

STATE VS. _____

COMPLAINT NO. _____ (citation number)

AFFIDAVIT OF CIVIL TRAFFIC COMPROMISE

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

I, _____, being first duly sworn, on oath, say as follows:
(victim's name) PLEASE PRINT

1. I, _____ am a person who sustained
(victim's name) PLEASE PRINT

damages and/or injuries as a result of the accident which gave rise to the civil traffic charges of

_____ against _____
(defendant's name) PLEASE PRINT

on _____.
(month/day/year)

2. I understand that I have a civil remedy for the injuries and/or damages sustained.

3. Check one of the following:

_____ a. I have been fully compensated by the defendant for my losses.

_____ b. I do not seek compensation.

4. I am aware that by signing this Affidavit I indicate my recommendation that the civil traffic charges against him/her be dismissed.

(victim's signature) Parent or legal guardian must sign for a minor child

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__.

My commission expires:

Notary Public

CIVIL TRAFFIC CITATION COMPROMISE INSTRUCTIONS AND INFORMATION

What is a Civil Traffic Citation Compromise?

If you received a traffic citation for an accident, your citation may be dismissed upon motion of the prosecutor if the victim is willing to enter into a compromise with you. A compromise is a written agreement between you and the victim in which the victim agrees to recommend the citation be dismissed because you or your insurer have fully paid the victim's economic loss.

NOTE: *A dismissal based on a civil traffic compromise is discretionary with the City Prosecutor's Office. The prosecutor reserves the right not to dismiss if the interests of justice so require.*

What are the Benefits of Entering into a Civil Traffic Citation Compromise Agreement?

If the prosecutor dismisses your traffic citation pursuant to a compromise, there is no fine and no points appear on your Motor Vehicle Division driving record for the compromised charge.

Instructions for Obtaining a Civil Traffic Compromise Dismissal:

1. Go to the Records Division of the Tucson Police Department (TPD) at 270 South Stone and purchase a copy of your accident report. You can also obtain a copy of the accident report online at www.tpdinternet/tucsonaz.gov/collisionhtml.
2. Pick up a civil traffic citation compromise affidavit form for **the driver (victim) of the vehicle**. **If the owner of the vehicle was NOT the driver involved in the accident, you will need an additional form to present to the owner.** If multiple vehicles were involved, you will need to get an affidavit signed by **all other drivers/owners** of those vehicles. If the accident report indicates physical injury, you will also need to get an affidavit signed by **all passengers in each vehicle**. These forms may be obtained at either the City Prosecutor's Office, at 103 East Alameda, Suite 501 or the Records Division of the Tucson Police Department.
3. Contact the victim or the victim's attorney, whichever is appropriate, to discuss whether the victim is interested in entering into a civil compromise agreement. **The victim is not required to sign any agreement even if his or her damages have been satisfied. The decision is strictly voluntary.**
4. Compensate the victim to the victim's satisfaction, either directly or through your insurance company.
5. Present the compromise form to the victim. Ask the victim to sign the form, if satisfied. **The victim's signature must be notarized.** A notary public is available at most banks. If the victim is under the age of 18, a parent or guardian must sign the Affidavit.
6. Go to the City Prosecutor's Office, located at 103 East Alameda, Suite 501, **at least 10 days prior to your hearing date.** Take your citation, traffic accident report and the signed and notarized form(s). A prosecutor will review the paperwork, and if complete, file a motion to dismiss the traffic violation. Next, take the dismissal form to the Public Services Office of Tucson City Court (first floor of the Alameda Court Building, 103 East Alameda), and take a number. A clerk will then enter the dismissal into the court's record and release you from any further obligation. The dismissal will also vacate any scheduled hearing, unless you have other violations that are required to be heard by the court.