

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS



North Smithfield Municipal Court



Summons Number: _____

REQUEST FOR GOOD DRIVING RECORD DISMISSAL

I hereby request of the above summons pursuant to RI General Laws: 31-41.1.7 and Rule 7 of the Traffic Tribunal Rules of Procedure (Good Driving Record). In support of this request I certify to this Honorable Court that:

1. I have had a license for more than three years; and
2. I am not currently a CDL license holder (as defined in R.I.G.L. 31-10.3-3); and
3. The offense was not committed in a commercial motor vehicle (as defined in R.I.G.L. 31-10.3-3) by an operator who does not hold a commercial license; and
4. This is my first traffic violation within the past three (3) years (a parking ticket is not considered a prior violation); and
5. I have not used the Good Driving Record statute within the past three (3) years.

I hereby certify to truth of the above:

Signature of Motorist

Date

I understand that submission of a false certification to this Court may constitute a violation of RI General Laws: 11-18-1 and subject me to criminal penalties.

31-41.1.7 Application for dismissal based on good driving record. –

- (a) Any person who has had a motor vehicle operator's license for more than three (3) years, and who has been issued traffic violations which are his or her first violations within the preceding three (3) years, may request a dismissal of the violations based upon the operator's good driving record.
- (b) Upon submission of proper proof that the operator has not been issued any other traffic violation within the past three (3) years, the charge shall, except for good cause shown or as otherwise provided by law, be dismissed based upon a good driving record, provided that the operator pay a thirty five dollar (\$35.00) administrative fee for court costs associated with the dismissal.
- (c) The Municipal Court Judge may not dismiss a charge pursuant to this section after six (6) months from the date of disposition. For purposes of this section, a parking ticket shall not constitute a prior violation.
- (d) The following violations shall not be dismissed pursuant to this statute:
 - (1) Any violation within the original jurisdiction of Superior or District court;
 - (2) A refusal to submit to a chemical test of breath, blood or urine pursuant to 31-27-2.1;
 - (3) Any violation involving a school bus;
 - (4) Any violation involving an accident where there has been property damage or personal injury;
 - (5) Any speeding violation in excess of fourteen miles per hour (14 m.p.h) above the speed limit;
 - (6) Any violation involving child restraints in motor vehicles pursuant to 31-22-22.
 - (7) Any violation committed by a holder of a commercial license and defined in 31-10.3.3 or any violation committed in a commercial motor vehicle as defined in 31-10.3-3 by an operator who does not hold a commercial license.
- (e) If the charge is dismissed pursuant to this section, records of the dismissal shall be maintained for a period of three (3) years.
- (f) The judge or magistrate shall have the discretion to waive court costs and fees when dismissing a violation pursuant to this section.