

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

TRAFFIC CITATION - PLEA IN ABEYANCE (PIA)
January 2015

Under the prosecutor's standing motion, a Plea in Abeyance for a traffic citation in this Court can be requested if the below criteria is met. Any deviation must be requested from the office of the Kane County Attorney: mail – 76 N Main St, Kanab, Utah 84741; email – cheaton@kane.utah.gov; or, telephone – (435) 644-5278. If a deviation is approved, the prosecutor will file a written approval with the Court.

CRITERIA

1. The citation is for no more than one class C misdemeanor, such as speeding, improper lane travel, etc, and one infraction, such as a seat belt violation.
2. There was no accident.
3. The violator does not have a Commercial Driver License (CDL).
4. The violator has no more than one traffic violation on his/her driving history from any state during the year preceding the citation.
5. The violator has not had a Plea in Abeyance in the Kane County Justice Court during the two years preceding the citation.
6. For a Speeding violation, the speed cited, not observed, is no more than 20 miles per hour over the posted speed limit. No Plea in Abeyance is offered for Speeding in a School Zone.

A Plea in Abeyance requires strict compliance with the following terms and condition.

TERMS AND CONDITIONS

1. A PIA Request is filed with the Kane County Justice Court. A Request is available from the forms/download tab at: kane.utah.gov/justice.
2. **A completed PIA Request must be received and a PIA Order entered by the Court before an online payment is made to the Court or the Request will be canceled. NO EXCEPTIONS.**
3. **The total PIA Fee, which is \$25.00 more than the recommended fine for the citation, must be paid to the Court within the 6-month PIA Period. NO EXCEPTIONS.** If this fee is paid online there is an additional online payment fee.
4. **Payment for and completion of one of the following two online traffic schools: GoToTrafficSchool.com, www.gototrafficschool.com, phone no. (888) 329-7069; or, the Utah Safety Council, www.utahsafetycouncil.org/secure/ddreg.asp. Court Access Code: defense;, phone no. (800) 933-5943. Presently, the cost for either of these schools, which is paid directly to the provider, is approximately \$35.00. A Certificate of Completion from one of these schools must be provided to the Court within the 6-month PIA Period. NO EXCEPTIONS.**
5. **No traffic citations during the 6-month PIA Period. NO EXCEPTIONS.**
6. **Within 14 days after the 6-month PIA Period, a copy of the violator's driving history shall be obtained and provided to the Court. NO EXCEPTIONS.** This history is to show that the violator was eligible by having no more than one traffic violation in the year prior to receiving the citation in this Court and complied with the PIA Term of receiving no traffic citation during the PIA Period. An online informal traffic history showing at least 18 months of the violator's history is sufficient.

COMPLIANCE

The Court, in its PIA Order, will authorize the Court Clerk, if compliance to the above terms and conditions is found, to withdraw the Defendant's guilty plea on the Court's computer, enter a dismissal of the case, and close the case.

NONCOMPLIANCE

Failure to comply with the above terms and conditions will result in the filing of an Affidavit with the Court and the issuance of an Order, sent to your last known address, requiring the Defendant to Show Cause why the PIA Agreement should not be terminated, judgment of conviction entered, and sentence imposed. Failure to respond to this Order could result in the Court proceeding in the Defendant's absence.