

## A.R.S. § 28-4135C Mandatory Insurance Violations Frequently Asked Questions

Effective 09-30-2009

### What do I do if I had insurance but did not have the card to show the police officer?

If you were cited under A.R.S. § 28-4135C and indeed had insurance that meets the State requirements for coverage and that insurance was **valid on the date and time** the complaint was issued, you may provide proof of the insurance to the Court and the insurance charge will be dismissed.

### What if I did not have insurance when the police officer stopped me, but I got the car insured later?

If you were cited under A.R.S. § 28-4135C and have purchased insurance that meets the State requirements for coverage **after** the date and time the complaint was issued, you may on or before the arraignment date at the bottom of your complaint provide proof of the insurance to the Court and the sanction for the insurance charge can be reduced to the Minimum Mandatory Fine.

Additionally, you have the responsibility to obtain and provide to the Court, a copy of your 36 month Arizona Motor Vehicle Division (MVD) report showing no reported convictions or responsible pleas for the violation of A.R.S. § 28-4135C in the past 24 months or no more than 1 conviction or responsible plea in the past 36 months. The MVD report must be provided at the time you provide the proof of insurance.

### What documents do I need to show proof of insurance?

Proof of insurance may include one or more of the following:

- A. State approved Insurance card showing a 6 month policy with a start and end date and the Vehicle Identification Number (VIN) of the vehicles covered
- B. If the insurance is for a vehicle other than the one cited in the complaint, you must show that the insurance covers all vehicles driven by you
- C. A Declarations page of the policy covering the vehicle cited or for yourself for any vehicles driven.
- D. Correspondence on the insurance company's letterhead stating continuous coverage with a start date for the vehicle cited or for yourself for any vehicles driven.

### How do I provide the proof of insurance?

You can appear in person at the Scottsdale City Court located at 3700 North 75<sup>th</sup> Street in Scottsdale any day up to, and including, the arraignment date at the bottom of your complaint. You can appear Monday through Friday from 8:00am until 11:30am or 1:00pm until 4:30pm and be seen by a Hearing Officer to view the proof of insurance. (Please be advised that the Scottsdale City Court opens at 8:30am on the first and third Wednesday of every month).

You may also choose to mail a copy of the proof of insurance to the address above. Any mailing must arrive at the Court on or before the arraignment date at the bottom of your complaint.

**IMPORTANT: It is your responsibility to follow up with the Court to ensure that all payments and/or correspondence sent via mail are received by the court. Failure to do so may result in a default judgment being entered against you.**

### What if I do not get insurance for the car or do not appear on or before my arraignment date?

If you fail to appear or fail to provide proof of insurance on or before the arraignment date at the bottom of your complaint to address the § 28-4135C charge, a default judgment will be entered, the full fine will be assessed, additional fees will be added, and the MVD will be ordered to suspend the your driving privileges and the registration of the vehicle cited.

### What will the MVD do to me if I am convicted or plea responsible to an A.R.S. § 28-4135C charge?

The MVD, through statutes that govern their operations, may take additional action with regards to the registration of the vehicle cited on the complaint and your driving privileges.