



Hesston Municipal Court

P.O. Box 100 Hesston, KS 67062

620-327-2020 Fax: 620-327-2236 Email: municipalcourt@hesstonks.org

GUIDELINES FOR TRAFFIC DIVERSION

The City Prosecutor of the City of Hesston, Kansas has established a Traffic Diversion Program for some traffic offenders. Traffic Diversion is a privilege not a right. There is no presumption in favor of diversion in any case and the defendant is required to show that diversion will serve the ends of justice and interests of the community.

You are eligible to apply if you do not have more than one speeding violation or any other serious traffic violations on your record in the past 12 months or more than two speeding violations or any other serious traffic violation in the past 24 months. The City Prosecutor will make the final determination for Traffic Diversion based on all relevant information.

The following violations are NOT ELIGIBLE for this traffic diversion program: Reckless Driving * Attempt to Elude * Speeding more than 20 MPH over * Construction & School Zone Violations * Crosswalk Violations * Child Restraint and Seatbelt Violations * Accident Cases where the Defendant(s) Caused or Contributed to the Cause of an Injury Accident * Driving While Suspended * other license violations * Driving Without Liability Insurance.

- You are Not Eligible if you carry a CDL endorsement on your driver's license pursuant to K.S.A. 8-2, 150.
- There is a separate program for DUI and Open Container offences.

If the defendant wants to apply for traffic diversion, taking into consideration all the preceding information, fill out the application completely and submit it with a non-refundable fee of \$25.00. The application and application fee are encouraged to be mailed in before your court date. When the Diversion Office receives your application and application fee, a new court date will be provided to you.

Do not pay for the fine and court cost until you have been accepted. The Diversion Office will notify you by mail if you are accepted or denied. If accepted, the defendant will be required to pay the original fine, court cost and a traffic diversion program fee of \$100. A Traffic Diversion Agreement will be mailed to the defendant. The defendant will enter into an agreement for pretrial traffic diversion, the proceedings shall be continued for 12 months at defendants' request with a stipulation as to all facts contained on the citation or in the report.

The Diversion Agreement will need to be reviewed, signed, and mailed to the Diversion Office before the new court date. If you do not turn in your signed Diversion Agreement by the new court date given, you are to appear in court on that date. The Diversion will begin once the Diversion Office receives the original signed Diversion Agreement.

Before the end of the diversion, a check of your record will be made to see if there are new violations or convictions since the diversion. If there are no new violations or convictions, you will receive a successful discharge from your diversion. If there are new violations on your record, you will be notified to appear in Court for a revocation hearing.

If you were cited for no proof of liability insurance, proof must be sent in with the traffic diversion application.

If you have further questions, contact Hesston Municipal Court Clerk at 620-327-2020 or Hesston City Prosecutor, Heather L. Figger 316-284-6830.

