KANE COUNTY JUSTICE COURT
State of Utah
76 North Main Street, Kanab, UT 84741
(435) 644-2351 – telephone; (435) 644-2052 – fax
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TRAFFIC CITATION - PLEA IN ABEYANCE (PIA)
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Under the prosecutor's standing motion, a Plea in Abeyance for a traffic citation in this Court can be requested if the following criteria are met.

CRITERIA

1. The citation is for no more than one violation of a class C misdemeanor or infraction, such as speeding, improper lane travel, seat belt violation, etc...
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.
7. If no contact has been made with the Court, (i) an additional $50.00 fee is added for a PIA Request filed more than 20 days after the citation was issued; and, (ii) a PIA Request filed more than 40 days after the citation will be rejected because the prosecutor will have filed a Failure to Appear charge, a class B misdemeanor.

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. Notify the Court within 14 days of any change of mailing address and/or email address if using email.
6. **No traffic citations during the 6-month PIA Period. NO EXCEPTIONS.**
7. **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 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, which will be sent to Defendant's last provided or known address, requiring the Defendant to appear and show why the PIA Agreement should not be terminated, judgment of conviction entered, and sentence imposed. If Defendant does not respond to this Order, the Court will proceed with the hearing in the Defendant's absence.