

NOTIFICATION FORM Approved by Attorney General

Section I- If you are charged with a NONCRIMINAL traffic violation, you must choose **one** of these two options:

OPTION 1 - If you do not want a hearing or court appearance to contest your citation, you may post and forfeit the statutory bond/fee in the amount noted on this citation. The statutory bond/fee must be paid to the court of the county of which the citation was issued, in person, online, or by mail, no later than **14 days** after you received this citation. By choosing this option, you will be deemed to have committed the violation and to have waived your right to a hearing to contest the citation.

OPTION 2 - If you want to appear in court and have a hearing to contest the citation, you must **date and sign** the REQUEST FOR HEARING on your copy of this citation. You must return your copy of the citation with the signed REQUEST FOR HEARING to the court of the county in which the citation was issued **AND post the statutory bond/fee** with the court, in person or by mail, within **14 days** after you received this citation. The court will notify you of the hearing date.

If you fail to choose one of these two options, you will be deemed to have admitted the violation and waived your right to a hearing. In addition, your operator's license may be suspended. Failure to appear, without paying the statutory fee or posting and forfeiting bond, is a Class B Misdemeanor.

Section II- If you are charged with a CRIMINAL traffic violation, you must appear in court on the date and at the time noted on the **summons-promise to appear** on your copy of the citation.

Section III- If you are aggrieved by the findings against you, you may appeal to the District Court for trial by the court.

1. The appeal does not stay the reporting of the violation or any action by the Driver License Division.
2. The District Court may order a stay or order the issuance of a temporary restricted drivers license, upon application, if accompanied by a certified copy of the driving record of the appellant.

Section IV- Amount of statutory bond-fees. The fees required for a non-criminal disposition pursuant to either NDCC Section 39-06.1-02 or Section 39-06.1-03, the listed NDCC sections or equivalent ordinances shall be as follows:

1. Violations requiring \$500 fee: NDCC 39-21-46(3) operating vehicle: after driver placed out-of-service; with 10 or more out-of-service defects; or prior to repair, 39-10-26(2), 39-10-59
2. Violations requiring \$250 fee: NDCC 39-21-44, or rule violations; NDCC 39-21-46(3) false record of duty status/log book; operating vehicle with 7-9 out-of-service defects.
3. Violations requiring \$100 fee: NDCC 39-01-15, 39-04-37, 39-08-03.1(2a,c), 39-08-25, 39-10-46 and 39-10-46.1, 39-10-74, 39-12-02(1), 39-12-04(1), 39-21-46(3) driving excess hours; duty status/log book violations; operating vehicle with 4-6 out-of-service defects.
4. Violations requiring \$50 fee: NDCC 39-19-03, 39-10-05, 39-10-28(1), 39-10-41, 39-10-42, 39-08-09, 39-08-18, 39-24-11, 39-08-03.1(2b), 39-10-26(2), 39-10-50.1 for violations of NDCC 39-21-46(3) not listed in 1, 2, or 3 above.
5. Violations requiring \$40 fee: NDCC 39-10-44, 39-10-24
6. Violations requiring \$30 fee: NDCC 39-09-01 and 39-09-01.1.
7. Violations requiring \$25 fee: NDCC 39-21-41.2.
8. Violations requiring \$20 fee: NDCC 39-06.1-08, 39-06.1-09, 39-21-41.4, 39-06-17(4).
9. Violations requiring not less than \$10 nor more than \$30: NDCC 39-09-01.1.
10. Violations requiring \$10 fee: NDCC 39-06.1-08, 39-21-09.
11. Violations requiring \$5 fee: NDCC 39-01-15(6), 39-06.1-06(7).
12. Violations of NDCC 39-09-02(1)(b), 39-09-02(2) a fee of \$80 for 1-10 mph over the posted speed and \$80 plus two dollars for each additional mph over 10 mph over the limit, unless a greater fee applies under 39-06.1-06.
13. Violations of NDCC 39-09-02(1):

FEE AND POINT SCHEDULE FOR SPEEDING

| Speed (mph) | Speed Zones 55 or less | | Speed Zones greater than 55 mph but less than 70 MPH | | Speed Zones 70 mph or greater | | |
|------------------------|----------------------------------|--------|--|--------|-------------------------------|------------------------------|--------|
| | Fee (\$) | Points | Fee (\$) | Points | Speed (mph) | Fee | Points |
| 1 - 5 mph over limit | \$ 5 | 0 | \$ 2/each mph over limit | 0 | 1-5 mph over limit | \$ 5 for each mph over limit | 0 |
| 6 - 10 mph over limit | \$ 5 + \$1/each mph over limit | 0 | \$ 2/each mph over limit | 0 | 6-10 mph over limit | | 1 |
| 11 - 15 mph over limit | \$ 10 + \$1/each mph over limit | 1 | \$ 20+ \$5/each mph over 10 mph over limit | 1 | 11-15 mph over limit | | 3 |
| 16 - 20 mph over limit | \$ 15 + \$2/each mph over limit | 3 | \$ 45+ \$5/each mph over 15 mph over limit | 3 | 16-20 mph over limit | | 5 |
| 21 - 25 mph over limit | \$ 25 + \$3/each mph over limit | 5 | \$ 70+ \$5/each mph over 20 mph over limit | 5 | 21-25 mph over limit | | 7 |
| 26 - 35 mph over limit | \$ 40 + \$3/each mph over limit | 9 | \$ 95+ \$5/each mph over 25 mph over limit | 9 | 26-30 mph over limit | | 10 |
| 36 - 45 mph over limit | \$ 70 + \$3/each mph over limit | 12 | \$ 145+ \$5/each mph over 35 mph over limit | 12 | 31-35 mph over limit | | 12 |
| 46 + mph over limit | \$ 100 + \$5/each mph over limit | 15 | \$ 195+ \$5/each mph over 45 mph over limit | 15 | 36+ mph over limit | | 15 |

14. Violations requiring a \$100 fee: NDCC 39-08-23 prohibits the use of a wireless communications device while driving.

15. Violations requiring a \$250 fee: NDCC 39-10-21.1 entering closed road prohibited.

16. Violations requiring a \$150 fee for a first violation and \$300 for a second or subsequent violation: NDCC 39-08-20 Driving without liability insurance.

Section V- Driving license or privileges shall be suspended upon an accumulation of 12 points for a period of 7 days for each point over 11. For drivers under the age of 18, driving license or privileges will be canceled upon an accumulation of 6 or more points. Points are assigned according to Section IV, No. 12 and the following schedule: FOR VIOLATIONS NOT LISTED, NO POINTS ARE ASSIGNED

Points

- | | | |
|--|--|---|
| 1 Operator/Responsible party failing to provide child restraint device | 2 Driving in violation of the conditions of an instruction permit | 3 Violating corrective lens restriction |
| 1 Failing to display license plates/tabs | 2 Causing accident w/emergency vehicle | 3 Failing to stop at RR Crossing |
| 1 Unlawfully parking in specified prohibited places | 2 Knowingly driving with defective, non-existent or unlawful equipment | 4 Violating or exceeding restriction contained in a restricted certificate or license |
| 1 Leaving motor vehicle improperly unattended on an open highway | 2 Knowingly driving with defective brakes | 4 Clinging to other vehicle while riding a motorcycle |
| 1 Opening or leaving motor vehicle doors open when unsafe to do so | 2 Disregarding lawful command of police officer | 4 Operating a motor vehicle without a license |
| 1 Nonmoving violation of parking in a space assigned for the mobility impaired | 2 Overtaking where prohibited or unlawful | 6 Overtaking a school bus |
| 1 Failing to dim head lamps | 2 Driving on wrong side of road | 6 Failing to give immediate notice of accident |
| 2 Violating hazardous material regulations | 2 Failing to yield right-of-way | 6 Careless driving (Basic rule) |
| 2 Knowingly operating an unsafe vehicle | 2 Failing to use care required | 6, 12, or 14 No Liability Insurance |
| 2 Improperly operating or unlawfully carrying passengers or packages on a motorcycle | 2 Disobeying traffic control signals | 8 Reckless driving |
| 2 Improperly operating a motorcycle in laned traffic | 2 Failing to yield right-of-way to funeral procession | 10 Racing in a motor vehicle on a highway |
| 2 Carrying a passenger on a motorcycle not equipped with passenger footrests | 1 Driving a modified motor vehicle | 12 Aggravated reckless driving |
| 2 Operating a motorcycle without protective headgear | 2 Open container (Driver) | 14 Leaving the scene of accident involving property damage |
| 2 Permitting unauthorized minor or person to drive | 3 Exhibition driving on highway | 18 Leaving the scene of accident involving injury or death |
| 2 Unlawfully stopping, standing, or parking on an open highway | | 24 Fleeing from law enforcement officer in a motor vehicle |

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