



TRAFFIC TICKETS



I received a traffic ticket in Georgia. What are my options? You have two options - you can plead guilty and pay your fine, or plead not guilty and fight the ticket in court.

Pleading guilty and paying your fine is the most convenient option for some drivers, even though it does involve certain penalties like point accumulation and increased auto insurance rates. For information on paying your ticket or to pay your ticket online, please see: <http://www.dmv.org/ga-georgia/paying-traffic-tickets.php>.

Pleading not guilty and fighting your ticket in court requires a hearing, preparations for that hearing, and sometimes hiring an attorney; if you win, though, the charges are dropped and you face no penalties. For information on fighting the ticket in court, please see: <http://www.dmv.org/ga-georgia/fighting-your-traffic-ticket.php>.

NOTE: Check to see if your citation indicates that you must appear in court. Some do.

How can I get a traffic ticket dismissed? Georgia doesn't dismiss traffic tickets for taking Defensive Driving or Driver Improvement courses, but if you fight your ticket in court and win, the ticket is dismissed.

Will taking a motorcycle safety course help me with a traffic ticket I got while riding? No. Typically, the courts don't offer any kind of driving courses as ways to dismiss or satisfy a ticket.

Can I take a defensive driving course to reduce the number of points on my driving record? Yes. Georgia allows drivers to take state-approved Defensive Driving or Driver Improvement courses for point reduction. You can only take the course every 5 years, which will remove up to 7 points from your license. Please refer to Georgia Point Reduction website for details: <http://www.dmv.org/ga-georgia/point-reduction.php>.

Why is it a good idea to order a copy of my driving record? There are a few great reasons why you should order a copy of your driving record. You can make sure:

- You didn't receive any points you weren't supposed to (after you plead or are found guilty).
- You didn't receive **any** points (after you are found not guilty).
- The DDS removed the applicable points after you completed a Driver Improvement

To get a copy of your driving record, please see: <http://www.dmv.org/ga-georgia/driving-records.php>

What is the cost of my driving ticket? The total cost of your traffic ticket varies by:

- Violation. Some traffic ticket fines are higher than others.
- Location. Courts set their own fines and court costs.
- Penalties. Some drivers have to pay extra fines (such as the Super Speeder fine) or attend courses (such as for DUI-related offenses), and this adds to your overall costs.

Start out by checking your ticket for the fine; then, contact your court for information about additional charges: <http://www.georgiacourts.gov>.

How many points will I get if I am convicted? Points vary by violation. They range from 1 point to 6 points, and if you're convicted of more than a single violation, you'll receive points for each violation (unless your attorney works out a plea agreement). Note that some violations don't carry points. For example, if you're convicted of speeding less than 10 miles per hour over the limit, you won't get points. Visit the Georgia point system page for more information: <http://www.dmv.org/ga-georgia/point-system.php>

How can I find a lost traffic ticket online? You can't; Georgia doesn't provide the option. You can't get the information from the DDS, either. Only courts can look up lost traffic ticket information. Please visit <http://www.dmv.org/ga-georgia/lost-traffic-ticket.php> for more information.

How many points can I accumulate before the state suspends my license? Point-related license suspensions depend on the driver's age. If you are:

- Younger than 18 years old, your license is suspended 4 points within 12 months.
- Younger than 21 years old, your license is suspended for committing any violation worth 4 points.
- Adults, your license is suspended for 15 points in 24 months.

For more information on reducing the points on your license, please see: <http://www.dmv.org/ga-georgia/point-reduction.php>.

When is it a good idea to hire a traffic ticket attorney? Typically, drivers hire traffic ticket attorneys when they decide to fight their tickets in court. A traffic ticket lawyer can help you:

- Prepare your case.
- Provide testimony, if you're not comfortable speaking in court.
- Show evidence and examine witnesses.
- Examine the ticketing officer.
- Negotiate a plea agreement.

- File an appeal if you're found guilty.

I have decided to challenge the ticket in court but have decided to represent myself. How should I prepare? Here are a few tips that will help you get your traffic ticket dismissed once you have a court date:

1. Organize All the Facts. Getting organized, and staying that way, is important for getting your ticket dismissed. Gather all of the facts in an easy to reference format. The more information you're armed with, the better you can present your case. Having everything at your fingertips will make things easier when the defense is presented as well as when the prosecutor is presenting questions. You'll look more professional and you won't forget anything important. Helpful facts include, but aren't limited to:

- Radar readings
- Time of the day/ date
- Weather conditions when ticket was issued
- Current insurance and registration information

In addition to the above, try to remember even seemingly inconsequential facts from that day, such as the clothes that were worn. While these facts may not seem important at first, it is impossible to tell what details the prosecution will request. Being armed with all possible information can make the entire process go much smoother and keep you from getting flustered when defending your case.

One final tip: On the morning of the trial, as well as in the minutes before the trial, go through the details of the case and refresh them in your mind. A prepared defendant is a successful defendant.

2. Remain Calm and Respectful. During the entire trial, remain calm, rational and respectful at all times. This includes what you say, but also how you dress and your body language as well. Judges and prosecutors pay attention to every detail, including how respectful the defendant's body language is.

Although the situation can be very stressful and some of the questions asked by the prosecutor may well be inflammatory or aggravating, it is important to keep a calm exterior and answer all questions with a respectful tone. Defendants should go into the situation expecting the prosecution to put pressure on them and to try to find flaws in their case. An angry, sarcastic or disrespectful response or attitude will not help get a ruling in your favor. Dressing properly is just as important—look as nice as you can. Just as if you were going to a job interview, you'll be in the spotlight and your mode of dress should reflect it.

3. Check in With the Clerk. Before the trial, remember to check in with the court clerk. While you're there, also consider asking if the officer who issued the ticket has checked in. Often, police officers are unable to show up for court dates for a variety of reasons. If the officer is not present during the trial, he or she cannot offer his or her side of the

case and this will often lead to a dismissal of the ticket. Even if the officer arrives and gives his or her testimony, you'll still have a chance to present your case.

4. *Make Notes.* While listening to the officer or prosecution, a small notebook can be your best friend. If there is anything you don't understand about the prosecution's case, make a note so that you can ask about it when you get to cross-examine the officer and prosecution's witnesses. This will help you be less flustered and more professional during the trial and will help to ensure that you ask all of the right questions.

In the end, it's worth remembering that even if you've been issued a traffic ticket, it is not going to be the end of the world. Just by being courteous, respectful and organized, and you may be able to get that ticket dismissed.

Where can I get more information on traffic tickets and penalties in Georgia? The Georgia DMV webpage is located at <http://www.dds.ga.gov/drivers/dldata.aspx?con=1741838154&ty=dl>. Another helpful resource is the DMV.org located at <http://www.dmv.org/ga-georgia/>.



Office of the Staff Judge Advocate
Legal Assistance Office
6930 Morrison Avenue
Bldg 130
Fort Benning, GA 31905
706-545-3281