



## KIRKLAND MUNICIPAL COURT

### **MITIGATION by email or mail only**

The Court is in receipt of your request for a hearing to mitigate (explain the circumstances) your traffic infraction. Your case cannot be dismissed if you request a mitigation hearing. **In order to slow the spread of the novel coronavirus (COVID-19), Effective March 16, 2020, hearings will either be conducted online, by mail, email or rescheduled** as ordered by Court Administrative Order 2020-05. This is a proactive measure to ensure the health, well-being, and safety of our community members and employees. If you prefer to cancel your hearing and pay online, please do so at [www.kirklandpay.com](http://www.kirklandpay.com) or contact the court for payment arrangements. The Court Lobby services are closed to walk-in visitors, but available by phone at 425-587-3160.

### **Insurance Violation**

If you received a citation for **No Proof of Insurance** and had valid insurance at the time of the violation or have currently obtained valid insurance, please attach a copy of your insurance card to this form. Insurance policies and application forms are not accepted as proper proof of insurance. If you received another violation on your citation in addition to the insurance violation, be sure to address that violation on the back of this form. If you had valid insurance at the time of the violation, there will be a \$25.00 administrative fee due prior to the dismissal of the charge.

### **The penalty for the following violations may not be waived, reduced, or suspended.**

**RCW 46.61.527(3) Roadway Construction Zones:** A person found to have committed any infraction relating to speed restrictions in a roadway construction zone shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

**RCW 46.61.440 Maximum speed limit when passing school or playground crosswalks:** A person found to have committed any infraction relating to speed restrictions within a school or playground speed zone shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

### **Deferred Finding**

**46.63.070(5)(a)** Except as provided in (b), (c), and (d) of this subsection, in hearings conducted pursuant to subsections (3) and (4) of this section, the court may defer findings, or in a hearing to explain mitigating circumstances may defer entry of its order, for up to one year and impose conditions upon the defendant the court deems appropriate. Upon deferring findings, the court may assess costs as the court deems appropriate for administrative processing. If at the end of the deferral period the defendant has met all conditions and has not been determined to have committed another traffic infraction, the court may dismiss the infraction.

(b) A person may not receive more than one deferral within a seven-year period for traffic infractions for moving violations and more than one deferral within a seven-year period for traffic infractions for nonmoving violations.

(c) A person who is the holder of a commercial driver's license or who was operating a commercial motor vehicle at the time of the violation may not receive a deferral under this section.

(d) A person who commits negligent driving in the second degree with a vulnerable user victim may not receive a deferral for this infraction under this section.

If you are granted a deferred finding, you must pay the administration fee of \$200, comply with all court ordered conditions indicated on the deferred finding order and have no further law violations for the deferral period. Compliance with all conditions will result in the dismissal of the ticket and it will not appear on your driving record. You agree and understand that violating any of the court ordered conditions will result in the infraction being found committed and may be reported to the Department of Licensing. You also agree and understand that you will be required to pay the original amount of the infraction in addition to the administrative fee already imposed by the Court. Unpaid fines may result in the referral to a collection agency and suspension of your privilege to drive.

### **FAILURE TO UNTIMELY FILING OF THE HEARING BY MAIL FORM:**

- 1. EACH INFRACTION WILL BE FOUND COMMITTED AND A \$52 PENALTY MAY BE ADDED**
- 2. THE VIOLATION MAY BE REPORTED TO THE DEPARTMENT OF LICENSING AND MAY RESULT IN THE SUSPENSION OF YOUR PRIVILEGE TO DRIVE**
- 3. UNPAID FINES MAY RESULT IN THE REFERRAL TO A COLLECTION AGENCY AND SUSPENSION OF YOUR PRIVILEGE TO DRIVE**

**(Please go to the Court's website at: [kirklandwa.gov/depart/municipal\\_court.htm](http://kirklandwa.gov/depart/municipal_court.htm) to complete your Hearing by Mail form online or fill out the reverse side of this form and mail.)**

