE CORE VALUES

Integrity  
Professionalism  
Reverence for the law  
Vision

### GOODHUE COUNTY LAW ENFORCEMENT CENTER

430 West 6th Street  
Red Wing, Minnesota 55066  
651-267-2600

This diversion class has been approved by the Goodhue County Criminal Justice Advisory Committee

### GOODHUE COUNTY SHERIFF'S OFFICE

## YOU ARE ELIGIBLE . . .

- If your citation was issued by a Goodhue County Law Enforcement Officer.
- If your Goodhue County citation was for:
  - Speeding and the speed is no more than 15 mph over the posted speed limit.
  - Violation of a stop sign, stop light or yield sign.
  - Driving left of the center line (not DUI related).
  - Passing or lane violations.
  - Following too closely.
  - Failure to signal.
  - Making an illegal turn.
- If you do not wish to contest your ticket.
- If you have not participated in Driver Awareness Class in Goodhue County in the last six months.
- If you have not had more than two prior moving violations in the past 12 months, excluding alcohol-related offenses.

## YOU ARE NOT ELIGIBLE . . .

- If your Goodhue County citation was for:
  - Parking tickets.
  - Citations resulting from an accident.
  - Multiple proving violations.
  - Major violations such as careless driving, DUI, leaving the scene of an accident or driving without a license.
- If you have already participated in three Driver Awareness Classes in a five year period.

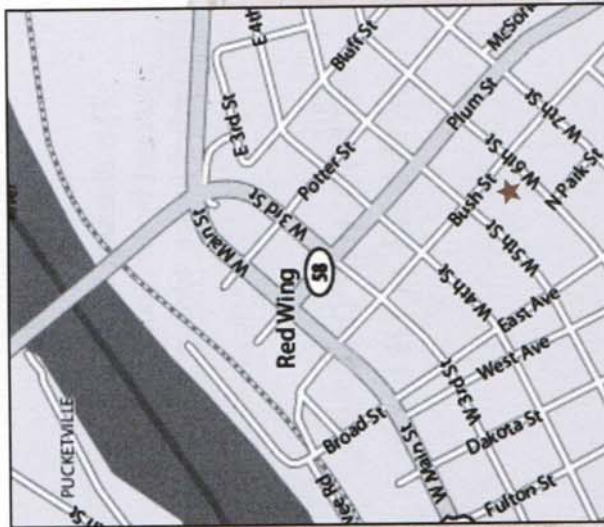
## GOODHUE COUNTY SHERIFF'S OFFICE

### CLASSES ARE HELD AT

**Goodhue County  
Law Enforcement Center**

430 West 6th Street  
Red Wing, Minnesota 55066  
651-267-2600

### DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE



Directions to the  
Goodhue County Sheriff's Office

## REGISTRATION

Persons must register for the Driver Awareness Class within 10 working days after receiving the citation. Registration may be done by calling 651-267-2600, or be done in person at the Goodhue County Sheriff's Office front lobby window, open Monday - Friday 8 a.m. - 4:30 p.m. If registering over the telephone, you must provide your name, phone number and citation number. If registering in person, you must provide a copy of the citation.

The cost of the class is \$80, payable by cash (exact amount), check or money order. Payment may be made at the door on the night of the class or when registering in person at the Goodhue County Sheriff's Office. A driver's license must be shown as proof of identification when paying.

Class times will be on designated Mondays starting at 6:30 p.m. sharp! Those paying at the door need to arrive no later than 6 p.m. If you are late or fail to appear, your ticket will be sent to court and any class fee paid will be forfeited. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

The class is approximately 2 hours. There is no failing if you attend this class.



Goodhue County Sheriff

Scott T. McNurlin

## City of Red Wing in Goodhue County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The Red Wing Police Department offers a Driver Awareness Class for those who have been stopped for certain traffic violations in the City. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$100 fee (\$75 for seatbelt violations)

**Amount Remitted to State:** The \$75 surcharge is taken out of the program fee and remitted to the State.

**Offenses Eligible for Program:** Eligible traffic offenses include speed (up to 15 mph over the limit), stop sign, stop light, yield sign, driving left of center (not DUI-related), passing or lane, following too closely, failure to signal, illegal turn, driving over/through/around barricades, failure to obey traffic control devices, texting while driving, driving without a cycle endorsement, failure to yield right of way, failure to yield to pedestrian (first offense only), motorized bicycle, obstructing view of driver, wearing headphones while operating a motor vehicle, motorcycle or motor vehicle headlamp requirements, seatbelt, muffler requirements, windshield covered with steam/frost/ice, or failure to move left/slow for emergency vehicle ("Ted Foss" law) violations.

**Ineligibility:** The program is not available if the driver wants to contest the citation, has participated in the City of Red Wing or the Goodhue County Sheriff Department's Driver Awareness Class in the last 12 months; has more than two prior moving violations in the past 12 months; has previously participated in two Driver Awareness Classes; or has a DUI, open bottle, careless driving, or driving without a license conviction within the past five years. It does not cover parking violations, citations resulting from an accident, multiple violations, or leaving the scene of an accident.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No. According to a July 26, 2010, City Council Agenda Report from the City's former Police Chief, administrative citations were considered, but the 2009 law (Minn. Stat. § 169.999) was "very limited."

**When Did Program Begin?** July 2010<sup>21</sup>

**Description of Class:** The approximately two-hour class is taught by a City police officer at the Goodhue County Law Enforcement Center.

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<sup>21</sup> See City of Red Wing City Council Meeting Minutes for July 26, 2010. The first revenues from the program were received by the City in October 2010.

**Revenues:**

<b>City of Red Wing - Driver Awareness Class Fees and Surcharges Remitted to State</b>				
<b>Year</b>	<b>Driver Awareness Class Fees (Includes Surcharges)</b>	<b>Surcharges Remitted to State</b>		<b>Difference</b>
2010	\$4,775	\$ -		\$4,775
2011	36,030	13,500		22,530
2012	28,105	21,000		7,105
Jan. - June 2013	9,075	6,525		2,550

**Additional Information:** According to a July 26, 2010, City Council Agenda Report from the City's former Police Chief, program fees would be used to purchase City Police Department related equipment and general Police Department operational needs. The City is considering discontinuance of the program.

### SAFE DRIVING TIPS

- Use the "3 second rule" to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.

**You have earned the right to  
operate an automobile.  
Don't abuse it.**

### CLASSES ARE HELD AT THE BELOW LISTED LOCATION UNLESS OTHERWISE NOTIFIED:

\*\*\*\*\*

Goodhue County Law Enforcement Center

430 W. 6th St.

Red Wing, MN 55066

For information call:

651-267-2604 or 651-267-2605

*DO NOT CALL COURT ADMINISTRATOR'S OFFICE*

\*\*\*\*\*

### REGISTRATION FORM

**If you have registered for class by PHONE  
please send in the following information  
with payment at least 5 days before class.  
(please print)**

Last name: \_\_\_\_\_

First name: \_\_\_\_\_

Middle name: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Phone number: \_\_\_\_\_

Citation number: \_\_\_\_\_

(mail to)

Red Wing Police Department

Att. Drivers Awareness Class

Goodhue County Law Enforcement Center

430 W. 6th Street

Red Wing, MN 55066



## RED WING POLICE DEPARTMENT DRIVER AWARENESS CLASS

NO FINE

NO COURT APPEARANCE

NO ENTRY ON  
YOUR DRIVING RECORD

IMPROVE YOUR DRIVING HABITS!

Educate and learn the traffic laws and  
have your traffic citation diverted upon  
completion of the course.

## DRIVER AWARENESS CLASS

### YOU ARE ELIGIBLE...

If your citation was issued by a Red Wing police officer and was for:

- \* Speeding and the speed is no more than 15 mph over the posted speed limit.
- \* Violation of a stop sign, stop light or yield sign.
- \* Driving left of the center line (not DUI related).
- \* Passing or lane violations.
- \* Following too closely.
- \* Failure to signal.
- \* Making an illegal turn.
- \* Drive over/through/around barricades.
- \* Failure to obey traffic control devices.
- \* Texting while driving.
- \* Driving without cycle endorsement.
- \* Failure to yield right of way.
- \* Failure to yield to pedestrian. (1st offense only)
- \* Motorized bicycle violations.
- \* Obstructing view of driver.
- \* Wearing headphones while operating motor vehicle.
- \* Headlamps required motor vehicle and motorcycles.
- \* Seatbelt violation. (\$75 fee for class)
- \* Muffler required.
- \* Windshield covered with steam/frost/ice.
- \* "Ted Foss" Move Over Law.

### YOU ARE ELIGIBLE...

If you do not wish to contest your ticket.

If you have not participated in a Driver Awareness Class sponsored by the City of Red Wing Police Department or the Goodhue County Sheriff's Department in the last 12 months.

If you have not had more than two prior moving violations in the past 12 months.

If you have **not** had a DUI, Open Bottle, Careless Driving or Driving Without a License conviction within the past 5 years and also must not have any other moving violations within the same time period, you may attend.

### YOU ARE NOT ELIGIBLE...

If your City of Red Wing Police Department citation was for:

- Parking tickets.
- Citations resulting from an accident.
- Multiple violations.
- Leaving the Scene of an Accident.
- If you have already participated in two Driver Awareness Classes.

## REGISTRATION AND COST

Persons must register for the Driver Awareness Class within 10 working days after receiving the citation.

Registration may be done by calling 651-267-2604 or 651-267-2605, or done in person by stopping at the Goodhue County Law Enforcement Center front lobby window, Monday - Friday 8 a.m. - 4:30 p.m.

If registering by phone, you must provide your name, date of birth, phone number and citation number.

If registering in person, you must provide a copy of the citation.

Fee to attend the Driver Awareness Class is \$100, except \$75 for Seatbelt violations, payable by cash (exact amount), check or money order.

Payment may be made when registering for class in person at the Law Enforcement Center, by mail or the night of the class.

Driver's License must be shown as proof of identification.

Classes will be held on designated Wednesday's starting at 6:30 p.m. sharp and last about 2 hours.

Those paying the night of the class must arrive at 6 p.m.

Those that are late or fail to appear will have their citations sent to court and any class fee paid to attend will be forfeited. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

**THERE IS NO FAILING IF YOU ATTEND THE CLASS!**



## Grant County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class is approved by the Grant County & City Attorney’s Office.”<sup>22</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$65 (payable in cash at the class or at the Sheriff’s Office)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by the Grant County Sheriff’s Department, or the Elbow Lake or Ashby Police Departments, for speeding (no more than 15 mph over the posted speed limit), violation of a stop sign or yield sign, and “most driving violations” are eligible for the program.<sup>23</sup>

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Grant County in the past 6 months, has been to two classes within 12 months, or has more than two prior moving violations in the past 12 months. It is not available for parking violations, citations resulting from an accident, or alcohol-related violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2007

**Description of Class:** The approximately two-hour class is taught by a law enforcement officer at the Elbow Lake Community Building.

<b>Revenues:</b>	2013 (January - June)	\$ 2,990
	2012	\$10,495
	2011	\$ 9,030
	2010	\$11,800

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<sup>22</sup> Grant County Sheriff’s Office, Ashby Police Dep’t, and Elbow Lake Police Dep’t Driver Awareness Diversion Class brochure.

<sup>23</sup> Grant County Sheriff’s Office, Ashby Police Dep’t, and Elbow Lake Police Dep’t Driver Awareness Diversion Class brochure.

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Safe Driving Tips

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1. Use the two second rule to judge safe following distances.
2. Practice good driving habits.
3. Keep shifting your view to check in all directions around your vehicle.
4. Before driving in inclement weather or at night check to make sure your lights all work.
5. Keep your vehicle well maintained.
6. Check your tire pressure often.
7. If you are walking, you should be on the left side of the road, moving towards oncoming traffic.
8. At any railroad crossing expect a train all the time.
9. Bicyclists should travel on the right side of the roadway, riding with the flow of traffic.
10. Last but not least, remember that you have earned the privilege to operate an automobile. Don't abuse it or you may loose it.

GRANT COUNTY  
LAW ENFORCEMENT:

Take our

**DRIVER AWARENESS CLASS**

And Have:

No Court Appearance

No Entry On Your Driving Record

Improve Your Driving Habits

---

Next Class Date:

**GRANT COUNTY**

**SHERIFF'S OFFICE**

**ASHBY POLICE DEPT**

**ELBOW LAKE**

**POLICE DEPT**

DRIVER AWARENESS DIVERSION  
CLASS

You have 13 days to sign up for the Traffic Diversion Class. If you do not sign up with in the 13 days your citation will be sent to the courts. You will not be able take the class, and you will be responsible for the state fine listed on the bottom of the citation.

Become Educated on the traffic laws and have your traffic citation diverted upon completion of this course.

**TO REGISTER**

1. You can register by calling the Grant County Sheriff's Office (218-685-8280) or by stopping in at the Sheriff's Office.

2. You **MUST** bring your citation and this brochure.

3. The class fee is \$65.00 payable in cash (exact change) at the time of class, or at the Sheriff's Office.

4. Your driver's license must be shown as proof of identification when you check into class.

5. Class will be the 3<sup>rd</sup> Tuesday of every month. It begins at 6:30 PM sharp! If you are late, or fail to appear, the class fee will be forfeited and your citation will be sent to court and you will not be eligible to continue with the Driver Awareness Class.

7. The class is approximately 2 hours long. There is no failing if you attend and participate in the class.

**NOTE:** The Driver Awareness class must be completed before the court date on your citation.

**CLASSES ARE HELD AT:**

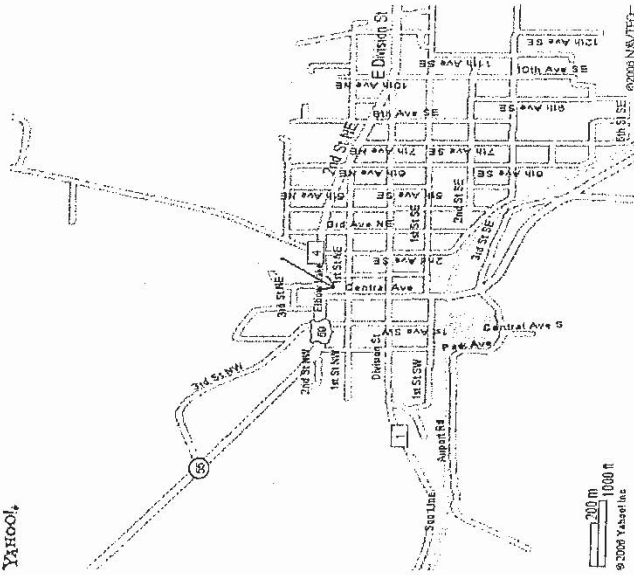
In the basement of:

Elbow Lake Community Building  
Thorson Memorial Building  
117 Central Ave N Elbow Lake, MN

**DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE**

If you need better directions call 218-685-8280

YrHool,



**YOU ARE ELIGIBLE.....  
(MUST MEET ALL CRITERIA BELOW)**

1.) If your citation was issued by the Elbow Lake Police Dept, Grant County Sheriff's Dept, or Ashby Police Dept.

2.) Your Citation was for one of the following violations:

Speeding, no more than 15 mph over the posted speed limit. Stop sign, or yield sign violation. Most driving violations both state statute and ordinance.

3.) You do not wish to contest your citation.

4.) You have not participated in a Driver Awareness Class in Grant County in the past 6 months.

5.) You have not had more than two prior moving violations in the past 12 months.

**YOU ARE NOT ELIGIBLE.....**

If your citation was for any of the following;

1. Parking violation

2. Citation resulting from an accident.

3. Alcohol related violations.

4. If you have been to two classes with in 12 months.

This diversion class is approved by the Grant County & City Attorney's Office.

## City of Ashby in Grant County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class is approved by the Grant County & City Attorney’s Office.”<sup>24</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$65 (payable in cash at the class or at the Sheriff’s Office)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by the Grant County Sheriff’s Department, or the Elbow Lake or Ashby Police Departments, for speeding (no more than 15 mph over the posted speed limit), violation of a stop sign or yield sign, and “most driving violations” are eligible for the program.<sup>25</sup>

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Grant County in the past six months, has been to two classes within 12 months, or has more than two prior moving violations in the past 12 months. It is not available for parking violations, citations resulting from an accident, or alcohol-related violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2007

**Description of Class:** The approximately two-hour class is taught by a law enforcement officer at the Elbow Lake Community Building.

<b>Revenues:</b>	2013 (January - June)	\$ -
	2012	\$ 65
	2011	\$ 845
	2010	\$ 715

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<sup>24</sup> Grant County Sheriff’s Office, Ashby Police Dep’t, and Elbow Lake Police Dep’t Driver Awareness Diversion Class brochure.

<sup>25</sup> The OSA did not include the City of Elbow Lake’s program in this review because of its small size. The Elbow Lake Police Chief informed the OSA that approximately four tickets from the City have used the program.

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Safe Driving Tips

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GRANT COUNTY  
LAW ENFORCEMENT:

Take our

DRIVER AWARENESS CLASS

And Have:

**GRANT COUNTY**

No Court Appearance

**SHERIFF'S OFFICE**

No Entry On Your Driving Record

**ASHBY POLICE DEPT**

Improve Your Driving Habits

---

Next Class Date:

**ELBOW LAKE**

**POLICE DEPT**

DRIVER AWARENESS DIVERSION  
CLASS

You have 13 days to sign up for the Traffic Diversion Class. If you do not sign up within the 13 days your citation will be sent to the courts. You will be responsible for the state fine listed on the bottom of the citation.

Become Educated on the traffic laws and have your traffic citation diverted upon completion of this course.

1. Use the two second rule to judge safe following distances.
2. Practice good driving habits.
3. Keep shifting your view to check in all directions around your vehicle.
4. Before driving in inclement weather or at night check to make sure your lights all work.
5. Keep your vehicle well maintained.
6. Check your tire pressure often.
7. If you are walking, you should be on the left side of the road, moving towards oncoming traffic.
8. At any railroad crossing expect a train all the time.
9. Bicyclists should travel on the right side of the roadway, riding with the flow of traffic.
10. Last but not least, remember that you have earned the privilege to operate an automobile. Don't abuse it or you may loose it.

**TO REGISTER**

1. You can register by calling the Grant County Sheriff's Office (218-685-8280) or by stopping in at the Sheriff's Office.

2. You **MUST** bring your citation and this brochure.

3. The class fee is \$65.00 payable in cash (exact change) at the time of class, or at the Sheriff's Office.

4. Your driver's license must be shown as proof of identification when you check into class.

5. Class will be the 3<sup>rd</sup> Tuesday of every month. It begins at 6:30 PM sharp! If you are late, or fail to appear, the class fee will be forfeited and your citation will be sent to court and you will not be eligible to continue with the Driver Awareness Class.

7. The class is approximately 2 hours long. There is no failing if you attend and participate in the class.

**NOTE:** The Driver Awareness class must be completed before the court date on your citation.

**CLASSES ARE HELD AT:**

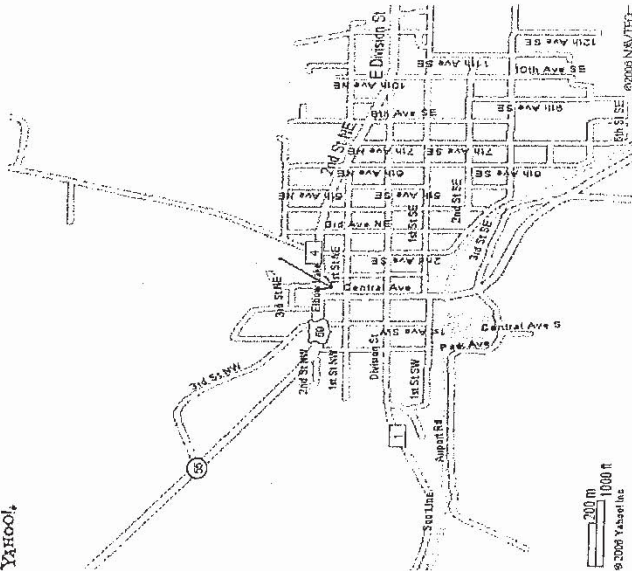
In the basement of:

Elbow Lake Community Building  
Thorson Memorial Building  
117 Central Ave N Elbow Lake, MN

**DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE**

If you need better directions call 218-685-8280

YrHool,



**YOU ARE ELIGIBLE.....  
(MUST MEET ALL CRITERIA BELOW)**

1.) If your citation was issued by the Elbow Lake Police Dept, Grant County Sheriff's Dept, or Ashby Police Dept.

2.) Your Citation was for one of the following violations:

Speeding, no more than 15 mph over the posted speed limit. Stop sign, or yield sign violation. Most driving violations both state statute and ordinance.

3.) You do not wish to contest your citation.

4.) You have not participated in a Driver Awareness Class in Grant County in the past 6 months.

5.) You have not had more than two prior moving violations in the past 12 months.

**YOU ARE NOT ELIGIBLE.....**

If your citation was for any of the following;

1. Parking violation

2. Citation resulting from an accident.

3. Alcohol related violations.

4. If you have been to two classes with in 12 months.

This diversion class is approved by the Grant County & City Attorney's Office.



## City of Grand Rapids in Itasca County

**Program Name:** Traffic Education Program (TEP)

**Brief Program Description:** The Grand Rapids Police Department offers a Traffic Education Program for those who have been stopped for certain petty misdemeanor and misdemeanor traffic offenses in the City. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$110 fee. If more than one offense is on the citation, an additional \$50 per offense is charged. ("For example, if you received two offenses on a single citation, you will pay \$160. **Your savings will be \$90.**"<sup>26</sup>)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (up to 25 mph over the limit),<sup>27</sup> driving over/through a barricade, failure to obey a control device/semaphore, failure to obey a flagger's instructions in a work zone, exhibition or inattentive driving, passing on the right where prohibited, failing to yield (including to an emergency vehicle), texting or wearing headphones while driving, failure to move left/slow for emergency vehicle ("Ted Foss" law), and seatbelt violations, among others.

**Ineligibility:** Drivers "may use TEP twice in a 12 month period to have [their] citation dismissed."<sup>28</sup>

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** Used prior to 2013

**When Did Program Begin?** January 2013

**Description of Class:** 8 - 10 minute on-line class

**Revenues:** 2013 (January - June) from TEP      \$29,590

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<sup>26</sup> TEP brochure (emphasis in original).

<sup>27</sup> The City's Police Chief informed the OSA that speeding up to 25 mph over the limit is eligible for TEP. However, the supporting list of eligible offenses the Police Chief provided to the OSA includes speeding up to 30 mph over the limit.

<sup>28</sup> TEP brochure.

<b>City of Grand Rapids - Administrative Traffic Ticket (Minn. Stat. § 169.999) Revenues</b>			
<u>Year</u>	<u>Amount Collected</u>	<u>Amount Remitted to MMB</u>	<u>Net</u>
2012	\$19,320	\$6,440	\$12,880
2011	18,620	6,140	12,480
2010	15,710	5,280	10,430

**Additional Information:** Financial Crimes Services, LLC, developed the program, and charged the City a one-time programming fee of \$15,000, with yearly costs estimated at \$4,180.<sup>29</sup> The TEP brochure lists the average increase in auto insurance premiums for various traffic tickets.

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<sup>29</sup> See Services Agreement Traffic Diversion Database/Patriot Order for the City of Grand Rapids (Aug. 13, 2012). See also City of Grand Rapids City Council Meeting Minutes for Aug. 13, 2012 (item 15). In 2012, the City paid the vendor \$21,181.66. The City paid the vendor \$1,928.03 in 2013, as of September 27, 2013.

## COURT APPEARANCE?

If you decide NOT to participate in this program, you are required to pay or set a court appearance within 30 days of the issuance of the citation.

**If you wish not to participate in this program, please follow instructions on the back of the citation you were issued.**

## What is a petty misdemeanor?

A petty misdemeanor is not a crime and therefore carries no jail time. The maximum fine for a petty misdemeanor is \$300. You may be represented by an attorney hired at your own expense. If you wish to plead not guilty, you are entitled to a court trial. A court trial is a trial by a judge without a jury.

## What is a misdemeanor?

A misdemeanor is a crime. The maximum penalty is \$1,000 and/or 90 days in jail. If you cannot afford an attorney to represent you, you may apply for a public defender. You will need to provide financial information to determine if you are eligible. If you wish to plead not guilty, you are entitled to a jury trial. At trial, the jury would consist of six persons and all six persons would have to agree that you are guilty before you could be convicted and sentenced.

“I can't believe how easy the program was and how quick it was to resolve my traffic ticket. I recommend anyone who is eligible to take the Traffic Education Program- to take it. You have nothing to lose!”

## WHAT WE ARE ALL ABOUT

The Traffic Education Program (TEP) is an educational program offered by the Grand Rapids Police Department.

If you receive a citation and are eligible, the city prosecutor will dismiss your citation. You will in return not have to attend court and the citation will not be on your record.

Requirements of TEP are simple:

- Register your citation online
- Pay the \$110 TEP fee\*
- Participate in an eight minute educational class and pass a 30 questions test.
- You must complete TEP within 20 days of issuance of the citation.

\*If you have more than one offense on your citation, you will be required to pay an additional \$50 per offense to participate in TEP. For example, if you received two offenses on a single citation, you will pay \$160. **Your savings will be \$90.**



## Traffic Education Program

*Your safety is important to us!*

**You have received a ticket in Grand Rapids and are eligible for the Traffic Education Program (TEP). This ticket charges you with a petty misdemeanor or a misdemeanor. You may use TEP twice in a 12 month period to have your citation dismissed. Your safety is important to us!**



## MORE INFORMATION AND SAVINGS TO YOU

- If you received two offenses on a single citation, you will pay only \$160. **Savings: \$90.**
- On average, two tickets on your record can increase your insurance premiums by 22%. **Savings tip: Forbes magazine survey states that on average a speeding ticket can raise your insurance 11 to 15%. Reckless driving can increase your insurance up to 22%.**
- Drivers going more than 15 miles above the posted speed limit will see their auto insurance premium increase more than drivers who are ticketed for going only five miles above the speed limit. **Savings tip: don't drive more than five miles over the posted speed limit.**
- According to the Minnesota Department of Motor Vehicles, signing a ticket isn't an admission of guilt, but paying your fine is. **Savings tip: a clear record and insurance premium increase.**

## ELIGIBILITY

You are eligible to participate in the TEP for the following violations:

- Equipment Violation**
- Moving Violation**
- Ordinance Violation**
- Parking Violation**
- Status Offense**
- Other Limited Violations**

Common tickets will increase auto premiums, on average\*:

- Reckless driving: 22%
- DUI first offense: 19%
- Driving without a license or permit: 18%
- Careless driving: 16%
- Speeding 30 mph over the limit: 15%
- Failure to stop: 15%
- Improper turn: 14%
- Improper passing: 14%
- Following too close/tailgating: 13%
- Speeding 15 to 29 mph over limit: 12%
- Speeding 1 to 14 mph over limit: 11%
- Failure to yield: 9%
- No car insurance: 6%
- Seat belt infractions: 3%

\*as determined by Insurance.com

## HOW TO GET YOUR CITATION DISMISSED:

- Have your citation and drivers license ready.
- Log onto <http://GrandRapids.TrafficEd.net>
- Register with your citation and drivers license.
- Pay with your credit card.
- Take the online course and test.
- You must complete within 20 days of issuance of the citation.
- That's it, you're finished!

Upon successful completion of the test, the prosecuting attorney will be notified and the citation(s) and fine(s) will be dismissed.

Having troubles accessing the website? Please call (651)385-8100.

Traffic Education Program is managed by:  
 Diversion Solutions  
 PO Box 10  
 Red Wing, MN 55066

## Kandiyohi County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of the Kandiyohi County Attorney’s Office Diversion Program.”<sup>30</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State?** \$0

**Offenses Eligible for Program:** Citations issued by a Kandiyohi County law enforcement officer for speeding (no more than 15 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too close; failure to signal; and making an illegal turn are eligible for the program.

**Ineligibility:** The class is not available if the driver wants to contest the citation; has participated in a Driver Awareness Class in Kandiyohi County in the last 12 months; has participated in two Driver Awareness Classes; or has more than two prior moving violations in the past 12 months, excluding alcohol-related offenses. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Ticket Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2004

**Description of Class:** The two-hour class is taught by a deputy at the Kandiyohi Law Enforcement Center.

<b>Revenues:</b>	2013 (January - June)	\$ 5,325
	2012	\$29,550
	2011	\$31,275
	2010	\$28,350

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<sup>30</sup> Kandiyohi County Sheriff’s Office Driver Awareness Class brochure.

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## Safe Driving Tips

- Use the "2 second rule" to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.



Kandiyohi County Sheriff's Office  
Mission Statement  
on Traffic Enforcement:

*To enforce the traffic laws and ensure safety for all motorists, bicyclists and pedestrians who use the roads in Kandiyohi County.*

Take Our

## DRIVER AWARENESS CLASS

And Have:

No Fine

No Court Appearance

No Entry on Your Driving Record

*Most Importantly...*

Improve Your Driving Habits!!

KANDIYOHI COUNTY  
LAW ENFORCEMENT CENTER

2201 23rd Street NE  
Willmar, MN 56201  
320-214-6700

*Educate and learn the traffic laws and have your traffic citation diverted upon completion of the course.*

This diversion class is approved as part of the Kandiyohi County Attorney's Office Diversion Program.  
[REDACTED]; Kandiyohi County Attorney

## YOU ARE ELIGIBLE...

- If your citation was issued by a Kandiyohi County Law Enforcement Officer.
- If your Kandiyohi County citation was for:
  - Speeding and the speed is no more than 15 mph over the posted speed limit.
  - Violation of a stop sign, stop light or yield sign.
  - Driving left of the center line (not DUI related).
  - Passing or lane violations.
  - Following too closely.
  - Failure to signal.
  - Making an illegal turn.
- If you do not wish to contest your ticket.
- If you have not participated in a Driver Awareness Class in Kandiyohi County in the last 12 months.
- If you have not had more than two prior moving violations in the past 12 months, excluding alcohol related offenses.

## YOU ARE NOT ELIGIBLE...

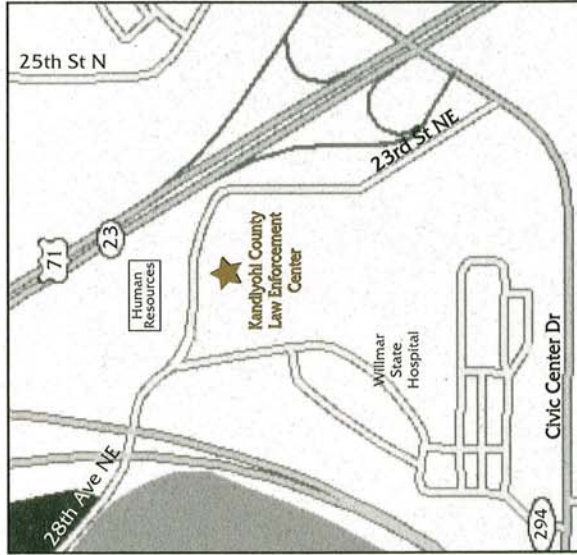
- If your Kandiyohi County citation was for:
  - Parking tickets.
  - Citations resulting from an accident.
  - Multiple violations.
  - Major violations such as careless driving, DUI, leaving the scene of an accident or driving without a license.
- If you have already participated in two Driver Awareness Classes.

## CLASSES ARE HELD AT

**Kandiyohi County  
Law Enforcement Center**

2201 23rd Street NE  
Willmar, MN 56201  
320-214-6700

## DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE



Take Business 71 to Highway 294  
Park in West Lot

or

Take Highway 71/23 bypass  
to Civic Center Drive exit.  
Turn right on Civic Center Drive and  
travel to 23rd Street NE (second right).

## REGISTRATION

Persons must register for the Driver Awareness Class within 10 working days after receiving the citation.

You must register in person at the Kandiyohi County Sheriff's Office front window, open 24 hours a day.

To register you must bring your traffic citation.

The cost of the class is \$75.00 payable by check or money order.

Driver's License must be shown as proof of identification.

Class times will be on designated Mondays at 6:30 p.m. sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

Confirmed dates will be provided upon registration.

The class is approximately 2 hours. There is no failing if you attend this class.

**The Driver Awareness Class must be completed within 30 days after the receipt of the citation.**



**COUNTY SHERIFF**

**Daniel R. Hartog**  
320-235-1260



## Lac qui Parle County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “Driver Awareness Class is approved as part of the Lac qui Parle County Attorney’s Office Diversion Program.”<sup>31</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Lac qui Parle County deputy for speeding (no set limit on speed); violation of stop sign, stop light or yield sign; passing violations; lane violations; failure to signal; illegal turn; and seatbelt violations are eligible for the program.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in the last 12 months, or has more than two prior moving violations in the last 12 months. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, driving while impaired, leaving the scene of an accident, or license offenses.

**Uses Uniform Ticket Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2011

**Description of Class:** The two-hour class is taught by a deputy in the Lac qui Parle County Multimedia Room.

<b>Revenues:</b>	2013 (January - June)	\$1,050
	2012	\$3,675
	2011	\$2,400

**Additional Information:** Due to the pending Wabasha County litigation, Lac qui Parle County has suspended its program until further notice.

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<sup>31</sup> Lac qui Parle County Sheriff’s Office Driver Awareness Class brochure.

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## **YOU ARE NOT ELIGIBLE**

If your citation was for

- Parking tickets
- Citation Resulting from an accident
- Multiple Violations
- If you have attended a Lac qui Parle County diversion class in the past year
- Major offenses, such as Careless Driving, Driving While Impaired, Leaving the Scene of an Accident, License Offenses.



Lac qui Parle County Sheriffs  
Office  
600 6<sup>th</sup> Street  
Madison, MN 56256  
320-598-3720

Lac qui Parle County  
Sheriff's Office

This Driver Awareness Class is  
approved as part of the Lac qui Parle  
County Attorney's Office Diversion  
Program

Rick Stulz, County Attorney

## **Driver Awareness Class**

Learn traffic laws and have your citation  
dismissed upon completion of the course

- Pay no fine
- Does not go on your driving record
- Does not affect insurance rates

## YOU ARE ELIGIBLE...

- If your citation was issued to you by a Lac qui Parle County Deputy.

If your citation was issued for:

- Speeding
- Violation of stop sign, stop light, or yield sign
- Passing violations
- Lane Violations
- Failure to signal
- Illegal turn
- Seatbelt violations
- If you do not wish to contest your citation
- If you have NOT participated in a Driver Awareness Class in the last 12 months
- If you have not had more than two prior moving violations in the last 12 months

## CLASSES ARE HELD AT :

### THE LAC QUI PARLE COUNTY MULTIMEDIA ROOM

422 5<sup>TH</sup> Ave. Madison, MN  
56256



## REGISTRATION

Persons must register for the Driver Awareness Class within 10 Days after receiving the citation.

You can register at the Lac qui Parle County Sheriff's Office by phone at 320-598-3720

Class cost of \$75 can be mailed in, paid in person at the Sheriff's Office, or paid at the door on the night of the class. Payable by check, money order, or Cash. Please do not send cash in the mail

Class time will be on designated days at 6:30 p.m. If you fail to appear, the class fees will be forfeited and you citation will be sent to court. You will then be expected to appear in court, and will no longer be eligible to continue with the Driver Awareness Class

Confirmed Dates will be provided upon registration.

Class is approximately 2 hours

The Driver Awareness Class must be completed within 60 days after the receipt of the citation

## McLeod County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class is approved as part of the McLeod County Attorney’s Office Diversion Program.”<sup>32</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a McLeod County law enforcement officer or a participating law enforcement agency for, as examples, speeding (no more than 20 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too closely; failure to signal; and making an illegal turn are eligible for the program.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in McLeod County in the last 12 months, has participated in two Driver Awareness Classes, or has more than two prior moving violations in the past 12 months, excluding alcohol-related offenses. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** Approximately 2008

**Description of Class:** The two-hour class is taught by a deputy at the McLeod County Courthouse.

<b>Revenues:</b>	2013 (January - June)	\$ 2,475
	2012	\$ 8,475
	2011	\$11,250
	2010	\$11,925

**Additional Information:** The program has been suspended, awaiting further direction from the Legislature.

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<sup>32</sup> McLeod County Sheriff’s Office Driver Awareness Class brochure.

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## Safe Driving Tips

- Make sure you check your headlights, turn signals and wipers to insure they are in good working order before driving at night or in inclement weather.
  - Drinking and driving is irresponsible and very dangerous.
  - Keep shifting your view, checking in all directions around your vehicle.
  - Bicyclists should travel on the right side of the road, riding with the flow of traffic.
  - Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
  - Practice and master good driving habits.
  - Expect a train at any time at a crossing.
  - It is unsafe to drive around crossing gates.
  - The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.



## McLeod County Sheriff Scott Rehmann



Take our

## DRIVER AWARENESS CLASS

And Have:

No Fine

No Court Appearance

No Entry on Your Driving Record  
Most Importantly...

Improve Your Driving Habits!

Become educated about the traffic laws and have your traffic citation diverted upon completion of the course.

This diversion class is approved as part of the McLeod County Attorney's Office Diversion Program.

Mike Junge, McLeod County Attorney

### You are Eligible...

- ✚ If your citation was issued by a McLeod County Law Enforcement Officer, or a participating law enforcement agency.
- ✚ If an officer gave you this pamphlet. Some example citations are:
  - Speeding and the speed is no more than 20 mph over the posted speed limit.
  - Violation of a stop sign, stop light or yield sign.
  - Driving left of the center line (not DUI related).
  - Passing or lane violations.
  - Following too closely.
  - Failure to signal.
  - Making an illegal turn.
- ✚ If you do not wish to contest your ticket.
- ✚ If you have not participated in a Driver Awareness Class in McLeod County in the last 12 months.
- ✚ If you have not had more than two prior moving violations in the past 12 months, excluding alcohol related offenses.

### You are NOT Eligible...

- ✚ If your McLeod County citation was for:
  - Parking tickets.
  - Citations resulting from an accident.
  - Multiple violations.
  - Major violations such as careless driving, DUI, leaving the scene of an accident or driving without a license.
- If you have already participated in two Driver Awareness Classes.

### REGISTRATION

- ✚ Persons must register for the Driver Awareness Class within 10 working days after receiving the citation.
- ✚ You must register in person at the McLeod County Sheriff's Office front window from 8 a.m. to 4:30 p.m. Monday through Friday, not including holidays.
- ✚ To register, driver's license must be shown as proof of identification and your traffic citation.
- ✚ The cost of the class is \$75 payable by cash or money order. Credit cards and personal checks will not be accepted.

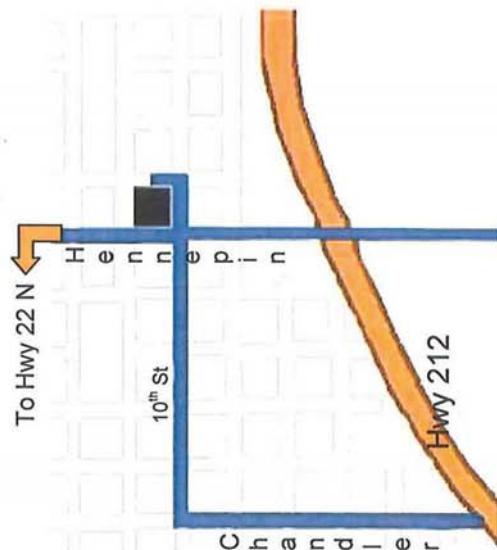
### CLASS INFORMATION

- ✚ Class times will be the 2<sup>nd</sup> Thursday of each month at 6:30 p.m. sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.
  - ✚ Confirmed dates will be provided upon registration.
  - ✚ The class takes approximately 2 hours. You must successfully complete the class.
  - ✚ You must bring photo identification to the class.
- You must register within 10 working days after the receipt of the citation.**

## CLASSES ARE HELD AT

McLeod County Courthouse  
(basement)  
801 10<sup>th</sup> St E  
Glencoe, MN 55336  
320-864-3134

DO NOT CALL THE  
COURT ADMINISTRATOR'S OFFICE



Enter the Courthouse through the south door.



## Meeker County

**Program Name:** Driver Awareness Class

**Brief Program Description:** “This diversion class is approved as part of the Meeker County Attorney’s Office Diversion Program.”<sup>33</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Meeker County Sheriff’s deputy for speeding (if no more than 15 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violation; following too close; failure to signal; making an illegal turn; and equipment and seat belt violations are eligible for the program. “Eligibility is ultimately determined by the discretion of the initiating deputy, prosecuting attorney, or otherwise ordered by the court.”<sup>34</sup>

**Ineligibility:** The program is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Meeker County in the last 12 months, has already participated in two Driver Awareness Classes, or has had more than two prior moving violations in the past 12 months, excluding alcohol-related offenses. The program is not offered for parking tickets; citations related to an accident; multiple violations; or “major violations” such as careless driving, DUI, leaving the scene of an accident or driving without a license.

**Uses Uniform Ticket Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2005<sup>35</sup>

**Description of Class:** The two-hour class is taught by deputies at the Meeker County Courthouse.

<b>Revenues:</b>	2013 (January - June)	\$1,125
	2012	\$5,250
	2011	\$6,000
	2010	\$5,775

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<sup>33</sup> Meeker County Sheriff’s Office Driver Awareness Class brochure.

<sup>34</sup> Meeker County Sheriff’s Office Driver Awareness Class brochure.

<sup>35</sup> Meeker County website.

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## SAFE DRIVING TIPS

- Use the "3 second rule" to judge safe following distances.
  - Before you start driving at night or in inclement weather, check your headlights, signals and wipers to be sure they are clear and working properly.
  - Drinking and driving is irresponsible and very dangerous.
  - Keep shifting your view, checking in all directions around your vehicle.
  - Bicyclists should travel on the right side of the road, riding with the flow of traffic.
  - Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
  - Practice and master good driving habits.
  - Expect a train at any time at a crossing.
  - It is unsafe to drive around crossing gates.
  - The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.

**Meeker County Sheriff**  
**Jeff Norlin**

## MISSION STATEMENT

The mission of the Meeker County Sheriff's Office is to protect and preserve life and property. We aim to accomplish this through:

### High quality services

- ◆ Offered in a timely manner
- ◆ Provided at all times, especially in times of crisis or emergencies
- ◆ Through community collaboration
- ◆ For interagency collaboration
- ◆ Provided in the form of public safety education programs

### Quality personnel

- ◆ Providing effective leadership
- ◆ Hiring skilled employees
- ◆ Displaying professionalism and integrity
- ◆ Offering compassion and respect
- ◆ Engaging in responsive interaction

### Modern innovations

- ◆ For contingency planning and preparing
- ◆ Through use of grant funding
- ◆ Using cost effective technology and personnel
- ◆ Allowing for creative problem solving
- ◆ Engaging in community policing and partnerships
- ◆ That maintain a fiduciary duty to the community



# DRIVER AWARENESS CLASS

**PARTICIPATION INCLUDES:**  
**Avoidance of Fines, Court Appearances,  
and Entries on Your Driving Record.  
And Most Importantly...  
Improves Your Driving Habits!**

## Meeker County Sheriff's Office

326 North Ramsey Avenue  
Litchfield, MN 55355  
(320) 693-1706

The Driver Awareness Class aims to educate drivers of traffic laws. Upon completion of this course, your traffic citation will be diverted.

*This diversion class is approved as part of the Meeker County Attorney's Office Diversion Program.*  
Tony Spector, Meeker County Attorney

## ELIGIBILITY

### YOU ARE ELIGIBLE IF...

- ◆ Your citation was issued by a Meeker County Sheriff's Deputy.
- ◆ Your Meeker County citation was for:
  - ◆ Speeding (no more than 15 mph over the posted speed limit)
  - ◆ Violation of a Stop Sign, Stop Light, or Yield Sign
  - ◆ Driving Left of the Center Line (not DUJ related)
  - ◆ Passing or Lane Violation
  - ◆ Following Too Closely
  - ◆ Failure to Signal
  - ◆ Making an Illegal Turn
  - ◆ Equipment Violation
  - ◆ Seat Belt Violation
- ◆ You do not wish to contest your ticket.
- ◆ You have not participated in a Driver Awareness Class in Meeker County in the last 12 months.
- ◆ You have not had more than two prior moving violations in the past 12 months, excluding alcohol related offenses.

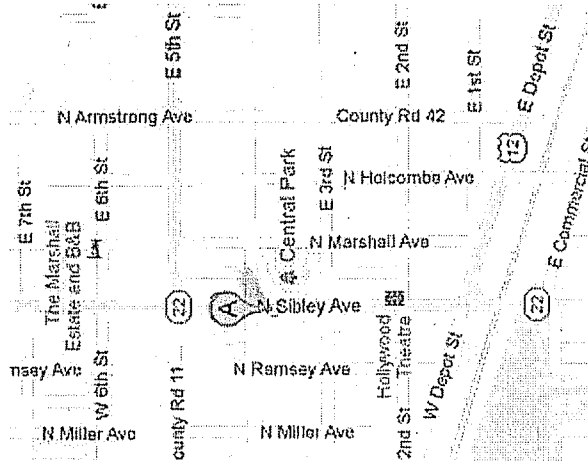
Eligibility is ultimately determined by the discretion of the initiating deputy, prosecuting attorney, or otherwise ordered by the court.

### YOU ARE NOT ELIGIBLE IF...

- ◆ Your Meeker County citation was:
  - ◆ For Parking Tickets
  - ◆ Accident Related
  - ◆ For Multiple Violations
  - ◆ A Major Violation Including: Careless Driving, DUJ, Leaving the Scene of an Accident or Driving Without a License
- ◆ You have already participated in two Driver Awareness Classes.

## LOCATION

Meeker County Courthouse  
Community Room (Lower Level)  
325 North Sibley Avenue  
Litchfield, MN 55355



Class dates will be determined when registering.

## Questions/Concerns?

**Call (320) 693-1706**

**DO NOT call the Court Administrator's Office**

## REGISTRATION

Persons must register for class within 5 working days after receiving the citation and the class must be completed within 30 days. It is your responsibility to schedule a class date.

### 2 Easy Ways to Register:

- ◆ Bring your traffic citation to the Meeker County Sheriff's Office Administrative Window. Open 24 hours a day.
  - ◆ Call (320) 693-1706, 8 a.m. - 4 p.m., Monday-Friday, not including holidays. Provide your full name, date of birth, phone number, and date/type of offense.
- Cost is \$75.00, payable to Meeker County.

Send check or money order to:

Meeker County Sheriff's Office  
326 North Ramsey Avenue  
Litchfield, MN 55355

Driver Awareness begins at 6:30 p.m. SHARP on specified dates. The duration is 2 hours. Please bring your citation and MN Driver's License or identification card to class. Credit is given to all who attend.

*Lateness or failure to appear will result in ineligibility of the class and forfeiture of the registration fee. If this happens, you will be expected to appear in Court.*

## Norman County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of the Norman County Attorney’s Office Diversion Program.”<sup>36</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$50

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include exceeding the posted speed limit (no set limit on speed); violation of a stop sign, stop light, or yield sign; driving left of the center line; passing or lane violation; following too close; failure to signal; and making an illegal U-turn.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Norman County in the past 12 months, has already participated in two Driver Awareness Classes, or has more than two prior moving violations in the past 12 months, excluding an alcohol-related offense. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DWI, leaving the scene of an accident, or license violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** April 2012

**Description of Class:** The approximately two-hour class is conducted at the Norman County Sheriff’s Office.

<b>Revenues:</b>	2013 (January - June)	\$3,250
	2012 (April - December)	\$5,950

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<sup>36</sup> Norman County Sheriff’s Office Driver Awareness Class brochure.

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## SAFE DRIVING TIPS

- Use the "3 second rule" to judge safe following distance.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure wipers are working properly.
- Drinking and driving is irresponsible and dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Remember operating a motor vehicle is a privilege not a right. Don't abuse it.

Norman County Sheriff Office  
15 2<sup>nd</sup> Ave E  
Ada, MN 56510  
(218)784-7114  
Sheriff Jeremy Thornton



## DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE

TAKE OUR  
DRIVER AWARENESS  
CLASS  
AND HAVE:  
NO FINE  
NO COURT APPEARANCE  
MOST IMPORTANTLY..  
IMPROVE YOUR DRIVING  
HABITS

This diversion class is approved as part of the  
Norman County Attorney's Office Diversion  
Program.

Educate and learn the traffic laws and  
have your citation diverted upon  
completion of the course.

## YOU ARE ELIGIBLE...

If your citation was issued by a Norman County Sheriff Deputy.

If your citation was for:

- If the citation was for exceeding the posted speed limit.
- Violation of a stop sign, stop light, or yield sign.
- Driving left of center line.
- Passing or lane violations.
- Following to Close.
- Failure to signal.
- Making an illegal turn.
- If you wish not to contest your citation.
- If you have not participated in a Driver Awareness Class in Norman County in the past 12 months.
- If you have had not more than two prior moving violations in the past 12 months, excluding alcohol related offense.

## YOU ARE NOT ELIGIBLE...

If your citation was for:

- Parking Tickets
- Citations resulting from an accident.
- Multiple violations.
- Major violations such as careless driving, DWI, leaving the scene of an accident, or license violations.
- If you have already participated in two Driver Awareness Classes.

## REGISTRATION

Persons must register for the Driver Awareness Class within 10 days after receiving the citation.

Classes will be offered once per month at 6:30 PM. Class date will be provided upon registration.

You must register in person or by telephone at the Norman County Sheriff Office Monday-Friday 8:30-4:30. (218)784-7114.

Class cost of \$50.00 must be paid within 10 days of receiving the citation. Payable by check, money order, or cash.

Class starts at 6:30 PM sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

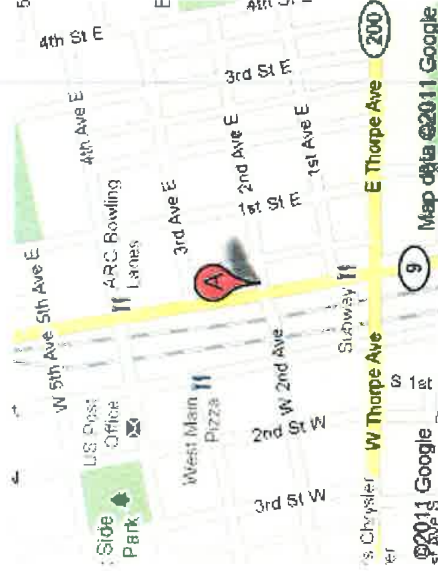
The class is approximately 2 hours.

There is no failing if you attend this class.

The Driver Awareness Class must be completed within 30 days after the receipt of the citation.

## Classes Are Held At

Norman County Sheriff Office  
15 2<sup>nd</sup> Ave E  
Ada MN 56510





## City of Ada in Norman County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of the Norman County Attorney’s Office Diversion Program.”<sup>37</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$50 (payable to Ada Police Department)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (up to 20 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line; following too close; failure to signal; and making an illegal U-turn.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Norman County in the last 12 months, has already participated in two Driver Awareness Classes, or has more than two prior moving violations in the past 12 months. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DWI, leaving the scene of an accident, or license violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** Used prior to 2012

**When Did Program Begin?** April 2012

**Description of Class:** The up to two-hour class is taught by the Crime Victim Advocate at the Norman County Sheriff’s Office.

**Revenues:** Traffic Diversion Classes  
2013 (January - June) \$ 750  
2012 \$1,600

City of Ada - Administrative Traffic Ticket (Minn. Stat. § 169.999) Revenues			
<u>Year</u>	<u>Amount Collected</u>	<u>Amount Remitted to MMB</u>	<u>Net</u>
2011	\$780	\$520	\$260
2010	1,080	-	1,080

**Additional Information:** The City pays Norman County \$50 per month for putting on the class.

<sup>37</sup> Ada Police Dep’t Driver Awareness Class brochure.

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## SAFE DRIVING TIPS

- Use the 3-second rule to judge safe following distance.
- Before driving at night or inclement weather, check your headlights and signals to be sure they are clear and working properly.
- Drinking and driving is irresponsible and dangerous.
- Keep shifting your view checking in all directions around your vehicle.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principal cause of motor vehicle-train collisions is motor vehicle driver error.
- Bicyclists should travel on the right side of the road with the flow of traffic.
- Pedestrians should travel on the left side of the road against the flow of traffic.
- Remember driving is a privilege not a right. Don't abuse it.

## Ada Police Department

410 West Main Street  
Ada, MN 56510

Please make checks payable to  
Ada Police Department

DO NOT CALL THE  
COURT ADMINISTRATOR'S OFFICE



Take Our  
Driver Awareness Class  
and have:  
NO Fine  
NO Court Appearance

Most Importantly -  
Improve Your Driving Habits

This diversion class is approved  
as part of the Norman County Attorney's Office  
Diversion Program.

Educate and learn the traffic laws and have your  
citation diverted upon completion of the course.

## **YOU ARE ELIGIBLE:**

If your citation was for:

- Exceeding the posted speed limit
- Violation of a stop sign, stop light, or yield sign
- Driving left of center line
- Following too close
- Failure to signal
- Making an illegal U-turn
- If you do not wish to contest the citation
- If you have not participated in a Driver Awareness Class in Norman County in the last 12 months
- If you have had not more than 2 prior moving violations in the past 12 months

## **YOU ARE NOT ELIGIBLE:**

If your citation was for:

- Parking tickets
- Citations resulting from an accident
- Multiple violations
- Major violations such as careless driving, DWI, leaving the scene of an accident, or license violations
- If you have already participated in two Driver Awareness Classes

## **REGISTRATION**

Persons must register for the Driver Awareness Class within 10 days after receiving the citation.

Classes will be offered once per month at 6:30 p.m. Class date will be provided upon registration.

You must register in person or by telephone at the Ada Police Department, Monday - Friday, 8:00 a.m. - 5:00 p.m., or by calling (218) 784-5510.

Class cost is \$50.00 must be paid within 10 days of receiving the citation. Payable by check, money order or cash.

Class starts at 6:30 sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

Class is approximately 2 hours.

There is no failing if you attend.

## **CLASSES ARE HELD AT**

Norman County Sheriff's Office  
15 2nd Avenue East  
Ada, MN 56510

The Driver Awareness Class must be completed within 30 days after receipt of the citation.

## City of Twin Valley in Norman County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of the Norman County Attorney’s Office Diversion Program.”<sup>38</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$50

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (up to 20 mph over the limit); violation of a stop sign, stop light, or yield sign; driving left of the center line; following too close; failure to signal; and making an illegal U-turn.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Norman County in the last 12 months, has already participated in two Driver Awareness Classes, or has more than two prior moving violations in the past 12 months. It is not available for parking tickets; citations resulting from an accident; multiple violations; or “major violations” such as careless driving, DWI, leaving the scene of an accident, or license violations.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** July 2012

**Description of Class:** The two-hour class is taught at the Norman County Sheriff’s Office.

<b>Revenues:</b>	2013 (January - June)	\$700
	2012 (July - December)	\$350

**Additional Information:** The City pays Norman County \$50 for each class (generally \$50 per month).

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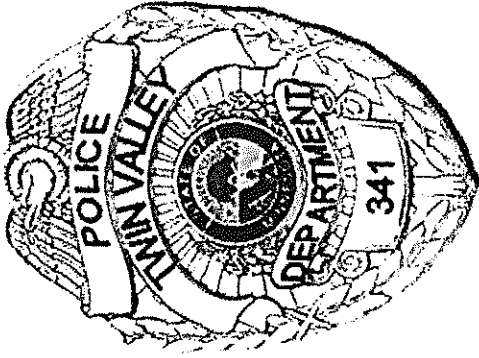
<sup>38</sup> Twin Valley Police Dep’t Driver Awareness Class brochure.

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Twin Valley Police Department  
206 Lincoln Ave  
Twin Valley MN 56584

## SAFE DRIVING TIPS

- Use the 3 second rule to judge safe following distance
- Before driving at night or inclement weather, check your headlights and signals to be sure they are clear and working properly
- Drinking and driving is irresponsible and dangerous
- Keep shifting your view checking in all directions around your vehicle
- Practice and master good driving habits
- Expect a train at any time at a crossing
- It is unsafe to drive around crossing gates
- The principle cause of motor vehicle-train collisions is motor vehicle driver error
- Bicyclist should travel on the right side of the road with the flow of traffic
- Pedestrians should travel on the left side of the road against the flow of traffic
- Remember driving is a privilege not a right. Don't abuse it



DO NOT CALL THE COURT  
ADMINISTRATOR'S OFFICE

TAKE OUR DRIVER AWARENESS  
CLASS AND HAVE :

NO FINE

NO COURT APPEARANCE

MOST IMPORTANTLY

IMPROVE YOUR DRIVING HABITS

This diversion class is approved as part of  
the Norman County Attorney's Office  
Diversion Program

Educate and learn the traffic laws and have your  
citation diverted upon completion of the course

## YOU ARE ELIGIBLE...

If your citation was for:

- Exceeding the posted speed limit
- Violation of a stop sign, stop light, or yield sign
- Driving left of center line
- Following to close
- Failure to signal
- Making an illegal U-turn
- If you do not wish to contest the citation
- If you have not participated in a Driver Awareness class in Norman County in the last 12 months
- If you have had not more than 2 prior moving violations in the past 12 months

## YOU ARE NOT ELIGIBLE...

If you citation was for:

- Parking tickets
- Citations resulting from an accident
- Multiple violations
- Major violations such as careless driving, DWI, leaving the scene of an accident, or license violations
- If you have already participated in two Driver Awareness Classes

## REGISTRATION

Persons must register for the Driver Awareness Class with in 10 days after receiving the citation.

Classes will be offered once per month at 6:30 PM. Class date will be provided upon registration.

You must register in person or by telephone at the Twin Valley City Hall Monday-Friday 8:30-4:30 or by calling (218)584-5254

Class cost is \$50.00 must be paid with in 10 days of receiving the citation. Payable to by check, money order or cash.

Class starts at 6:30 sharp! If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

Class is approximately 2 hours.

There is no failing if you attend.

The driver Awareness Class must be completed with in 30 days after receipt of the citation

## CLASSES ARE HELD AT

Norman County Sheriff Office

15 2<sup>nd</sup> Ave E

Ada MN 56510



## Red Lake County

**Program Name:** Traffic Safety Diversion Class

**Brief Program Description:** The Traffic Safety Diversion Class is “sponsored by the Red Lake County Sheriff’s Office and the Red Lake County Attorney’s Office.”<sup>39</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$25 (payable to the Red Lake County Sheriff’s Office)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Red Lake County Sheriff’s deputy for speeding (no more than 15 mph over the posted speed limit) or seat belt violations are eligible for the program.

**Ineligibility:** The class is not available if the driver has participated in the Traffic Safety Diversion Class in Red Lake County in the last 12 months. It is not available for citations resulting from an accident.

**Uses Uniform Traffic Citation?** Yes, and notice

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2009

**Description of Class:** The approximately 1.5-hour class is taught by a deputy at the Red Lake County Sheriff’s Office.

<b>Revenues:</b>	2013 (January - June)	\$ 125
	2012	\$ 725
	2011	\$1,100
	2010	\$1,025

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<sup>39</sup> Red Lake County Sheriff’s Office Notice of Traffic Safety Diversion Class.

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# Red Lake County Sheriff's Office

**Mitch Bernstein, Sheriff**

306

Red Lake Falls Mn 56750

Phone 218-253-2996 Fax 218-253-2656

E-mail: [oklee06@yahoo.com](mailto:oklee06@yahoo.com)

Web-Site :[www.redlakecountysheriff.org](http://www.redlakecountysheriff.org)

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Participate in a Traffic Safety Diversion Class, sponsored by the Red Lake County Sheriff's Office and the Red Lake County Attorney's Office if:

- You have been cited for speeding, no more than 15 miles per hour over the posted speed limit
- You have been cited for a seat belt violation
- You have not participated in this diversion program within the past year
- You have been cited by a Red Lake County Sheriff's Deputy
- You may not participate if your citation resulted from an accident

Participants must:

- Report to class at 8pm SHARP! If you are late, fail to appear or leave early your citation will be sent to court and you will not be eligible to participate in the safety class. **NO EXCEPTIONS!**
- Bring their copy of the citation they were issued to the class
- Bring \$25 cash, or a check made out to the Red Lake County Sheriff's Office
- Bring their photo ID

If you participate in the Traffic Safety Diversion Class:

- Your citation will be dismissed without additional fines or further sanctions
- Your citation WILL NOT go onto your driving record
- Your insurance company WILL NOT be notified of the violation

***"TO SERVE AND PROTECT"***

If you wish to participate in the Traffic Safety Diversion Class for this citation you were issued, you will be expected to attend the class on Sunday, \_\_\_\_\_, and it will begin at 8pm. The class will be at the Red Lake County Sheriff's Office which is located in the courthouse at 124 N. Main Ave. in Red Lake Falls, MN. Use the north courthouse entrance door and the Sheriff's Office is located at the bottom of the stairs. You must attend the class on the date given to you by the Deputy. This will not be rescheduled for any reason. If you have any questions regarding this matter, please feel free to contact me at 218-253-2996.

If you choose not to attend the class and wish to pay the standard fine or appear in court, you must pay make those arrangements within 30 days after your scheduled diversion class date of \_\_\_\_\_.

Court Administration will not be notified of this citation until after the diversion date noted above. Please do not make any inquiries or attempt to make any payments with Court Administration until after the diversion date noted above. Court Administration will only be notified if you fail to attend the traffic safety diversion class.

Mitch Bernstein, Red Lake County Sheriff

Mike Lacoursiere, Red Lake County Attorney

***“TO SERVE AND PROTECT”***

## Renville County

**Program Name:** Driver Awareness Program

**Brief Program Description:** Renville County law enforcement officers offer the County's Driver Awareness Program to those who have been stopped for certain traffic offenses in the County. If the class is successfully completed, the offense will not appear on the person's driving record.

**Fee for Program:** \$75

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Renville County law enforcement officer are eligible for the program if the citing officer informs the driver of this option.<sup>40</sup> It is primarily used for speeding (limited to less than 10 mph over the posted limit), stop sign, and seat belt violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Renville County in the last 12 months, has attended two Driver Awareness Classes, or has a commercial driver's license.

**Uses Uniform Traffic Citation?** Renville County uses a "Citation-Diversion" ticket, and a brochure.

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2008

**Description of Class:** The two-hour class is taught by Sheriff Department deputies at the Renville County Government Center.

**Revenues:** \$50 of the \$75 fee is returned to the participating City that initiated the ticket.

<b>Renville County - Driver Awareness Program Revenues</b>			
<u>Year</u>	<u>Revenues</u>	<u>Amount Paid to Cities</u>	<u>Difference</u>
2013 (January - June)	\$8,400	\$1,000	\$7,400
2012	27,975	6,250	21,725
2011	25,350	5,250	20,100
2010	20,650	2,850	17,800

<sup>40</sup> Renville County Sheriff's Office Driver Awareness Class brochure.

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Renville County Sheriff's Office  
105 5th Street South  
Olivia, MN 56277  
320-523-1161

**Sheriff Scott D. Hable**

***Driver Awareness Program***

**TO ATTEND THE CLASS YOU MUST:**

**In-Person Registration:**

- ★ Register at the Renville County Sheriff's Department at the Renville County Office Building.
- ★ Provide a copy of your citation and a photo ID.
- ★ Pay \$75.00 in cash, check or money order **within 14 days** of receiving your citation.

**Phone Registration:**

- ★ Call 320-523-1161, Monday –Friday, 8:30-4:00 to register.
- ★ \$75 check or money order, copies of your citation and ID MUST be received within **14 days** of receiving your citation. Mail payments to 105 5th Street South, Suite 210, Olivia, MN 56277.
- ★ Make checks payable to 'Renville County.'
- ★ On the night of the class you will need to bring your photo ID and your copy of the citation.

**NO** registrations or payment will be accepted on the night of the class!

You **MUST** register and pay within 14 days of receiving your citation. The 14 days include weekends and holidays.

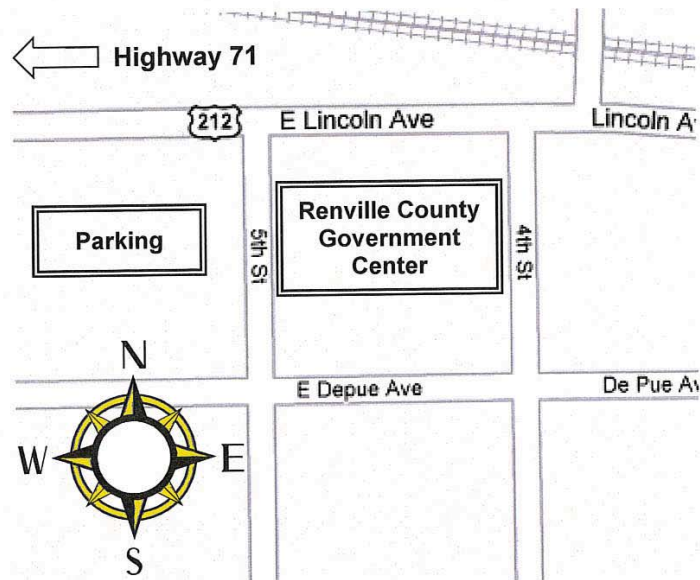
## YOU ARE ELIGIBLE...

- ★ You received a citation from a Renville County Law Enforcement Officer.
- ★ If you do not wish to contest your ticket.
- ★ If you have not participated in a Driver Awareness Class in Renville County in the **last 12 months**.
- ★ A maximum of 2 Driver Awareness Classes can be attended in a lifetime.

**Class Benefits:** No Fine, No Court Appearance, No Entry on Your Driving Record - ***Most Important...***  
Improved Driving Habits!

**Fee to Attend:** \$75.00

**Class Length:** 2 Hours -6:30 to 8:30 pm



**Class will be held in the Lower Level of  
the Government Center—Room 117.**



**CITATION-DIVERSION**

State of Minnesota		Citation #:			
County Name: Renville County		CN/ICR#: 13004726			
Identification: <input checked="" type="checkbox"/> DL <input type="checkbox"/> DVS Web <input type="checkbox"/> Photo ID <input type="checkbox"/> FP <input type="checkbox"/> Other					
DL Number		<input checked="" type="checkbox"/> MN <input type="checkbox"/> CDL State ____			
Name					
Address - Street, Apt #					
City		State		Zip	
		MN			
DOB	Height	Weight	Eyes	Gender	
Juvenile's Guardian/Address <input type="checkbox"/> Same Address as Juvenile					
Veh. Lic. No.	Plate Year	State	Make	Style	<input type="checkbox"/> 16+ pass. Color
Date of Offense		Time of Offense		<input type="checkbox"/> Accident/Crash	
				<input type="checkbox"/> Property <input type="checkbox"/> Injury <input type="checkbox"/> Fatal <input type="checkbox"/> Pedestrian	
<input checked="" type="checkbox"/> Driver		<input checked="" type="checkbox"/> Owner		<input type="checkbox"/> Passenger <input checked="" type="checkbox"/> Operate <input type="checkbox"/> Parked <input type="checkbox"/> Booked	
Offense Location			City/Community/Township		
Hwy 212 / 420th St			Renville County		
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
SPEED-Over Limit		169.14.2(a)			
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
Offense	Charge Description	Statute/Ordinance	PM, M, GM		
<input type="checkbox"/> Speed MN Stat. § 169.14 (subd. ): 55 mph 55 zone					
<input type="checkbox"/> No Seat Belt Use		<input type="checkbox"/> No Proof of Insurance		<input type="checkbox"/> 3rd Violation	
MN Stat. § 169.686.1(a)		MN Stat. § 169.791			
<input type="checkbox"/> AC Taken - AC: ____ Test Type: <input type="checkbox"/> Refused <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine					
<input type="checkbox"/> Unsafe Conditions		<input type="checkbox"/> School Zone		<input type="checkbox"/> Commercial Veh.	
Weather: Dry/Normal/Clear		DOT#			
<input type="checkbox"/> Endangering Life and Property		<input type="checkbox"/> Work Zone		#Pounds Overweight: ____	
		<input type="checkbox"/> Hazardous Material (DOT)			
Your court pay or appearance date is 10/07/2013 at 1330 at: Renville County 500 DePue Ave E, 3rd Flr, Olivia, MN, 56277 See the next page of this citation for more information.					
Officer(s) Name(s)		Officer No(s)		Prosecutor	
				MNG65D13A	
Controlling Agency (CAG)		How Issued		Date Issued	
MN0650000		<input checked="" type="checkbox"/> In Person <input type="checkbox"/> Mailed <input type="checkbox"/> Left at Scene		09/02/2013	

**Driver Awareness Class Option**  
 If you do not wish to contest your citation, you can register and pay \$75.00 for the Driver Awareness Class within 14 days of receiving your citation. You must call 320-523-3794 or register in person Monday-Friday between 8:00 A.M. and 4:30 P.M. Make checks payable to "Renville County" and send to the Renville County Sheriff's Office at 105 5<sup>th</sup> Street South, Suite 210, Olivia, MN 56277. On the night of the class, you must bring your citation and photo I.D. **No registrations or payments will be accepted on the night of the class!**

**Payable Citation/Method of Payment**  
 To find out if your citation is payable without a court appearance, how much to pay, or to pay your fine, choose one of the following methods:  
 • **Online:** Using MasterCard or Visa, access [www.mncourts.gov/fines](http://www.mncourts.gov/fines). Have your citation number available.  
 • **By Phone:** Using MasterCard or Visa, call 651-281-3219 in the metro or 1-800-657-3611 outside of the metro area. Have your citation number available. Disponible por teléfono en Español.  
 • **By Mail:** Check or Money Order payable to Court Administration. Send to: Minnesota Court Payment Center, PO Box 898, Willmar, MN 56201. Include a copy of your citation or indicate the citation number on the check or money order.

You have the right to appear in court. Please refer to the front of this citation. If a court date is noted, you must either pay your fine by this date or you may choose to appear in court on the date, time and at the location indicated. If no court date is noted, you must pay the amount owed or you may schedule an appearance within 30 days from the date this citation was issued. To make a payment or schedule an appearance call: 651-281-3219 in the metro area or 1-800-657-3611 outside of the metro area. Please allow 10 business days (from the date you receive your citation) for processing before calling.

BY PAYING THIS FINE(S), YOU ARE ENTERING A PLEA OF GUILTY to this offense(s) and voluntarily waive your rights to the following: (Minn. R. Crim. P. 23.03)  
 1. To a court trial, if the offense is a petty misdemeanor, or a court or jury trial for all other offenses;  
 2. To be represented by counsel;  
 3. To be presumed innocent until proven guilty beyond a reasonable doubt;  
 4. To confront and cross examine all witnesses; and  
 5. To either remain silent or to testify on your own behalf.

A plea of guilty will result in a conviction. If convicted, you must pay a state imposed surcharge under Minn. Stat. § 357.021 subd. 6. The current amount of the required state surcharge is \$12 for parking related offenses and \$75 for all other offenses (Minn. Stat. § 169.99). Additionally, a law library fee will be owed. These surcharges and fees are included in the total payable amount provided to you by phone or web.

Under Minn. Stat. § 480.15, subd. 10c, unpaid fines may be referred for collections. You have the right to contest the referral.

Issuance of a worthless check to the court is a crime, and you will be subject to civil and criminal penalties. In addition, a charge of up to \$30 will be assessed on all returned checks (Minn. Stat. § 609.113 subd. 2).

Other important notices regarding your rights can be found on the Minnesota Judicial Branch website at: [www.mncourts.gov/fines](http://www.mncourts.gov/fines).

**If a Court Appearance is Required**  
 Certain offense(s) require you to appear in court. To verify if the charge(s) you have received require a court appearance, please call 651-281-3219 in the metro or 1-800-657-3611 outside of the metro area and refer to the front of this citation. If you must appear in court and a court date is noted on the front of this citation, your appearance is scheduled for the date, time and location indicated. If you must appear in court and no court date is noted on the front of this citation, a Notice to Appear indicating a court date will be mailed to the address on the citation. If this address is not correct, you must immediately notify the court at the number noted above of your current address. Failure to Appear may result in a bench warrant being issued for your arrest. If you have questions regarding the charge(s), call the number noted above.

**Penalties for Failure to Respond**  
 Failure to respond as required for a Misdemeanor may result in:  
 • The Department of Public Safety and/or the Department of Natural Resources being notified of your failure to appear, depending on the offense(s) charged. These agencies may suspend your driver's license or DNR licenses for failing to appear.  
 • A warrant may be issued for your arrest.  
 • Late fees may be assessed.

Failure to respond to a Petty Misdemeanor by paying the amount due, appearing in court or contacting the Court Payment Center will be considered a plea of guilty and waiver of the right to trial unless the failure to appear is due to circumstances beyond the person's control (Minn. Stat. § 169.91; Minn. Stat. § 609.491). In addition, the Department of Public Safety and the Department of Natural Resources will be notified of your failure to appear and conviction, depending on the offenses charged. These agencies may suspend your driver's license or DNR licenses for failing to appear.

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## City of Fairfax in Renville County

**Program Name:** Driver Awareness Program

**Brief Program Description:** The Fairfax Police Department participates in the Renville County Driver Awareness Program (DAP) offered by the Renville County Sheriff's Department. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$75 (\$25 remains with the County; \$50 is distributed to the City)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** The program is used by the City for petty traffic offenses, primarily speeding and seat belt violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a Driver Awareness Class in Renville County in the last 12 months, or has already participated in two Driver Awareness Classes.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2008

**Description of Class:** The two-hour class is taught by Sheriff Department deputies at the Renville County Government Center.

**Revenues:** Amount City received from Renville County (\$50 per participant):

2013 (January - June)	\$ 50
2012	\$250
2011	\$ 50
2010	\$ -

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## Renville County Sheriff's Office

105 5th Street South  
Olivia, MN 56277

320-523-1161

Sheriff Scott D. Hable

## *Driver Awareness Program*

### TO ATTEND THE CLASS YOU MUST:

#### In-Person Registration:

- ★ Register at the Renville County Sheriff's Department at the Renville County Office Building.
- ★ Provide a copy of your citation and a photo ID.
- ★ Pay \$75.00 in cash, check or money order within 14 days of receiving your citation.

#### Phone Registration:

- ★ Call 320-523-1161, Monday -Friday, 8:30-4:00 to register.
- ★ \$75 check or money order, copies of your citation and ID MUST be received within 14 days of receiving your citation. Mail payments to 105 5th Street South, Suite 210, Olivia, MN 56277.
- ★ Make checks payable to 'Renville County.'

- ★ On the night of the class you will need to bring your photo ID and your copy of the citation.
- NO** registrations or payment will be accepted on the night of the class!

You **MUST** register and pay within 14 days of receiving your citation. The 14 days include weekends and holidays.

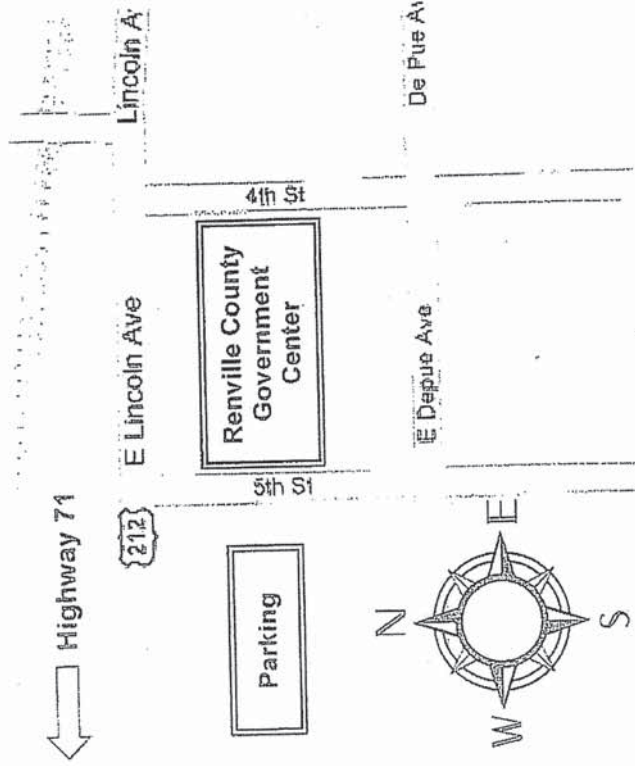
## YOU ARE ELIGIBLE...

- ★ You received a citation from a Renville County Law Enforcement Officer.
- ★ If you do not wish to contest your ticket.
- ★ If you have not participated in a Driver Awareness Class in Renville County in the last 12 months.
- ★ A maximum of 2 Driver Awareness Classes can be attended in a lifetime.

**Class Benefits:** No Fine, No Court Appearance, No Entry on Your Driving Record - *Most Important...* Improved Driving Habits!

**Fee to Attend:** \$75.00

**Class Length:** 2 Hours - 6:30 to 8:30 pm



Class will be held in the Lower Level of the Government Center—Room 117.

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## Sherburne County

**Program Name:** Traffic Safety Class

**Brief Program Description:** Sherburne County law enforcement officers may refer those who have been stopped for certain traffic offenses to the County's Traffic Safety Class diversion program. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$75 for adults; \$25 for under age 18 (payable to the Sherburne County Sheriff Department)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Drivers may be referred to the class for speed (no set limit on speed); stop sign, stop light, or yield sign; passing or lane; over the center line; failure to signal; illegal turn; or seatbelt violations.

**Ineligibility:** "Program guidelines assure that eligible individuals have not allegedly committed serious driving violations, have not had prior extensive driving violations, and are not holders of commercial vehicle licenses."<sup>41</sup> The class is not available for alcohol-related violations, parking tickets, multiple violations (more than one charge), property or person injury crashes, misdemeanor, gross misdemeanor or felony charges, or two prior infractions during the past 12 months. No Traffic Safety Class citations are issued by deputies working projects that are State or federally funded.<sup>42</sup>

**Uses Uniform Traffic Citation?** Sherburne County uses a "Traffic Safety Class" ticket. (There is no additional brochure.)

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2006

**Description of Class:** The two-hour class is taught by law enforcement officers at the Sherburne County Government Center.

<b>Revenues:</b>	2013 (January - June)	\$42,975
	2012	\$67,660
	2011	\$40,005
	2010	\$47,349

**Additional Information:** Proceeds from the class "go toward gang/drug education and prevention activities in Sherburne County, as well as DUI and traffic enforcement shifts."<sup>43</sup>

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<sup>41</sup> Document provided to OSA by Sherburne County Sheriff.

<sup>42</sup> Email to OSA from Sherburne County Sheriff (Sept. 11, 2013).

<sup>43</sup> Sherburne County Traffic Safety Class presentation (slide 22).

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**TRAFFIC SAFETY CLASS  
STATE OF MINNESOTA  
COUNTY OF SHERBURNE**

COURT NUMBER

DRIVER LICENSE NO.		STATE	ICR NO.	COURT NUMBER			
NAME - FIRST, MIDDLE, LAST							
ADDRESS & CITY							
STATE	ZIP CODE	DATE OF BIRTH	EYES	HEIGHT	WEIGHT	SEX	
MO	DAY	YR					
VEHICLE LICENSE PLATE		STATE	MAKE	MODEL	COLOR		

DATE OF OFFENCE	TIME	JUVENILE PARENT/GUARDIAN
LOCATION & CITY (IF APPLICABLE)		
MILE POST		

<input checked="" type="checkbox"/> DRIVER	<input type="checkbox"/> OWNER	<input type="checkbox"/> PASSENGER	<input type="checkbox"/> PARKED	<input type="checkbox"/> OPERATE
DESCRIPTION NO. 1	DISOBEYED:			
PMisd-Speeding-Exceed Limit Of 30 Mph-Urb District	<input type="checkbox"/> STOP SIGN	<input type="checkbox"/> SEMAPHORE		
STATUTE/ORDINANCE	<input checked="" type="checkbox"/> SPEED (OVER LIMIT)	<input type="checkbox"/> NO SEAT BELT USE		
169.14.2(a)(1)	45	MPH IN 30	ZONE	

710013002637

SHERBURNE COUNTY  
TRAFFIC SAFETY COURSE

**BENEFITS OF ATTENDING THE TRAFFIC SAFETY COURSE:**

- WILL NOT BE REQUIRED TO PAY FINE.
- VIOLATION WILL NOT APPEAR ON DRIVING RECORD.
- WILL LEARN HOW TO BE BETTER AND SAFER DRIVER

COURT DATE	COURT TIME	COURT LOCATION	COURT HOUSE
10/31/2013	PK 08:00 AM	SHERBURNE CO. GOVT CTR. 13880 BUSINESS CTR DR.	ELK RIVER, MN-55330, ELK RIVER, MN 55333

THE UNDERSIGNED BEING DULY SWORN, DEPOSES AND SAYS THAT THE PERSON NAMED ON THIS COMPLAINT DID COMMIT THE ABOVE OFFENSE(S).

Deputy OFFICER DEPARTMENT

PERSONALLY SERVED

**SUMMONS**

Classes are held on an ongoing basis. For upcoming class dates and times, call Sherburne County Sheriff at 763-765-3500, between 8am-4:30 pm, M-F. No late admission will be accepted. If you are late or fail to appear, your class fee will be forfeited and your citation will be sent to the County Attorney's Office for prosecution. You will then be expected to pay the fine or appear in Court and you will not be eligible to participate in the Traffic Safety Course.

You may be referred to the course for the following eligible infractions:

- \* Speed violations
- \* Violation of stop sign, stop light or yield sign
- \* Lane violations (over center line)
- \* Passing violations
- \* Failure to signal
- \* Illegal turns
- \* Seatbelt violations

You **may not** be referred to the course for the following ineligible infractions:

- \* Alcohol-related violations
- \* Parking tickets
- \* Multiple violations (more than one charge)
- \* Property or person injury crashes
- \* Misdemeanor, gross misdemeanor or felony charges
- \* Two prior infractions during the past 12 months

**TO REGISTER**

You must register **in person** for the Traffic Safety Course within ten business days of receiving the citation. **Do not call.** In-person registrations must be done at: 13880 Business Center Dr, Elk River, MN-55330

You must bring with you the issued citation, driver's license and course registration fee of \$75 in cash or money order payable to Sherburne County Sheriff Department. Juveniles under the age of 18 may qualify for a reduced rate.

**YOU MUST APPEAR IN COURT TO PLEAD NOT GUILTY.**

**TO PAY THE STANDARD FINE.**

Visit Court Administration at:  
Sherburne County Government Center  
13880 Business Center Drive  
Elk River, MN 55330-4601  
www.co.sherburne.mn.us

By paying this fine, you are entering a plea of guilty to this offense and voluntarily waive your rights to the following:

- 1) To a court trial, if the offense is a petty misdemeanor, or a court or jury trial for all other offenses;
- 2) To be represented by counsel;
- 3) To be presumed innocent until proven guilty beyond a reasonable doubt;
- 4) To confront and cross examine all witnesses; and
- 5) To either remain silent or to testify on your own behalf.

Other important notices regarding your rights can be found on the Minnesota Judicial Branch website at:

www.mncourts.gov/fines

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## City of Becker in Sherburne County

**Program Name:** Traffic Safety Program

**Brief Program Description:** The Becker Police Department offers a Traffic Safety Program for those who have been stopped for certain traffic offenses in the City. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$75 for adults and \$50 for juveniles (cash or money order payable to the Becker Police Department)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (no set limit on speed), stop sign, stop light, yield sign, lane, passing, illegal turns, failure to signal, and seatbelt violations.

**Ineligibility:** The program does not cover alcohol-related offenses, parking citations, multiple traffic violations in one stop, property or personal injury crashes, misdemeanor or higher offenses, or two prior infractions during the past year.

**Uses Uniform Traffic Citation?** The City uses Sherburne County's "Traffic Safety Class" ticket, and a brochure.

**Uses 169.999 Administrative Traffic Citations?** No. The City used administrative traffic citations until 2009 when Minn. Stat. § 169.999 was passed.

**When Did Program Begin?** July 2011

**Description of Class:** The approximately two-hour class is taught by City Police Department staff at the Becker Police Department.

<b>Revenues:</b>	2013 (January - June)	\$ 3,995
	2012	\$ 7,600
	2011	\$ 4,800

**Additional Information:** According to the brochure, proceeds of the program will be used to fund future traffic safety initiatives.

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## How to Register

Registration must be done for the B.P.D Traffic Safety Program within ten (10) days of receiving the citation. Registration may be done in person at the Becker Police Department 12060 Sherburne Ave. Becker, MN 55308. Office hours are 8 a.m. to 4 p.m. Monday through Friday. You must bring with you, the issued citation, driver's license, and course registration fee of \$75 in cash or money order payable to the Becker Police Department.

Juveniles under the age of eighteen (18) may qualify for a reduced rate.

All proceeds of the Becker Police Department Traffic Safety Program will be used to fund future traffic safety initiatives

# Becker Police Department

## Traffic Safety Program



### Becker Police Department

12060 Sherburne Ave.  
Becker MN, 55308

Phone: 763.200.4267

Fax: 763.261.5344

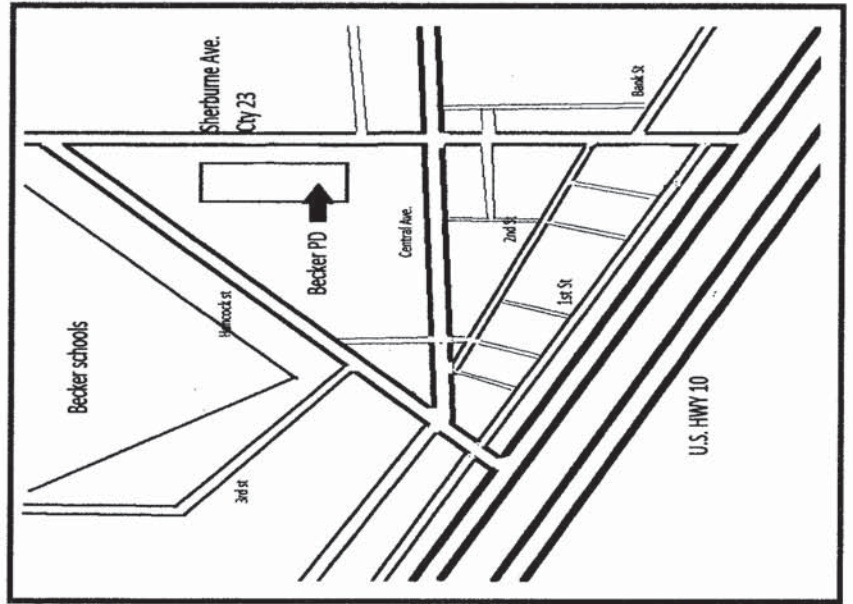
[chief@ci.becker.mn.us](mailto:chief@ci.becker.mn.us)

Hosted at the Becker Police Department

# Becker Police Department Traffic Safety Program

The Becker Police Department Traffic Safety Program offers up-to-date traffic safety information to drivers.

This program is conducted by a licensed peace officer who deals with traffic enforcement and crashes daily.



Officers may refer you to the program for the following infractions:

- Speed violations
- Violation of stop signs, stops lights, or yield signs
- Lane violations
- Passing violations
- Illegal turns
- Failure to signal
- Seatbelt violations

Officers will not refer you to the program for the following ineligible infractions:

- Alcohol related violations
- Parking citations
- Multiple traffic violations in one stop
- Property or personal injury crashes
- Misdemeanor or higher charges
- Two prior infractions during the past year

# General Info

Classes are held on an ongoing basis at the Becker Police Department. For upcoming class dates and times, call the B.P.D @ 763.200.4267 or visit in person, Monday through Friday 8am to 4pm. No late admissions will be accepted. If you are late or fail to appear to the class, your class fee will be forfeited and your citation will be sent to the Sherburne County Attorney's Office for prosecution. You will then be expected to pay the fine or appear in court and you will not be eligible to participate in the Traffic Safety Program in the future.

The course will run approximately two (2) hours long. You must complete the course within 30 days of receiving your citation. Failure to do so will result in receiving a citation for the violation that you were stopped for.

## City of Big Lake in Sherburne County

**Program Name:** Traffic Safety Diversion Program

**Brief Program Description:** The Big Lake Police Department offers a Traffic Safety Diversion Program for those who have been stopped for certain traffic offenses in the City. Officers have the discretion to refer offenders to the program. If the program is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** The course registration fee is \$75 (cash or money order payable to the Big Lake Police Department).

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed, stop sign, stop light, yield sign, lane, passing, illegal turns, distracted driving, failure to signal, and seatbelt violations.

**Ineligibility:** The program does not cover alcohol-related offenses, parking citations, multiple traffic violations in one stop, property or personal injury crashes, misdemeanor or higher offenses, or two prior infractions during the past year.

**Uses Uniform Traffic Citation?** The City uses Sherburne County's ticket, and a brochure.

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** October 2012

**Description of Class:** The approximately two-hour class is taught by a City police officer at City Hall.

<b>Revenues:</b>	2013 (January - June)	\$ 5,925
	2012 (October - December)	\$ 2,700

**Additional Information:** According to the brochure, proceeds of the program will be used to fund future traffic safety initiatives.

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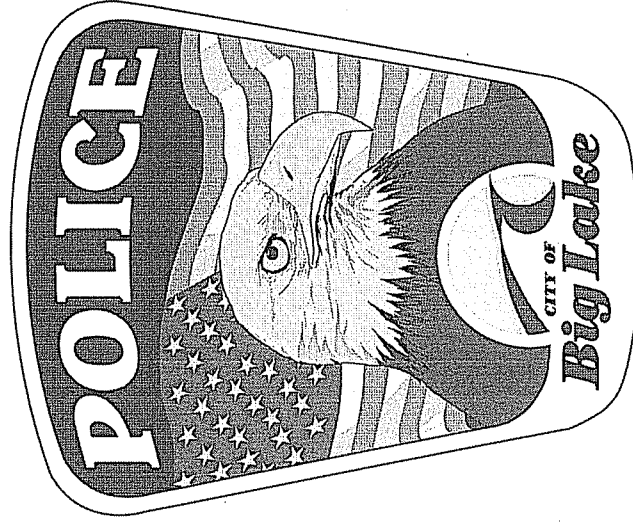


# Big Lake Police Department

Registration must be done for the Big Lake Police Department's Traffic Safety Program within ten (10) days of receiving the citation.

Registration must be done in person at the Big Lake Police Department, 160 Lake Street North, Big Lake, MN 55309. Office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. You must bring with you the issued citation, driver's license, and course registration fee of \$75.00 in cash or money order payable to the Big Lake Police Department.

All proceeds of the Big Lake Police Department Traffic Safety Program will be used to fund future traffic safety initiatives.



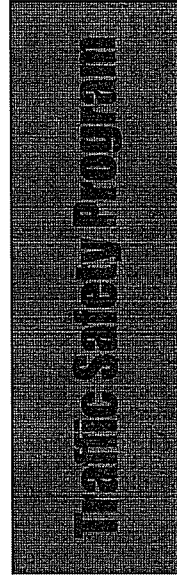
Hosted by the

Big Lake Police Department

160 Lake Street North  
Big Lake, Minnesota 55309

Phone: 763-263-2500  
Fax: 763-263-2000

E-mail: [Joel.Scharf@police.ci.big-lake.mn.us](mailto:Joel.Scharf@police.ci.big-lake.mn.us)



## General Information

The Big Lake Police Department Traffic Safety Program offers up-to-date traffic safety information to drivers.

This program is conducted by a licensed peace officer who deals with traffic enforcement and crashes daily.

Officers may refer you to the program for the following infractions:

- Speed Violations
- Violation of stop signs, stop lights, or yield signs
- Lane violations
- Passing violations
- Illegal Turns
- Distracted Driving
- Failure to signal
- Seatbelt violations

Officers will not refer you to the program for the following ineligible infractions:

- Alcohol related violations
- Parking citations
- Multiple traffic violations in one stop
- Property or personal injury crashes
- Misdemeanor or higher charges
- Two prior infractions during the past year

Classes are held on an ongoing basis at the Big Lake City Hall. For upcoming class dates and times, call the Big Lake Police Department at 763-263-2500 or visit in person, Monday through Friday, 8:00 a.m. to 4:30 p.m.

No late admissions will be accepted. If you are late or fail to appear to the class, your class fee will be forfeited and your citation will be sent to the Sherburne County Attorney's Office for prosecution. You will then be expected to pay the fine or appear in court and you will not be eligible to participate in the Traffic Safety Program in the future.

The course will run approximately two (2) hours long. You must complete the course within 60 days of receiving your citation. Failure to do so will result in receiving a citation for the violation that you were referred for.

## Sibley County

**Program Name:** Driver Awareness Class

**Brief Program Description:** The “diversion class is approved as part of Sibley County Attorney’s Office Diversion Program.”<sup>44</sup> If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75 (payable to the Sibley County Sheriff’s Office)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Citations issued by a Sibley County law enforcement officer, or a participating law enforcement agency, for speeding (no more than 20 mph over the posted speed limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too closely; failure to signal; making an illegal turn; and seat belt violations are eligible for the program.

**Ineligibility:** The class is not available if the driver has a commercial driver’s license, wishes to contest the ticket, has participated in a Driver Awareness Class in Sibley County in the last 12 months, has participated in two Driver Awareness Classes, or has more than two prior moving violations in the past 12 months, excluding alcohol-related offences. It is not available for parking tickets, citations resulting from an accident, multiple violations, or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** Approximately 2005

**Description of Class:** The two-hour class is taught by a deputy at the Sibley County Courthouse.

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<sup>44</sup> Sibley County Sheriff’s Office Driver Awareness Class brochure.

**Revenues:** \$50 of the \$75 fee is returned to the participating city where the ticket was initiated. Participating cities include Arlington, Gaylord, Gibbon, Green Isle, Henderson, and Winthrop.

<b>Sibley County - Driver Awareness Class Revenues</b>			
<u>Year</u>	<u>Revenues</u>	<u>Amount Paid to Cities</u>	<u>Difference</u>
2013 (January - June)	\$8,475	\$950	\$7,525
2012	24,900	6,600	18,300
2011	27,525	6,650	20,875
2010	36,825	13,100	23,725

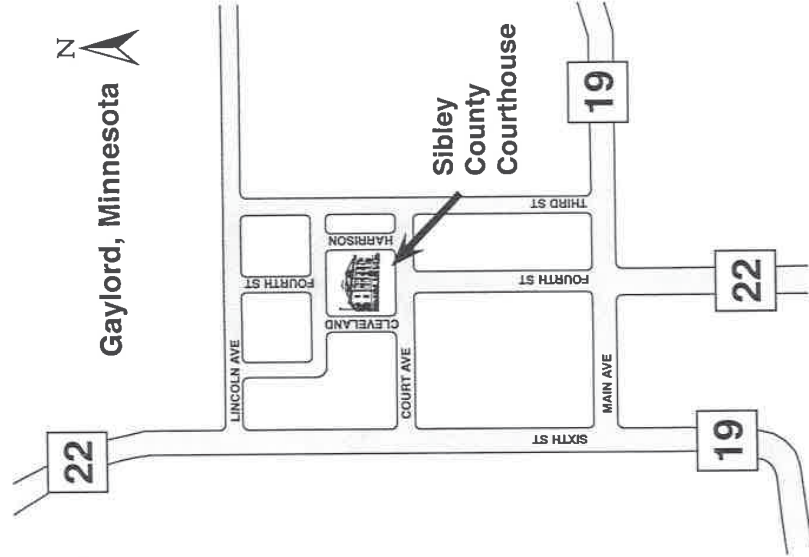
## Safe Driving Tips

- Before you start driving at night or in inclement weather, check your headlights and signals to be sure they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.

## CLASSES ARE HELD AT

Sibley County Courthouse  
(basement)  
400 Court Ave.  
Gaylord, MN 55334

**Do NOT Call**  
The Court Administrator's Office



Enter the Courthouse through the west doors



## Take Our DRIVER AWARENESS CLASS

### And Have:

No Fine

No Court Appearance  
No Entry on Your Driving Record

Most Importantly...

Improve Your Driving Habits!

Educate and learn the traffic laws and have your traffic citation diverted upon completion of the course.

## YOU ARE ELIGIBLE...

- If your citation was issued by a Sibley County Law Enforcement Officer, or a participating law enforcement agency.
- If your Sibley County citation was for:
  - Speeding and the speed is no more than 20 mph over the posted speed limit.
  - Violation of a stop sign, stop light or yield sign.
  - Driving left of the center line (not DUI related).
  - Passing or lane violations.
  - Following too closely.
  - Failure to signal.
  - Making an illegal turn.
  - Seat belt violation
- If you do not wish to contest your ticket.
- If you have not participated in a Driver Awareness Class in Sibley County in the last 12 months.
- If you have not had more than two prior moving violations in the past 12 months, excluding alcohol related offenses.

## YOU ARE NOT ELIGIBLE...

- If your Sibley County citation was for:
- Parking tickets.
  - Citations resulting from an accident.
  - Multiple violations.
  - Major violations such as careless driving, DUI, leaving the scene of an accident or driving without a license.
  - If you have already participated in two Driver Awareness Classes.
  - If you have a CDL license.

### Sibley County Sheriff's Office Mission Statement on Traffic Enforcement

To enforce the traffic laws and ensure safety for all motorists, bicyclists and pedestrians who use the roads in Sibley County.



Sibley County Sheriff  
Bruce Ponath

### Sibley County Sheriff's Office

419 Harrison Street • PO Box 102  
Gaylord, MN 55334

507-237-4396

This diversion class is approved as part of the Sibley County Attorney's Office Diversion Program. David Schauer, Sibley County Attorney

## REGISTRATION

Persons must register for the Driver Awareness Class within 7 days after receiving the citation.

You may register by phone by calling 507-237-4396 from 8 a.m. to 4 p.m. Monday through Friday, not including holidays. If necessary, leave a message with your name and phone number indicating that you wish to sign up for the Driver Awareness Class. Or you may register in person at the Sibley County Sheriff's Office during regular business hours.

To register you must have your traffic citation.

The cost of the class is \$75.00 payable by check or money order to the Sibley County Sheriff's Office.

Driver's License or photo ID must be shown as proof of identification, when attending the class.

Class times will be the 2nd Tuesday of each month at 6:30 p.m. If you are late or fail to appear, the class fee will be forfeited and your ticket will be sent to court. You will then be expected to appear in court and will not be eligible to continue with the Driver Awareness Class.

Confirmed dates will be provided upon registration.

The class takes approximately 2 hours. You must successfully complete the class.

**You must register within  
7 days after receiving  
the citation.**

## Wabasha County

**NOTE:** After the OSA began this review, a lawsuit filed in Wabasha County District Court challenged Wabasha County's authority to operate the County's traffic diversion program.<sup>45</sup> The OSA was named as a defendant in the lawsuit. As a result, the OSA did not interview Wabasha County officials as part of this review. Instead, the information contained in this review on Wabasha County's Safe Driving Class was obtained from public sources.

**Program Name:** Safe Driving Class

**Brief Program Description:** "This diversion class is approved as part of the Wabasha County Attorney's Office Diversion Program."<sup>46</sup> If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$125<sup>47</sup>

**Amount Remitted to State?** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (15 mph or less than the posted limit, "For example, 70 in a 55 or less");<sup>48</sup> violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too closely; failure to signal; and illegal turn.<sup>49</sup> Eligible offenses may also include equipment and seatbelt violations.<sup>50</sup>

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a safety class in Wabasha County in the last 12 months, has two or more moving violations in the past 12 months, or has two or more alcohol-related driving offenses within ten years. It is not available for parking tickets; citations resulting from an accident; multiple violations; or "major violations" such as careless driving, DUI, leaving the scene of an accident, or driving without a license.<sup>51</sup> A driver who has participated in two Safe Driving Classes may not be eligible for the program.<sup>52</sup>

**Uses Uniform Ticket Citation?** The Wabasha County Sheriff's Office provides a brochure "with all of our simpler traffic tickets."<sup>53</sup>

**Uses 169.999 Administrative Traffic Citations?** No

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<sup>45</sup> See *Ass'n for Gov't Accountability v. Wabasha County*, Wabasha Co. Dist. Ct. File No. 79-CV-13-751 ("Wabasha lawsuit").

<sup>46</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit A.

<sup>47</sup> See Wabasha County website at: <http://www.co.wabasha.mn.us/index.php/departments/287> (retrieved July 19, 2013).

<sup>48</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit B (brochure).

<sup>49</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit B.

<sup>50</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit A.

<sup>51</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit B.

<sup>52</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit A (*but see* Exhibit B).

<sup>53</sup> Wabasha County website.

**When Did Program Begin?** 2003<sup>54</sup>

**Description of Class:** The 1.5 to 2 hour class is taught by law enforcement personnel at the Wabasha County Criminal Justice Center.<sup>55</sup>

<b>Revenues:</b> <sup>56</sup>	2013 (January - June)	unknown
	2012	\$31,430
	2011	\$28,690
	2010	\$36,635

**Additional Information:** The County's website states: "[T]he basic speed citation is \$127.00, with the majority going to the state. With this new program, the money will stay in the county and will be used specifically for training and equipment related to traffic enforcement."<sup>57</sup> Of the \$125 fee, \$100 is used by the Sheriff's Department for training, equipment, and educational purposes; \$20 is disbursed to fund the Wabasha County Substance Abuse Court; and \$5 is disbursed to fund the County Law Library.<sup>58</sup>

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<sup>54</sup> Letter from Wabasha County Sheriff Rodney L. Bartsh to OSA (Jan. 26, 2009); Wabasha lawsuit, Affidavit of Wabasha County Attorney.

<sup>55</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney, Exhibit B.

<sup>56</sup> Wabasha lawsuit, Complaint and Petition, Exhibits B, C, and D.

<sup>57</sup> Wabasha County website at: <http://www.co.wabasha.mn.us/index.php/departments/287>.

<sup>58</sup> Wabasha lawsuit, Affidavit of Wabasha County Attorney. *See, e.g.*, Wabasha County Board of Commissioners meeting minutes (Feb. 15, 2011) (Resolution 2011-035: purchase two Ford Crown Victoria vehicles for the Sheriff's Office using Safe Driving Class funds).

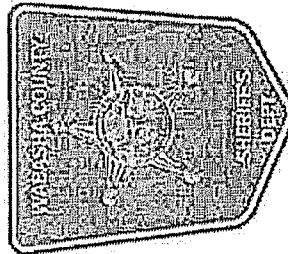
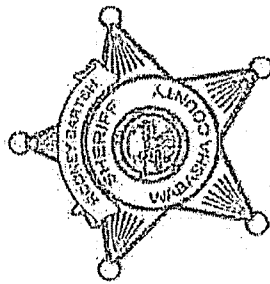


### Safe Driving Tips

- Use the "2 second rule" to judge safe following distances.
- Before you start driving at night or in inclement weather, check your headlights and signals to be sure that they are clear and working properly. Make sure your wipers are working properly.
- Drinking and driving is irresponsible and very dangerous.
- Keep shifting your view, checking in all directions around your vehicle.
- Bicyclists should travel on the right side of the road, riding with the flow of traffic.
- Pedestrians should travel on the left side of the road, moving towards the oncoming traffic.
- Practice and master good driving habits.
- Expect a train at any time at a crossing.
- It is unsafe to drive around crossing gates.
- The principle contributing cause in vehicle-train crashes is motor vehicle driver error.
- Last but not least, remember, that you have earned the right to operate an automobile. Don't abuse it.

The Wabasha County Sheriff's Office Mission Statement Towards Traffic Enforcement is:

To provide all motorists a safer environment while traveling through our county. We value your life!



Wabasha County Sheriff's Office  
848-17th STREET EAST  
SUITE 1  
WABASHA, MN 55981-5033  
651-565-3361

## Wabasha County Safe Driving Class



Dismiss Your  
Wabasha County  
Minor Traffic  
Citation!

Take our  
Safe Driving Course  
and have:

- NO FINE
- NO COURT APPEARANCE
- NO ENTRY ON YOUR DRIVING RECORD
- MOST IMPORTANTLY, IMPROVE YOUR DRIVING HABITS

Persons must register for the Safe Driving Course within 7 working days after the receipt of the citation.

The Safe Driving Course must be completed within 45 days after the receipt of the citation.

## Registration

### **WITHIN 7 DAYS- NO EXCEPTIONS!**

You must register in person at the  
Wabasha County Sheriff's Office  
Front Window 24 hours a day,  
Register Online at

[Http://www.co.wabasha.mn.us/pages/sheriff/drivesafe.html](http://www.co.wabasha.mn.us/pages/sheriff/drivesafe.html)

Or you may also call 651-565-1009.

For more information send e-mail to:  
[drivesafe@co.wabasha.mn.us](mailto:drivesafe@co.wabasha.mn.us)

### What is needed for registration in person?

1. Citation
2. \$125 (Check or Cash)

### What is needed for registration online?

1. Citation #
2. Citation offense (speeding, stop sign etc.)
3. A date and time will then be given for the class.
4. Bring the \$125 to class.  
(The \$125 is Non-Refundable)

**Class Times will be at 6:30 p.m. sharp!  
Class is the 3rd Wednesday of the month.**

Confirmed dates will be provided upon registration.

The class should last around 1 ½ to 2 hours.  
There is no failing if you attend and listen to what is said.

### County Sheriff

**Rodney L. Bartsh**

848-17th Street East, Suite 1  
Wabasha, MN 55981  
651-565-3361

[rlbartsh@co.wabasha.mn.us](mailto:rlbartsh@co.wabasha.mn.us)

## YOU ARE ELIGIBLE.....

1. If your citation was issued by a Wabasha County Deputy.
2. If your Wabasha County citation was for:
  - Speeding and the speed is 15 mph or less than posted.( For example, 70 in a 55 or less.)
  - Violation of a stop sign/stop light/yield sign
  - Driving left of center (non DUI related)
  - Passing or lane violations
  - Following too closely
  - Failure to signal
  - Illegal Turn
3. If you do not wish to contest your ticket.
4. If you have not participated in a safety class in Wabasha County in the last 12 months.
5. If you have not had two or more moving violations in the past 12 months or five or more alcohol related driving offenses within 10 years.

## You are not eligible....

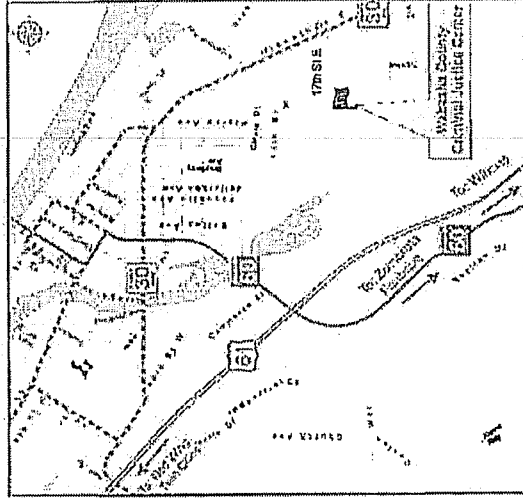
1. If your Wabasha County citation was for:
  - Parking tickets
  - Citations resulting from an accident
  - Multiple Violations
  - Major Violations such as: careless driving, DUI, leaving the scene of an accident, driving without a license.

## DO NOT CALL THE COURT ADMINISTRATORS OFFICE

## Classes are held at:

Wabasha County Criminal Justice Center

848-17th Street East, Suite 1  
Wabasha, MN 55981-5033



- From North (Take City, Red Wing, Twin Cities):**
- Follow US Hwy 61 south to the City of Wabasha. Take left onto MN Hwy 60.
  - Follow Hwy 60 to the 4-way stop at Hinwasha Dr/County Rd 30. Take Right.
  - Follow Hinwasha Drive east approx. 1.2 miles to 17th St E. Take Right. CIC will be on your left.
- From West (Camden Falls, Zimmerman, Parkbush):**
- Follow MN Highway 60 east to the City of Wabasha. At US Highway 61 combine straight ahead.
  - Follow Hwy 60 to the 4-way stop at Hinwasha Dr/County Rd 30. Take Right.
  - Follow Hinwasha Drive east approx. 1.2 miles to 17th St E. Take Right. CIC will be on your left.
- From South (Salonga, Winona, La Crosse):**
- Follow US Hwy 61 north to the City of Wabasha. Take a right onto MN Hwy 60.
  - Follow Hwy 60 to the 4-way stop at Hinwasha Dr/County Rd 30. Take Right.
  - Follow Hinwasha Drive east approx. 1.2 miles to 17th St. E. Take right. CIC will be on your left.
- From East (Nelson, Alton, Dorset):**
- Follow WI Highway 25 west to the City of Wabasha.
  - At the 3-way stop after the bridge, take a Left onto MN Hwy 60/US Grant Blvd.
  - Follow 4th Grant Blvd W 2 blocks and take a right at the stop sign (Pembroke).
  - Follow Pembroke Ave 2 blocks to the 4-way stop at Hinwasha Drive/County Rd 30. Take a left.
  - Follow Hinwasha Dr. E approx. 1.2 miles to 17th St E. Take Right. CIC will be on your left.

## City of Lake City in Wabasha County

**Program Name:** Wabasha County Safe Driving Course

**Brief Program Description:** The Lake City Police Department offers the Wabasha County Safe Driving Course for those who have been stopped for certain traffic offenses in the City. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$125 for a moving violation, \$60 for seatbelt violations, and \$185 for a moving violation and a seatbelt violation, payable to the Lake City Police Department.

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (15 mph or less over the posted limit); violation of a stop sign, stop light, or yield sign; driving left of the center line (not DUI-related); passing or lane violations; following too closely; failure to signal; illegal turn; and seatbelt violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in a safety class in Wabasha County in the last 12 months, or has two or more moving violations in the past 12 months. It is not available for parking tickets; citations resulting from an accident; or "major violations" such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** June 2012<sup>59</sup>

**Description of Class:** The two-hour class is taught by the Sheriff's Department at the Wabasha County Criminal Justice Center.

**Revenues:** The City pays Wabasha County \$25 for each program participant.

City of Lake City - Safe Driving Course Revenues			
<u>Year</u>	<u>Revenues</u>	<u>Amount Paid to Wabasha County Sheriff's Office</u>	<u>Difference</u>
2013 (January - June)	\$13,085	\$2,085	\$11,000
2012 (June - December)	20,620	3,950	16,670

<sup>59</sup> See Lake City Common Council Meeting Minutes for May 14, 2012 (consent agenda item).

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## Safe Driving Tips

- Leave a safe following distance of at least three seconds from the vehicle in front and more if driving conditions are poor.
- Observe traffic signs and signals all the time.
- Check mirrors and blind spots, and signal before turning or making lane changes.
- No drinking and driving! Always use a designated driver.
- Scan the roadway frequently for hazards.
- No texting while driving.
- Adjust driving speed to road, weather and other conditions.
- Watch for bikes, pedestrians and motorcycles.
- Always wear a seat belt and be sure children are in age-appropriate car seats or booster seats.



## Wabasha County Safe Driving Course

Dismiss Your  
Lake City  
Minor Traffic Citation!

Offered by:  
**Lake City Police Department**  
Mailing address: P.O. Box 448  
209 S High Street  
Lake City, MN 55041  
(651) 345-3344

Take our  
Safe Driving Course  
and have:

**NO COURT APPEARANCE**



**NO ENTRY ON YOUR DRIVING  
RECORD**



**IMPROVE YOUR DRIVING HABITS**

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### YOU ARE ELIGIBLE...

- ☛ If your citation was issued by a Lake City Police Officer AND
- ☛ your Lake City citation was for:
  - Speeding 15 mph or less over the limit
  - Violation of a stop sign/stop light/yield sign
  - Driving left of center (not DUI related)
  - Passing or lane violation
  - Following too closely
  - Failure to signal
  - Illegal turn
  - Seatbelt violation
- ☛ you do not wish to contest your citation AND
- ☛ you have not participated in a safety class in Wabasha County in the last 12 months AND
- ☛ this is your first moving violation in the past 12 months

### YOU ARE NOT ELIGIBLE...

- ☛ If your Lake City Citation was for:
  - A parking violation
  - A citation resulting from an accident
  - A major violation such as careless driving, DUI, leaving the scene of an accident, driving without a license

### REGISTRATION

You must register within 5 business days of receiving the citation and complete the course within 45 days

Register one of two ways:

1. In person at the Lake City Police Department OR
2. Call 651-345-3344

Payment **MUST** be mailed or delivered within 2 business days of registration

#### Registration Fees:

- \$125.00—moving violation only
- \$60.00—Seatbelt violation only
- \$185.00—Combined Seatbelt/Moving Violation

Make checks payable to Lake City Police Dept.

Mail to: P.O. Box 448  
Or deliver to: 209 S High St  
Lake City, MN 55041

If payment is not received, you will not be eligible for the class

The Registration Fee is Non-Refundable

Class Time:

6:30pm

Third Wednesday of each month

If you choose not to register for the Safe Driving Class you may pay the citation (fines will vary) or appear on the assigned court date.

### Classes are held at:

Wabasha County Criminal Justice Center  
848-17th Street East, Suite 1  
Wabasha, MN 55981-5033



#### From North (Lake City, Red Wing, Twin Cities):

- Follow US Hwy 61 south to the City of Wabasha. Take left onto MN Hwy 60.
- Follow Hwy 60 to the 4-way stop at Hiawatha Dr./County Rd. 30. Take Right.
- Follow Hiawatha Dr. east approx. 1.2 miles to 17th St. E. Take Right. CIC will be on your left.

#### From West (Zumbro Falls, Zumbrota, Faribault)

- Follow MN Hwy 60 east to the City of Wabasha. At US Hwy 61 continue straight ahead.
- Follow Hwy 60 to the 4-way stop at Hiawatha Dr./County Rd. 30. Take Right.
- Follow Hiawatha Dr. east approx. 1.2 miles to 17th St. E. Take Right. CIC will be on your left.

#### From South (Kellogg, Winona, La Crosse)

- Follow US Hwy 63 north to the City of Wabasha. Take a right onto MN Hwy 60.
- Follow Hwy 60 to the 4-way stop at Hiawatha Dr./County Rd. 30. Take right.
- Follow Hiawatha Dr. east approx. 1.2 miles to 17th St. E. Take right. CIC will be on your left.

#### From East (Nelson, Alma, Durand)

- Follow WI Hwy 25 west to the City of Wabasha.
- At the 3-way stop after the bridge, take a left onto MN Hwy 60/4th Grant Blvd.
- Follow 4th Grant Blvd. W 2 blocks and take a right at the stop sign (Pembroke).
- Follow Pembroke 2 blocks to the 4-way stop at Hiawatha Dr./County Rd 30. Take a left.
- Follow Hiawatha Dr. E approx. 1.2 miles to 17th St. E. Take a right. CIC will be on your left.

## City of Plainview in Wabasha County

**Program Name:** Wabasha County Safe Driving Course

**Brief Program Description:** The City of Plainview Police Department offers the Wabasha County Safe Driving Course for those who have been stopped for certain traffic offenses in the City. If the class is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$125 for a moving violation, \$60 for seatbelt violations, and \$185 for a moving violation and a seatbelt violation.

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (15 mph or less than the posted limit, “Example 70 in a 55 or less”);<sup>60</sup> violation of a stop sign, stop light, or yield sign; driving left of the center line; passing or lane violations; following too closely; failure to signal; illegal turn; and seatbelt violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in the safety class in Wabasha County in the last 12 months, has two or more moving violations in the past 12 months, or two or more alcohol-related driving offenses within ten years. It is not available for parking tickets; citations resulting from an accident; multiple violations (except seatbelt); or “major violations” such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** March 2011

**Description of Class:** The two-hour class is taught by Sheriff Department deputies at the Wabasha County Criminal Justice Center.

**Revenues:** The City pays Wabasha County \$25 for each program participant.

<b>City of Plainview - Safe Driving Course Revenues</b>				
<b>Year</b>	<b>Revenues</b>	<b>Amount Paid to Wabasha County Sheriff’s Office</b>	<b>Difference</b>	
2013 (January - June)	\$3,490	\$690	\$2,800	
2012	5,125	1,025	4,100	
2011	6,000	1,200	4,800	

<sup>60</sup> City of Plainview Police Dep’t brochure for Wabasha County Safe Driving Course.

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**Look at what past participants have said about the safe driving course!**

- "Good Public Relations Tool"
- "Made me a better driver"
- "This class is a great alternative to just paying the citation. Not only do we get a chance to interact with officers, but we also get a great refresher on the rules and regulations"
- "The class was a great refresher. I'm going to tell the sheriff in my county about it"
- "Awesome, I could take this instead of paying my ticket / increased insurance"
- "I think all counties in Minnesota should have this class"

**THE PLAINVIEW POLICE DEPARTMENT'S MISSION STATEMENT TOWARDS TRAFFIC ENFORCEMENT IS:**

*To provide all motorists a safer environment while traveling through our county.  
We value your life!*



**Wabasha County Safe Driving Course**

**Dismiss Your Plainview Police Department Minor Traffic Citation!**

**TAKE OUR SAFE DRIVING COURSE AND HAVE:**

- NO FINE
- NO COURT APPEARANCE
- NO ENTRY ON YOUR DRIVING RECORD
- IMPROVE YOUR DRIVING HABITS

Persons must register for the course within 7 working days after receipt of the citation

The Safe Driving Course must be completed within 45 days after receipt of the citation

**PLAINVIEW POLICE DEPARTMENT**  
**Timothy J. Schneider, Chief**  
tschneider@plainviewpolice.com  
**Plainview Police Department**  
241 W. Broadway  
Plainview, MN 55964

507-534-2441



## Registration

### **WITHIN 7 DAYS – NO EXCEPTIONS**

You may register in person at the Plainview Police Department, or register online at:

[www.plainviewpolice.com/drivesafe.html](http://www.plainviewpolice.com/drivesafe.html)

You may also call 507-534-2441.

For more information send an e-mail to:

[drivesafe@plainviewpolice.com](mailto:drivesafe@plainviewpolice.com)

#### **What is needed to register in person?**

1. Citation Number
2. \$125 (Check or Cash), \$60 for seatbelt violations, or \$185 for a violation and a seatbelt

#### **What is needed to register online?**

1. Citation Number
2. Citation Offense (speed, stop sign, seatbelt, etc.)
3. A date and time will be given for the class
4. Bring the \$125 (\$60 for seatbelt violations or \$185 for a violation plus a seatbelt) to the class

#### **CLASS TIMES WILL BE AT 6:30 p.m. SHARP and held the 3<sup>rd</sup> Wednesday of the month.**

Confirmed dates will be provided upon registration. The class should last 1 1/2 to 2 hours. There is no falling if you attend and listen to what is said.

**DO NOT CALL THE COURT ADMINISTRATORS OFFICE.**

### **You are eligible if.....**

1. Your citation was issued by a Plainview Police Officer.

2. Your Plainview Police Department Citation was issued for:

- Speeding and the speed is 15 mph or less than posted. (Example 70 in a 55 or less)
- Stop Sign, Stop Light, Yield Sign
- Driving left of center
- Passing or lane violations
- Following too closely
- Failure to signal
- Illegal Turn
- Seatbelt

3. You do not wish to contest your ticket
4. You have not participated in the safety class in Wabasha County in the last 12 months
5. You have not had two or more moving violations in the past 12 months or two or more alcohol related driving offenses within 10 years.

### **You are not eligible if....**

1. Your Plainview Police Department Citation was for:

- Parking Tickets
- Citations resulting from an accident
- Multiple Violations (except seatbelt)
- Major violations such as careless driving, DUI, leaving the scene of an accident, driving without a license

## **Classes Are Held At:**

Wabasha County Criminal Justice Center

848 17<sup>th</sup> Street East, Suite 1  
Wabasha, MN 55981-5033



Even if you paid your seatbelt citation at court administration, they normally do not go on your driving history. However, this class offers you the opportunity to take care of your seatbelt citation, learn about traffic safety, keep it off your record and save some money as well!

## City of Wabasha in Wabasha County

**Program Name:** Wabasha Safe Driving Course

**Brief Program Description:** The City of Wabasha Police Department offers the Wabasha County Safe Driving Course for those who have been stopped for certain traffic offenses in the City. If the class is successfully completed, the violation will not appear on the person's driving record.

**Fee for Program:** \$125 for a moving violation, \$60 for seatbelt violations, and \$185 for a moving violation and a seatbelt violation. The City's website states: "For your information, the basic speed citation is \$127.00, with the majority going to the state."

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (15 mph or less than the posted limit; "Example 70 in a 55 or less");<sup>61</sup> violation of a stop sign, stop light, or yield sign; driving left of the center line; passing or lane violations; following too closely; failure to signal; illegal turn; and seatbelt violations.

**Ineligibility:** The class is not available if the driver wants to contest the citation, has participated in the safety class in Wabasha County in the last 12 months, has two or more moving violations in the past 12 months, or two or more alcohol-related driving offenses within ten years. It is not available for parking tickets; citations resulting from an accident; multiple violations (except seatbelt); or "major violations" such as careless driving, DUI, leaving the scene of an accident, or driving without a license.

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2010

**Description of Class:** The two-hour class is taught by law enforcement officers at the Wabasha County Criminal Justice Center.

**Revenues:** The City pays Wabasha County \$25 for each program participant. The remainder is placed in a City Police Department fund used for equipment and outfitting squads.

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<sup>61</sup> City of Wabasha Police Dep't brochure for Wabasha County Safe Driving Course.

**City of Wabasha - Safe Driving Course Revenues**

<b>Year</b>	<b>Revenues</b>	<b>Amount Paid to Wabasha County Sheriff's Office</b>	<b>Difference</b>
2013 (January - June)	\$4,795	\$1,875	\$2,920
2012	17,150	4,350	12,800
2011	8,025	2,600	5,425
2010	6,725	1,575	5,150

Look at what past participants have said about the safe driving course!



- "Good Public Relations Tool"
- "Made me a better driver"
- "This class is a great alternative to just paying the citation. Not only do we get a chance to interact with officers, but we also get a great refresher on the rules and regulations"
- "The class was a great refresher. I'm going to tell the Sheriff in my county about it"
- "Awesome, I could take this instead of paying my ticket / increased insurance"
- "I think all counties in Minnesota should have this class"



## Wabasha Safe Driving Course

**Dismiss Your Wabasha Minor Traffic Citation!**

### TAKE OUR SAFE DRIVING COURSE AND HAVE:

- NO FINE
- NO COURT APPEARANCE
- NO ENTRY ON YOUR DRIVING RECORD
- IMPROVE YOUR DRIVING HABITS

- Persons must register for the course within 7 working days after receipt of the citation
- The Safe Driving Course must be completed within 45 days after receipt of the citation

**THE WABASHA POLICE DEPARTMENT'S MISSION STATEMENT TOWARDS TRAFFIC ENFORCEMENT IS:**

*To provide all motorists a safer environment while traveling through our county. We value your life!*

## WABASHA POLICE DEPARTMENT

**CHIEF J. WARREN**  
police@wabasha.net

Wabasha Police Department  
900 Hiawatha Drive East  
Wabasha, MN 55981

651-565-3261



## Registration

### **WITHIN 7 DAYS - NO EXCEPTIONS**

You may register in person or by mail at the Wabasha Police Department at 900 Hiawatha Drive East, Wabasha, MN during regular business hours M-Thur 8:00 am - 4:00 pm and Fridays 8:00 am - 11:00 am. You may also call 651-565-3261.

For more information send an e-mail to: [police@wabasha.net](mailto:police@wabasha.net)

#### What is needed to register in person?

1. Citation Number
2. \$125 (Check or Cash), \$60 for seatbelt violations, or \$185 for a violation and a seatbelt, \$125.00 for other violations.

#### What is needed to register?

1. Citation Number
2. Citation Offense (speed, stop sign, seatbelt, etc.)
3. A date and time will be given for the class
4. \$125.00 payment by mail.

#### **CLASS TIMES WILL BE AT 6:30 p.m. SHARP and held the 3<sup>rd</sup> Wednesday of the month.**

Confirmed dates will be provided upon registration. The class should last 1 1/2 to 2 hours. There is no failing if you attend and listen to what is said.

**DO NOT CALL THE COURT ADMINISTRATOR'S OFFICE OR WABASHA COUNTY SHERIFF'S OFFICE!**

### **You are eligible if.....**

1. Your citation was issued by a Wabasha Police Officer
2. Your Wabasha Citation was issued for:
  - Speeding and the speed is 15 mph or less than posted. (Example 70 in a 55 or less)
  - Stop Sign, Stop Light, Yield Sign
  - Driving left of center
  - Passing or lane violations
  - Following too closely
  - Failure to signal
  - Illegal Turn
  - Seatbelt
3. You do not wish to contest your ticket
4. You have not participated in the safety class in Wabasha County in the last 12 months
5. You have not had two or more moving violations in the past 12 months or two or more alcohol related driving offenses within 10 years.

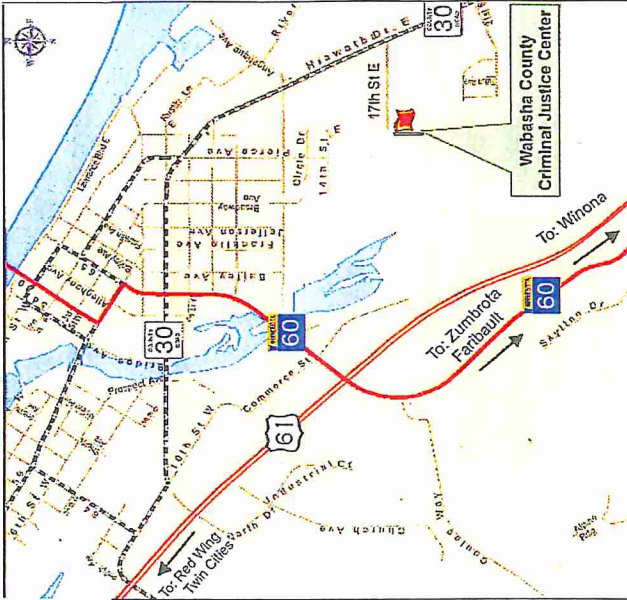
### **You are not eligible if.....**

1. Your Wabasha Citation was for:
  - Parking Tickets
  - Citations resulting from an accident
  - Multiple Violations (except seatbelt)
  - Major violations such as careless driving, DUI, leaving the scene of an accident, driving without a license

### **Classes Are Held At:**

Wabasha County Criminal Justice Center

848 17<sup>th</sup> Street East, Suite 1  
Wabasha, MN 55981-5033



*Even if you paid your seatbelt citation at court administration, they normally do not go on your driving history. However, this class offers you the opportunity to take care of your seatbelt citation, learn about traffic safety, keep it off your record and save some money as well!*

## Wright County

**Program Name:** Drive Wright and Teen Drive Wright

**Brief Program Description:** Diversion programs for certain traffic offenders are memorialized in a written agreement between the Wright County Attorney and Sheriff, and the nonprofit organizations Meth Education and Drug Awareness Coalition of Wright County (“MEADA”) and Safe Communities of Wright County (“Safe Communities”).<sup>62</sup> The Drive Wright program is for adult offenders, and the Teen Drive Wright program is for juvenile offenders.<sup>63</sup> If the program is successfully completed, the violation will not appear on the person’s driving record.

**Fee for Program:** \$75 (A \$20 transfer fee is charged if the driver transfers classes.)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** “Participation in the Drive Wright course is at the discretion of the Wright County Attorney’s Office. If you did not receive a Drive Wright citation at the time of violation, you are not eligible for the course.”<sup>64</sup> Drive Wright citations are issued for speed (no set limit on speed), seat belt, texting while driving, and petty misdemeanor moving violations.

**Ineligibility:** The class is not available if the driver did not receive a Drive Wright citation at the time of the violation or if the driver has previously participated in the Drive Wright program.

**Uses Uniform Traffic Citation?** The County uses a “Drive Wright Citation,” and a brochure.

**Uses 169.999 Administrative Traffic Citations?** No

**When Did Program Begin?** 2009

**Description of Class:** The two-hour class is taught by Safe Communities, with the assistance of the Wright County Sheriff’s Office, at the Wright County Law Enforcement Center.

**Revenues:** Out of the \$75 fee, \$50 is paid to Safe Communities for coordinating and conducting the classes. The remaining \$25 is retained by the Wright County Attorney’s Office to pay MEADA (\$200 per session where MEADA assists with registration and check-in) and to be used for traffic safety education, and drug and alcohol awareness and prevention purposes.<sup>65</sup>

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<sup>62</sup> See Agreement Regarding Diversion Program for Traffic Offenses (signed by Wright County Attorney on Sept. 21, 2009). The Agreement is for August 1, 2009, through July 31, 2014.

<sup>63</sup> At least one parent of each juvenile offender must also attend the class.

<sup>64</sup> Wright County Drive Wright brochure.

<sup>65</sup> See Agreement Regarding Diversion Program for Traffic Offenses.

**Wright County - Drive Wright Revenues and Expenses**

<b>Year</b>	<b>Revenues</b>	<b>Amount Paid to Safe Communities</b>	<b>Additional Expenses</b>	<b>Difference*</b>
2013 (January - June)	\$19,334	\$12,650	\$1,400	\$5,284
2012	65,460	46,520	13,490	5,450
2011	71,745	45,460	8,006	18,279
2010	69,973	47,740	6,800	15,433

\*Revenues minus amount paid to Safe Communities and additional expenses.



(Frequently Asked Questions Continued . . . )  
**Is this class required?**

This course is not a requirement. You have the option of paying your citation in full or going through the Wright County Court process.

**What if I am under 18?**

If you are under 18, your Drive Wright citation will be referred to the Teen Drive Wright program. This program is similar to the Drive Wright program, but specific for teen drivers. A parent is REQUIRED to attend the course along with the teen driver.

**Where are the classes held?**

Unless otherwise noted, classes are held at the Wright County Law Enforcement Center, 3800 Braddock Avenue NE, Buffalo (see below map).

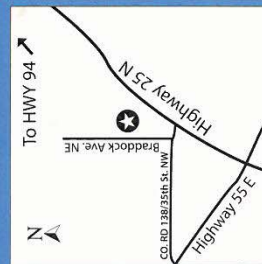
Proceeds from the Drive Wright class benefit several community initiatives in Wright county including Safe Communities of Wright County, MEADA, and youth drug prevention.



Wright County Attorney  
Tom Kelly  
763.682.7340



Wright County  
Sheriff's Office  
763.682.7622



Map to Wright County Law Enforcement Center  
3800 Braddock Avenue NE, Buffalo, MN 55313

© 2009 Safe Communities of Wright County

# DRIVE WRIGHT

## A CRASH COURSE IN ROADWAY SAFETY

FOR INFORMATION OR TO REGISTER  
VISIT OUR WEBSITE AT  
[WWW.SAFECOMMUNITIESOFWRIGHTCOUNTY.ORG](http://WWW.SAFECOMMUNITIESOFWRIGHTCOUNTY.ORG)  
OR CALL 763-682-7958

You have been given the opportunity to attend the Drive Wright Roadway Safety Course. This course provides an overview of the latest traffic laws and teaches experienced drivers how to be more aware and make better decisions behind the wheel.

The benefits of attending the Drive Wright course include:

- No fine to pay.
- No court appearance.
- No entry on your driving record.
- And, most importantly, improving your driving habits!

At the discretion of the Wright County Attorney's Office, Wright County Deputies may offer traffic violators the option of attending Drive Wright in lieu of a ticket and the accompanying fines or court costs. Attending this course is a privilege, not a right.

### **CLASS INFORMATION**

For upcoming class dates and times, go online at [www.safecommunitiesofwrightcounty.org](http://www.safecommunitiesofwrightcounty.org) or call **763-682-7958**. Pre-registration is required prior to the class. Classes are two hours long and you must attend the entire two hours for credit. NO late admissions will be accepted.

If you are late or fail to appear, your class fee will be forfeited and your citation will be sent to the County Attorney's Office for prosecution. You will then be expected to pay the fine or appear in court and you will not be eligible to participate in the Drive Wright Course.

### **CLASS REGISTRATION**

You must pre-register for the Drive Wright class within ten business days of receiving the citation. You can register online at [www.safecommunities-ofwrightcounty.org](http://www.safecommunities-ofwrightcounty.org) or in person registration is taken at the Wright County Sheriff's Office, Wright County Law Enforcement Center, 3800 Braddock Avenue NE, Buffalo. Sheriff's Office hours are 8 am to 4:30 pm Monday – Friday (excluding holidays). **When registering in person, please bring the issued traffic citation, your driver's license and the course registration fee of \$75 in cash (or Visa/Mastercard), checks are NOT accepted.**

### **FREQUENTLY ASKED QUESTIONS**

#### **How long do I have to sign up?**

You must register for the class within 10 business days of receiving the citation and attend the course within 30 days. If you do not register for the class within 10 business days, you forfeit your opportunity to participate in the course.

#### **Can I transfer to another date after I have registered for a class?**

We discourage transferring classes, however you are allowed a one time class transfer. The transfer must be made at least 24 hours prior to your scheduled class date and there is a \$20 transfer fee. To transfer, call 763-241-9888.

#### **I did not receive a Drive Wright citation, how do I get into this class?**

Participation in the Drive Wright course is at the discretion of the Wright County Attorney's Office. If you did not receive a Drive Wright citation at the time of violation, you are not eligible for the course. Remember, you do have the option of going through the Wright County Court process.

*(Continued on back)*

## Cities of Buffalo and Howard Lake in Wright County

**Program Name:** Speed Management & Accident Reduction Training (Drive SMART) Program

**Brief Program Description:** This “Safe Driving Diversion Program” is offered through the Buffalo, Howard Lake, and Annandale Police Departments.<sup>66</sup> The program offers a “suspension of prosecution” or “continuance for dismissal,” and includes a “no same or similar for six months” provision.<sup>67</sup>

**Fee for Program:** \$75 (\$25 for prosecution costs and \$50 for the course)

**Amount Remitted to State:** \$0

**Offenses Eligible for Program:** Eligible traffic offenses include speed (less than 15 mph over the limit); sign, semaphore, seatbelt (driver only), lane, and passing violations; failure to signal; illegal turns; driving left of centerline; inattentive driving; failure to yield right of way; failure to move left/slow for emergency vehicle (Ted Foss law); texting while driving; and all graduated driver’s license violations.

**Ineligibility:** A person operating any motor vehicle while in possession of a commercial driver’s license is not eligible for the program. The class is not available if the driver has any previous moving violation in the past 12 months, previously participated in a Wright County diversion program, or received a written warning or an administrative citation for a moving violation from one of the participating police departments within the past 12 months. It is not available for alcohol violations, misdemeanor or higher offenses, parking tickets, multiple violations, violations involving dangerous or hazardous circumstances, flagrant violations, or property or personal injury crashes. However, drivers involved in property damage motor vehicle crashes may be offered a diversion-eligible citation “at the discretion of the officer, if the officer believes the driver would benefit from the program.”<sup>68</sup> In addition, “[a]nyone who demonstrates through their actions, behavior, and/or words, that they would not be amenable to the Safe Driving Diversion program” is not eligible for the program.<sup>69</sup>

**Uses Uniform Traffic Citation?** Yes, and brochure

**Uses 169.999 Administrative Traffic Citations?** In addition to the Drive SMART Program, the City of Buffalo uses administrative traffic citations for offenses listed in Minn. Stat. § 169.999. The City of Howard Lake does not.

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<sup>66</sup> The OSA did not include the City of Annandale’s program in this review because of its small size. The City collected only \$75 in 2010 from the program.

<sup>67</sup> Safe Driving Diversion Program and “You are eligible . . .” documents received from the City of Buffalo Police Chief.

<sup>68</sup> Safe Driving Diversion Program document.

<sup>69</sup> Safe Driving Diversion Program document.

**When Did Program Begin?** August 2009. Previously, the City of Buffalo used the Safe Communities of Wright County program (“Drive Wright”), from which the City received no revenues.

**Description of Class:** The two-hour class is taught by City police officers at Buffalo City Hall.

**Revenues:**

<b>Cities of Buffalo and Howard Lake - Drive SMART Revenues</b>			
<b>Year</b>	<b>Buffalo</b>	<b>Howard Lake</b>	<b>Total</b>
2010	\$3,825	\$1,350	\$5,175
2011	7,800	1,500	9,300
2012	6,600	150	6,750
Jan. - June 2013	4,200	-	4,200
<b>Total</b>	<b>22,425</b>	<b>3,000</b>	<b>25,425</b>

<b>City of Buffalo - Administrative Traffic Ticket (Minn. Stat. § 169.999) Revenues</b>			
<b>Year</b>	<b>Amount Collected</b>	<b>Amount Remitted to MMB</b>	<b>Net</b>
2010	\$7,080	\$-	\$7,080
2011	11,100	5,220	5,880
2012	7,860	3,440	4,420
Jan. - June 2013	4,080	900	3,180
<b>Total</b>	<b>30,120</b>	<b>9,560</b>	<b>20,560</b>



**BUFFALO**  
**POLICE DEPARTMENT**  
 215 1st Avenue NE, Buffalo  
 763.682.5976  
[www.ci.buffalo.mn.us](http://www.ci.buffalo.mn.us)

In Partnership with  
 Annandale Police Department  
 Howard Lake Police Department  
 Minnesota State Patrol  
 Wright County Sheriff's Office

**DRIVE S.M.A.R.T.**  
**ALTERNATIVE DISPOSITION PROGRAM**

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**YOU MUST APPEAR IN COURT IF:**

The offense is alleged to have endangered life or property; or  
The offense requires a court appearance based on statute, or other court criteria. To determine if the offense requires a court appearance, you may call 651-281-3219 or 800-657-3611. You will need to have the citation available for reference.

If the offense requires a court appearance you will automatically be notified by mail of a court date.

**YOU MAY APPEAR IN COURT IF:**

You wish to plead **NOT GUILTY**; or  
You wish to plead **GUILTY** with explanation.  
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If you would like to speak to a Prosecutor concerning your citation, please call 763-682-0622 and ask to speak to the Attorney that handles the offense listed on your citation.

**SPEEDING:**

01-10 MPH OVER LIMIT (\$125.00)	CARELESS DRIVING-NO CRASH (\$185.00)
11-14 MPH OVER LIMIT (\$135.00)	STOP SIGN OR SEMAPHORE (\$135.00)
15-19 MPH OVER LIMIT (\$145.00)	FAIL TO YIELD TO PEDESTRIAN (\$185.00)
20-25 MPH OVER LIMIT (\$225.00)	FAIL TO YIELD SCHOOL PTRL (\$335.00)
26-30 MPH OVER LIMIT (\$285.00)	INATTENTIVE DRIVER-NO CRASH (\$125.00)
31+ OVER LIMIT (\$385.00)	WRONG ADDRESS ON LICENSE (\$105.00)

**PARKING:**

MUST HAVE TWO HEADLIGHTS (\$125.00)
OVER CENTER LINE (\$135.00)
HANDICAP ZONE (\$285.00)
IMPROPER PASSIGNAL/TURN (\$135.00)
SNOWBIRD/2-6/OTHER (\$42.00)
ILLEGAL WINDOW TINT (\$135.00)
FIRE LANE/HYDRANT (\$42.00)
NO LICENSE IN POSSESSION (\$105.00)

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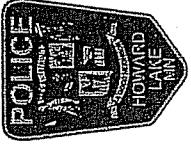
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**HOWARD LAKE  
POLICE DEPARTMENT**  
625 8th Avenue  
Howard Lake  
320.543.3670

**In Partnership with**

Annandale Police Department  
Buffalo Police Department  
Minnesota State Patrol  
Wright County Sheriff's Office

**DRIVE S.M.A.R.T.  
ALTERNATIVE DISPOSITION PROGRAM**

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If you would like to speak to a Prosecutor concerning your citation, please call 320-543-3411 and ask to speak to the Attorney that handles the offense listed on your citation.

<b>SPEEDING:</b>	<b>OTHER MOVING:</b>
01-10 MPH OVER LIMIT (\$125.00)	CARELESS DRIVING-NO CRASH (\$185.00)
11-14 MPH OVER LIMIT (\$135.00)	STOP SIGN OR SEMAPHORE (\$135.00)
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	MUST HAVE TWO HEADLIGHTS (\$125.00)
<b>PARKING:</b>	OVER CENTER LINE (\$135.00)
HANDICAP ZONE (\$285.00)	IMPROPER PASS-SIGNAL TURN (\$135.00)
SNOW/DIRT-6/OTHER (\$42.00)	ILLEGAL WINDOW TINT (\$135.00)
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