

KANE COUNTY JUSTICE COURT
State of Utah
76 North Main Street, Kanab, UT 84741
(435) 644-2351 – telephone; (435) 644-2052 – fax
jckane@utcourts.gov

ENHANCEMENT NOTICE – NO INSURANCE; NO PROOF OF INSURANCE – ^{3/31/17}

Defendant: _____ Case No: _____

IF YOU ARE CONVICTED of one of these offenses, this conviction may be used to make a later No Insurance or No Proof of Insurance charge more serious. This form provides notification of the provisions of current Utah law regarding 1) enhancements; 2) minimum/maximum penalties; 3) minimum sentencing requirements; and, 4) the specific elements of your current charges.

ELEMENTS

[] Class C Misdemeanor – No Insurance (Owner) 41-12a-302: Any owner of a motor vehicle on which insurance is required who operates the owner's vehicle or permits it to be operated on a highway in this state without insurance is guilty of a class C misdemeanor.

[] Class C Misdemeanor – No Insurance (Non-Owner) 41-12a-302: Any non-owner who operates a motor vehicle upon a highway in Utah with the knowledge that the owner does not have insurance in effect for the motor vehicle is guilty of a class C misdemeanor, unless that person has insurance on a Utah-registered motor vehicle or its equivalent that covers the operation, by the person, of the motor vehicle in question.

[] Class C Misdemeanor – No Proof of Insurance 41-12a-303.2: A person operating a motor vehicle shall: (A) have in the person's immediate possession evidence of owner's or operator's security for the motor vehicle the person is operating; and, (B) display it upon demand of a peace officer. A violation of this section is a class C misdemeanor.

ENHANCEMENT / PENALTIES

1st No Insurance Conviction (Owner) 41-12a-202: The fine shall be not less than \$400.00 for a first offense. The Court may waive up to \$300.00 of the fine if the owner obtained insurance after the violation but before sentencing.

2nd or Subsequent No Insurance Conviction (Owner) Within Three Years 41-12a-202: The fine shall be not less than \$1,000.00 for a second or subsequent conviction within three years of a previous conviction or bail forfeiture.

1st No Insurance Conviction (Non-Owner) 41-12a-202: The fine shall not be less than \$400.00 for a first offense.

2nd or Subsequent No Insurance Conviction (Non-Owner) 41-12a-202: The fine shall be not less than \$1,000.00 for a second or subsequent conviction within three years of a previous conviction or bail forfeiture.

1st No Proof of Insurance Conviction 41-12a-303.2: The fine shall be not less than \$400.00 for a first offense.

2nd or Subsequent No Proof of Insurance Conviction Within Three Years 41-12a-303.2: The fine shall be not less than \$1,000.00 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

Minimum / Maximum Sentences

1st Class C Misdemeanor No Insurance (Owner): 0 to 90 days jail AND \$100.00/\$400.00 to \$750.00 fines (plus interest)

1st Class C Misdemeanor No Insurance (Non-Owner): 0 to 90 days jail AND \$400.00 to \$750.00 fines (plus interest)

2nd Class C Misdemeanor No Insurance (Owner & Non-Owner): 0 to 90 days AND \$1,000.00 fines (plus interest)

1st Class C Misdemeanor No Proof of Insurance: 0 to 90 days jail AND \$400.00 to \$750.00 fines (plus interest)

2nd Class C Misdemeanor No Proof of Insurance: 0 to 90 days jail AND \$1,000.00 fines (plus interest)

I understand the foregoing Enhancement Notice as explained here and as orally explained to me.

_____ (Date) _____ (Defendant's signature)

[41-12A-302 NO INSURANCE: MC \$410 (Recommended) \$300 (Compliance); dismiss if valid insurance when cited]

[41-12A-302 NO INSURANCE – 2nd: MC \$1,000.00 (Mandatory); dismiss if valid insurance when cited]

[41-12A-303.2 NO PROOF OF INSURANCE: MC \$410 (Recommended) \$0 (Compliance); dismiss, if valid insurance when cited]

[41-12A-303.2 NO PROOF OF INSURANCE – 2nd: MC \$1,000.00 (Mandatory); dismiss if valid insurance when cited]

PLEASE COMPLETE THE FIRST TWO PAGES AND RETURN TO THE COURT.