

STATE OF RHODE ISLAND  
WESTERLY MUNICIPAL COURT

**SUMMONS NUMBER \_\_\_\_\_**  
**REQUEST FOR GOOD DRIVING RECORD DISMISSAL**

I hereby request dismissal of the above summons pursuant to RI General Laws 31-41.1-7 and Rule 7 of the Traffic Tribunal Rules of Procedure (Good Driving Record). In support of this request I certify to this Honorable Court that:

- (1) I have had a license for more than three (3) years; and
- (2) This is my first traffic violation within the past three (3) years (A parking ticket is not a prior violation; and
- (3) I have not used the Good Driving Record statute within the past three years.

**I hereby certify truth of the above:**

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**Signature of Motorist & Phone Number**

I understand that submission of a false certification to this Court may constitute a violation of RI General Laws 11-18-1 and subject me to criminal penalties.

**§ 31-41.1-7 Application for dismissal based on good driving record.**

- (a) Any person who has had a motor vehicle operator's license for more than three (3) years, and who has been issued traffic violations which are his or her first violations within the preceding three (3) years, may request a hearing seeking a dismissal of the violations based upon the operator's good driving record. (b) Upon submission of proper proof that the operator has not been issued any other traffic violation within the past three (3) years, the charge shall, except for good cause shown or as otherwise provided by law, be dismissed based upon a good driving record; provided, that the operator pay a thirty-five dollar (\$35.00) administrative fee for court costs associated with the dismissal. Additionally, beginning July 1, 2014, there shall be imposed a twenty-five dollar (\$25.00) surcharge on all dismissals based upon a good driving record to be deposited into the Rhode Island highway maintenance account. (c) The traffic tribunal may not dismiss a charge pursuant to this section after six (6) months from the date of disposition. For purposes of this section, a parking ticket shall not constitute a prior violation. (d) The following violations shall not be dismissed pursuant to this statute:
- (1) Any violation within the original jurisdiction of superior or district court;
  - (2) A refusal to submit to a chemical test of breath, blood or urine pursuant to § 31-27-2.1;
  - (3) Any violation involving a school bus;
  - (4) Any violation involving an accident where there has been property damage or personal injury;
  - (5) Any speeding violation in excess of fourteen miles per hour (14 m.p.h.) above the posted speed limit;
  - (6) Any violation involving child restraints in motor vehicles pursuant to § 31-22-22;
  - (7) Any violation committed by a holder of a commercial license as defined in § 31-10.3-3 or any violation committed in a commercial motor vehicle as defined in § 31-10.3-3 by an operator who does not hold a commercial license.
- (e) If the charge is dismissed pursuant to this section, records of the dismissal shall be maintained for a period of three (3) years.
- (f) The judge or magistrate shall have the discretion to waive court costs and fees when dismissing a violation pursuant to this section, with the exception of the mandatory thirty-five dollars (\$35.00) administrative fee and the twenty-five dollar (\$25.00) surcharge provided for in § 31-41.1-7(b).

History of Section.

(P.L. 1999, ch. 218, art. 3, § 1; P.L. 2000, ch. 67, § 1; P.L. 2002, ch. 58, § 10; P.L. 2003, ch. 134, § 1; P.L. 2003, ch. 160, § 1; P.L. 2005, ch. 77, § 8; P.L. 2005, ch. 82, § 8; P.L. 2007, ch. 73, art. 35, § 1; P.L. 2007, ch. 386, § 1; P.L. 2008, ch. 100, art. 12, § 2; P.L. 2014, ch. 145, art. 21, § 5.)