

**CINDY DIHOV, CLERK OF COURT**

CRIMINAL/TRAFFIC DIVISION 740.203.1570 / FAX 740.203.1599

PAYMENT MAY BE MADE ON-LINE AT [WWW.MUNICIPALCOURT.ORG](http://WWW.MUNICIPALCOURT.ORG)

**ENTERING A PLEA / PAYING A WAIVER / PROOF OF INSURANCE**

You may appear in court on your scheduled court date set forth on the ticket to enter a guilty, no contest, or not guilty plea -OR- you may plead guilty in advance by signing the back of the ticket and enclosing it with payment of the pre-determined amount. This is called paying a waiver and you give up your right to appear in court. If you qualify, you may apply for the Traffic Safety Program, information provided on the reverse side of this form. **If you have posted bond or you are an Ohio resident, a not guilty plea may be entered in writing by mail or FAX prior to your scheduled court date. A continuance of two weeks may be requested in writing by mail or FAX prior to your scheduled court date; there is an additional fee.**

**Personal checks are acceptable from Ohio residents only.** All other payments must be in the form of a **certified check or money order.** The court must receive your payment at least 24 hours in advance of your scheduled appearance. All payments should be made payable to the **Delaware Municipal Court.**

**Failure to either appear in court or pay a waiver will result in a warrant for your arrest and/or cancellation of your driver's license.**

**You must provide proof of insurance.** If you fail to provide adequate proof of insurance (a bill is not sufficient) covering your operation of the vehicle at the time of the offense, your license will be suspended by the Ohio Bureau of Motor Vehicles. If you are required to appear in court, you must bring proof of insurance with you.

**DISTRACTED DRIVING**

If you are charged with a traffic violation and a specification that you were **driving while distracted-R.C. 4511.911** – you are **NOT** eligible for this Court's TSP program. Here are your options:

- You may pay the waiver amount for the traffic violation and an additional \$100 waiver amount for the distracted driving charge; OR
- You may pay the waiver amount of the traffic violation **and** take a 1 hour online Distracted Driver course offered by the BMV <https://www.drivertraining.ohio.gov/>. If you 1) pay the waiver amount for the traffic violation and 2) show proof of successful completion of the Distracted Driver class within 14 days of receiving your ticket, the extra \$100 fee will be waived. If you need more time to pay the waiver and/or complete the course call 740-203-1570 for an extension; OR
- You may appear at court on your scheduled court date as listed on your ticket.

(Revised January 2019)

**1<sup>ST</sup> SPEED/ASSURED CLEAR DISTANCE WITHIN YEAR**

1 - 15 mph over the limit / ACDA .....	\$135 (\$146 CZ)
16 - 29 mph over the limit .....	\$160 (\$196 CZ)
30+ mph over the limit.....	\$185 (\$246 CZ)
<b>36+ mph in school zone @ open/close hrs w/children/recess M4</b>	<b>\$185 (\$246 CZ)</b>
<b>36+ mph in business district (M4) .....</b>	<b>\$185 (\$246 CZ)</b>
<b>51+ mph in city outside business district (M4).....</b>	<b>\$185 (\$246 CZ)</b>

**2<sup>ND</sup> SPEED/ASSURED CLEAR DISTANCE WITHIN YEAR**

1 - 15 mph over the limit / ACDA .....	\$160 (\$196 CZ)
16 - 29 mph over the limit .....	\$185 (\$246 CZ)
30+ mph over the limit.....	\$215 (\$306 CZ)
<b>36+ mph in school zone @ open/close hrs w/children/recess M4</b>	<b>\$215 (\$306 CZ)</b>
<b>51+ mph in city outside business district (M4).....</b>	<b>\$215 (\$306 CZ)</b>
<b>36+ mph in business district (M4) .....</b>	<b>\$215 (\$306 CZ)</b>

**3<sup>RD</sup> SPEED/ASSURED CLEAR DISTANCE WITHIN YEAR**

1 - 15 mph over the limit / ACDA .....	\$185 (\$246 CZ)
16 - 29 mph over the limit .....	\$215 (\$306 CZ)
30+ mph over the limit.....	\$235 (\$346 CZ)
<b>36+ mph in school zone @ open/close hrs w. children/recess M4</b>	<b>\$235 (\$346 CZ)</b>
<b>51+ mph in city outside business district (M4).....</b>	<b>\$235 (\$346 CZ)</b>
<b>36+ mph in business district (M4) .....</b>	<b>\$235 (\$346 CZ)</b>

**OTHER TRAFFIC MISDEMEANORS**

Reckless Operation - on or off road (MM).....	\$215
Reckless Operation - on or off road (M4) .....	Must appear
Improper approach to emergency vehicle (MM)\$146 (M4 - Must appear)	
Seatbelt- Driver.....	\$125
Seatbelt-Driver (UCM) if charged with multiple violations.....	\$30
Seatbelt- Passenger .....	\$115
Child Restraint/Booster Seat .....	\$149
Resisting Officer O.R.C. 4513.36 (MM) .....	\$210 (M4 - Must appear)
Overweight violations (UCM) .....	Contact court
Other Traffic offense w/max penalty a fine not over \$150 (MM-UCM) .....	\$135
M4 Traffic offense not otherwise listed .....	\$165

**MISCELLANEOUS VIOLATIONS**

Drug Abuse (Marijuana) (MM) .....	Must appear
Title 15 offense w/maximum penalty of a fine not over \$150 .....	\$130
M4 Title 15 offense (M4).....	\$160
Non Traffic offense w/maximum penalty of a fine not over \$150 .....	\$185
Delaware Ordinance-Underage possession/consumption DCO 529.021 .....	\$314

MM=minor misdemeanor;M4=4<sup>th</sup> degree misdemeanor; UCM=unclassified misdemeanor; CZ=construction zone

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**DELAWARE MUNICIPAL COURT**  
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**APPLICATION/WAIVER FOR TRAFFIC SAFETY PROGRAM (TSP)**

If you are charged solely with one or more misdemeanor moving violations, and if you have not participated in this Court's Traffic Safety Program (TSP) within the past four years, you have the option of applying for the TSP now.

Offenders with a Commercial Driver License (CDL) and/or charged with a traffic violation and a specification that you were driving while distracted are *not* eligible to participate.

If you are eligible for the TSP and if you complete it, your case will be dismissed and you will not be convicted on the traffic charges in the case. If you are eligible for the TSP and if you apply for that program but then fail to complete it the Court will accept your guilty plea and you will be convicted on all of the traffic charges in your case. If you apply for the TSP, you will not be entitled to any refund of moneys paid to the court or to the defensive driving course described below. If you choose to participate in the TSP you must complete all of the requirements listed below:

1. You must mail or otherwise deliver **all** of the following to the Delaware Municipal Clerk of Court **before your scheduled court date** indicated on your citation:
  - a. This form with your plea, signature and contact information added below.
  - b. Proof of automobile liability insurance covering your operation of the vehicle at the time when you committed the traffic offense(s).
  - c. Payment of the **total sum** of all fines and costs for all of the offenses with which you are charged. Payment may be made on-line; be sure to **click** the Accept TSP button before proceeding to pay.
2. You must also pay for and complete the online defensive driving course offered by Safe Driver Online, Ltd. (SDO) at **SafeDriverOnline.com**. (Completion of this application form does not enroll you in that course, and the fee for the course is a cost that you must pay in addition to the money that you send to the court for your traffic fines). SDO's phone number is 888.372.SAFE or 888.372.7233 and their email is [team@safedriveronline.com](mailto:team@safedriveronline.com).
3. You must complete the course within 60 days of your scheduled court date. Once you have completed the online program a notification will be emailed to the Clerk's office from SDO advising that you have finished your requirement. Failure to complete the course timely will result in your ineligibility to participate in the TSP.

If you complete the first step above, and if the Court then determines that you are not eligible to participate in the TSP, the Clerk will notify you and will schedule a new court date for you. If that happens, any money that you have paid to the court will be held as bond until the case is finished.

After completing the course Safe Driver Online, Ltd. will notify the court by email.

A record of your guilty plea will be sent to the Ohio Bureau of Motor Vehicles (OBMV) if you apply for but do not complete the TSP despite being eligible to do so, and points may then be assessed against your driver's license by the OBMV.

By signing below, you are certifying that 1) you are eligible for the TSP; 2) you are willing to waive your right to appear at the court to contest the traffic charges in your case; and 3) you understand and accept the requirements of the TSP.

**To apply for the TSP, check the box and then sign & complete the lines below:**

I plead guilty to the traffic charges in my case. My plea of guilty is a complete admission of my guilt, and I accept the legal consequences of my actions.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Ticket Number

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Court Date

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email address