

Traffic Infraction Deferral Instructions

If you have received a Notice of Infraction you may be eligible to have the infraction deferred for up to one year. (RCW 46.63.070(5)(a)(b) and (c))

To be eligible for an infraction deferral you must meet the following criteria:

1. You must respond to your Notice of Infraction timely or have a mitigation or contested hearing scheduled.
2. You must not have received a prior infraction deferral within a seven-year period (from any court in the state of Washington) for a:
 - a. moving traffic violation (if requesting a deferral of a moving traffic violation); or a
 - b. non-moving traffic violation (if requesting a deferral of a non-moving traffic violation)
3. You do not possess a Commercial Driver's License.
4. You did not receive the Notice of Infraction while operating a commercial vehicle.

Please keep in mind that even if you meet all the criteria, granting of an infraction deferral is discretionary.

If you are granted a deferral the following conditions may be imposed:

- Payment of an administrative fee.
- Commit no new traffic infractions and/or criminal traffic offenses during the deferral period.
- Proof of attendance (in-person or on-line) and completion of approved four (4) hour traffic safety class.

If you comply with all conditions imposed, the deferred charge(s) will be dismissed and not reported to the Department of Licensing.

If you fail to comply with any of the conditions imposed the following will occur:

- The administrative fee will be forfeited.
- The charge(s) will be found committed and the original monetary penalty will be imposed.
- Department of Licensing will be notified.

If you would like to request a deferral, you must:

- 1. Complete the Motion Deferral of Traffic Infraction form.**
- 2. Include your name (Defendant) and case number on the top of the form, sign at the bottom and fill in your current mailing address.**
- 3. File the form at the District Court Clerk's Office within 30 days of the receipt of the infraction or at the time of your hearing (if one is scheduled).**