

# TRAFFIC SAFETY PROGRAM

## Traffic Safety Program An Option That Can Lead to the Dismissal of Certain Traffic Charges

Defendants charged with waivable traffic (that is, persons charged with offenses for which a fine may be paid in lieu of a personal appearance at the court) may participate in the Court's Traffic Safety Program (TSP) if they have not previously participated in that program or if at least two (2) years have passed since they have participated in that program.

A defendant in a traffic case who is eligible to participate in the TSP may file to participate in the TSP program up to three days after the arraignment date listed on the traffic ticket. (The application is typically enclosed with the traffic ticket, and it is also available on the Court's website at [www.marionmunicipalcourt.org](http://www.marionmunicipalcourt.org)). The defendant's application to participate in TSP must be accompanied by the appropriate fine and cost payment, and the defendant must enter a guilty or no-contest plea to the traffic charge or charges and must sign the application form. Also, if the traffic ticket indicates that the defendant did not show proof of insurance when the ticket was issued, the defendant must provide proof of insurance to the Clerk of the Court.

Once the clerk has received the completed application and the waiver payment, proceedings in the case will be stayed for 60 days while the defendant completes the on-line TSP. The defendant must pay the course provider for the cost of the course. (Information about the course is available at [www.safetyserve.com/marion](http://www.safetyserve.com/marion), or by phone at 1-740-324-5934.

If during that 60 day period, the defendant files a certificate of completion, then the case will be dismissed and no conviction will be reported to the Ohio Bureau of Motor Vehicles (BMV). (The original version of the certificate – rather than a photocopy – must be presented to the clerk). If the defendant fails to file such a certificate during that 60 day period, the court will report the defendant's conviction on the traffic charge or charges to the BMV. In either case, the defendant's waiver payment will not be refunded.

**NOTICE TO PERSONS HOLDING A CDL LICENSE:** Per U.S. Department of Transportation - Federal Motor Carrier Safety Administration –The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP or CDL holder's conviction for any violation....from appearing on the CDLIS driver record....

TSP – Application (PDF)