

Deferral Program – Local Ordinances

The following applies to Local Ordinance Violation ONLY. It does not apply to citations written as State Statute Violations. State Statute Violations (IF) are processed by the Boone County Prosecutor's office.

The Indiana legislature has authorized the Zionsville Town Prosecutor's office to enter into an agreement with qualified individuals to defer prosecution of their case. The program, if successfully completed, allows the individual to avoid having points and a conviction applied to their driving record as a result of the Town Ordinance violation for which they have been cited. If individual has already paid the ticket, they are not eligible for this program.

To be eligible for the Zionsville Traffic Ordinance Violation Deferral Program, you must:

1. Have zero points on your driving record.
2. Have had no traffic convictions within the last two years.
3. Have had no major driving offenses in the last five years. These include OWI and Driving While Suspended.

Note: If individual is under the age of eighteen, they will also be required to successfully complete a Defensive Driving/Driver Safety Course within specified amount of time.

Eligible Violations Include:

- Disregarding Traffic Signal/Stop Sign
- Failure to Dim Lights
- Speeding (Up to 25 MPH over limit)
- Driving Left of Center
- Passing in No passing zone
- Following too closely
- Improper U Turn
- Failure to Yield
- Failure to Signal

The court will review all citations and individuals qualifying for the deferral program will automatically be sent information and an agreement to be completed. After receiving the information and agreement, should individual wish to defer prosecution they will need to do the following:

1. Sign and date the Traffic Ordinance Violation Deferral Agreement .
2. Pay users' fees and court costs totaling \$252.50 in lieu of paying ticket. The Program's fees must be paid in full with signed agreement. Partial payments are not accepted.
3. Return everything to Zionsville Town Court, Zionsville Traffic Ordinance Violation Deferral Program.
4. Avoid incurring another traffic ticket (anywhere) for a 12 month period beginning from the date signed paperwork and payment is received, and otherwise comply with all terms of Deferral Agreement.

At the end of the deferral agreement term, the Court Deputy must review driving record. If the individual fully complies with the terms of the Deferral Agreement, process and send paperwork documenting the Town's dismissal of the Ordinance charge against them.

If the individual does not comply with the terms of the agreement, set the case for a review hearing, prepare Praecipe for Trial and/or Review Hearing and Order setting Trial date and send to individual. If it is determined that the deferral terms were not successfully completed (i.e. individual received additional moving violation) individual will be required to pay additional fees. The violation will then be reported to BMV and points will be accessed.

Deferral Program – State Infractions

State Infractions (IF) are reviewed and processed through the Boone County Prosecutor's office. The total cost is the same (252.50) and certified checks or money orders should be made payable to the Zionsville Town Court, via the Boone County Prosecutor's office. Boone County only accepts Certified Checks or Money Orders. Boone County will mail the payment to Zionsville with a copy of the Deferral Agreement. When signed copies and payments are received, refer to Payment Processing for instructions on entering IF Deferral payment.

File the deferral in the State IF Deferral drawer. The Director will send Boone County their portion monthly.