

POULSBO MUNICIPAL COURT
Kitsap County, Washington

Infraction #: _____

City of Poulsbo
Plaintiff,
vs.

Defendant.

Request For Decision On Written Statement

I understand that by requesting the judge to hear my case by written statement, I am waiving (giving up) my right to appeal the judge's decision. I want the following hearing (*check only one*) –

Mitigation Hearing. I **admit** I committed the violation(s) but would like to explain the circumstances to the judge and ask the judge to reduce my penalty. (Speeding in a school/work zone violations *shall not* be mitigated by law.)

Contested Hearing. I **do not** admit I committed the violation(s). The Court shall review the City's evidence in chambers, consider my statement/evidence provided, and render a decision as to whether I committed the violation(s) listed in the Notice of Infraction by a preponderance of the evidence. A finding of *committed* will result in the face value of the penalty being imposed and due. A finding of *not committed* will result in no penalty.

Deferred Finding*. I **admit** I committed the violation(s) but would like the Court to defer entry and reporting of the findings if I qualify. A statement is not necessary.

*Review "*Requirements for a Deferred Finding*" on back to ensure you and/or your violations qualify for a deferred finding prior to selecting this option. Selecting this option but failing to qualify will result in the Court treating this request as a Contested hearing request.

The following is my sworn statement (attach additional pages or materials if necessary):

Note: Anything submitted to the court will not be returned.

I promise that if it is determined that I committed/deferred the infraction(s) for which I was cited, I will pay the monetary penalty authorized by law and assessed by the Court.

Select one of the following payment options:

I will pay in full within 30 days of the date of the order.

I am unable to pay in full within 30 days.

I will pay \$ _____ per month by the _____ day of each month beginning next month.

Payments may be made by cash, check or credit card at the address listed below. Credit card payments may be paid online at **www.poulsbomunipayments.com** or by phone at 360-626-6073.

Failure to pay as scheduled will result in a \$52.00 delinquent fee being assessed to my case, the possible suspension of my driving privilege, and the case balance being referred to collections (RCW 19.61.500).

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

SIGNED at (city) _____, (state) _____ on (date) _____.

Email Address

Defendant's Signature

ELIGIBILITY FOR A DEFERRED FINDING

The Legislature allows deferral of one moving and one non-moving infraction every seven years.

You are not eligible for a Deferred Finding if you are a holder of a commercial driver's license or you were operating a commercial vehicle at the time of your violation. RCW 46.63.070(5)(c).

“Commercial vehicle” means any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire. RCW 46.04.140.

You are not eligible for a Deferred Finding if the violation is for Negligent Driving in the Second Degree with a Vulnerable User Victim. RCW 46.63.070(5)(d); RCW 46.61.526(1).

You are not eligible for a Deferred Finding if the violation is for a parking infraction.

You are not eligible for a Deferred Finding if the violation is for an Automated Traffic Camera infraction.

You are not eligible for a Deferred Finding if the violation is not a traffic infraction committed under Title 46 RCW. RCW 46.63.070(1); RCW 46.63.070(5)(a).

The Court must receive your request for a Deferred Finding before your scheduled court appearance. You will be notified by mail of the Judge's decision.

REQUIREMENTS OF A DEFERRED FINDING

- I agree to pay the required Administrative Fee of \$200 by the end of the 1-year deferral period.
- The Court will dismiss this violation(s) after the required 1-year deferral period if I have not committed any new traffic violations for 1 year after entry and have paid the required Administrative Fee in full.
- If I fail to comply with any conditions of the Deferred Finding, the Court will enter a finding of committed for the violations(s), the original penalty of the violation(s) will become due and payable (in addition to any unpaid portion of the Administrative Fee previously imposed) and the violation(s) will now be reported to the Washington State Department of Licensing.

Poulsbo Municipal Court
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