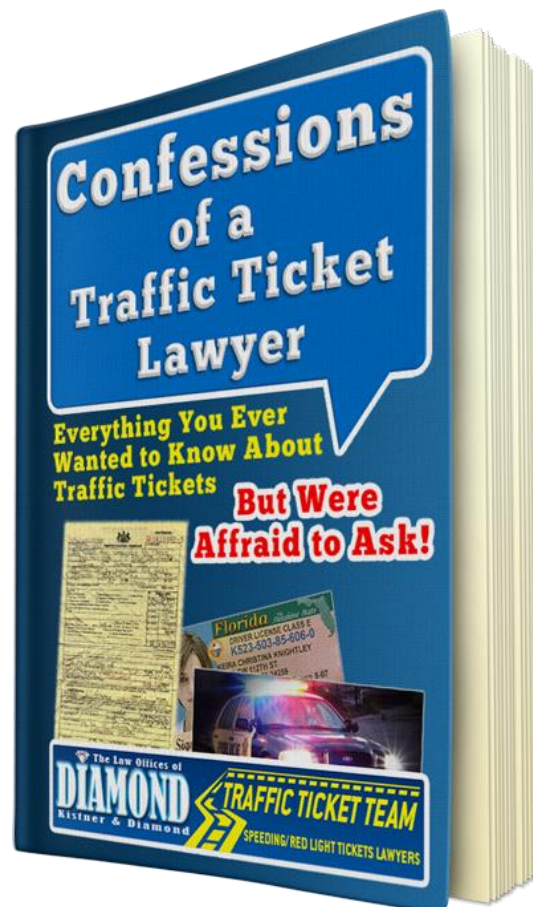




# TRAFFIC TICKET TEAM®

## *CONFESSIONS OF A TRAFFIC TICKET LAWYER*

*How to Handle a Traffic Ticket*



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# *Intro*

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I wasn't always a traffic ticket lawyer. In fact, I was a client well before I even graduated from high school. The year was around 1985, and I was driving my moped to school when I got my first traffic ticket. Not knowing any better, I just paid it. When I got my next insurance bill with a 35% increase, I realized my mistake. Believe it or not, over the next two years, I got five more traffic tickets on the way to school. A little wiser now, I hired a traffic ticket lawyer to help me. It was through my experience with these lawyers that I realized what the world needed. One, we needed a lawyer who will fight a ticket for a reasonable price. I paid nearly \$200 per ticket and that was almost 30 years ago. Second, we needed a lawyer who guarantees his work. This did not exist 30 years ago and as a result, the lawyer really did not care about me or my case.

This realization set me on a life course that has brought us here today. If I had not had such bad experiences, I would never have become a lawyer. If I had chosen a different path in life, you would not be reading this book right now. So, call it fate, karma or just plain luck, but here we are. You have wisely chosen to download this book. I have written this book for you. And after reading this book, I am sure we will be talking shortly about your case. Unlike the lawyers I had to deal with in the past, you will pay a reasonable price if you hire us. More importantly, you will get service that is second to none. We care and we have over one million clients who will attest to that because 99% of them did not get points or school. Enjoy! Jason Diamond.

## Don't Panic

When those flashing lights go off, your heart stops and you pull over with a tight grip on your steering wheel. “What the heck is he pulling me over for?” “Oh no, I was doing 80 in a 50, I can’t afford this ticket right now.” “I hope he’s in a good mood and gives me a break.” Then the police officer who was hiding in the trees tears that yellow ticket out of his book and passes it to you—it feels like your world might implode. The sinking realization that you just got a ticket hits you square in the gut. Points on your license, huge fines, higher insurance rates—not to mention the perpetual sense of injustice and anger you will carry around with you the rest of the day.

But don't panic. Like over ONE MILLION clients before you, you can FIGHT BACK! Whether you were speeding, ran a stop sign by accident, or were driving solo in the HOV lane so you could get to work on time, you don't have to take it lying down. You don't have to let one slip-up follow you around for years to come. You have the right and the power to FIGHT BACK.

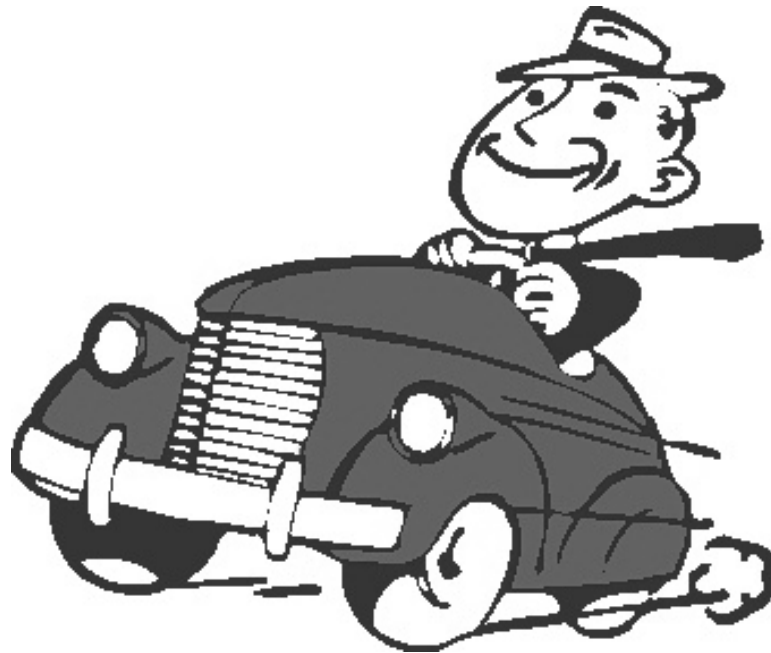
One of the purposes of this book is to help you understand how you can take control of the situation and come out on top. Like most things in life, arming yourself with the right information is the key to success. Knowing what to do when you get pulled over, what your rights are, and what exactly the laws and penalties are for traffic violations are your ammunition.

SO DON'T PANIC—TAKE A DEEP BREATH, AND THEN TAKE CONTROL OF THE SITUATION.

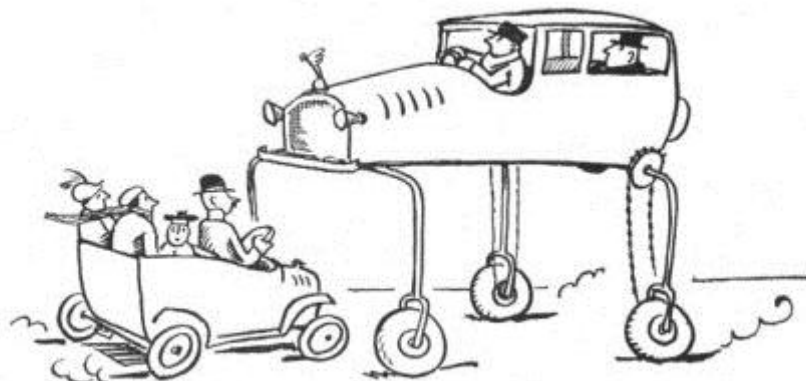


## Get Informed

Here we have compiled everything you need to know to handle your ticket efficiently and maybe even get rid of it entirely. Here you can find ALL THE INFORMATION YOU NEED on your license, being pulled over, and how to handle your ticket without having to trudge through legal babble. Getting a ticket is stressful—we want to ease the pain a little.



## Myths About Traffic Tickets



*Solving the Traffic Problem*

**Myth:** If I sign the ticket, I have to pay the fine and I am admitting my guilt.

**Fact:** Signing the ticket is your agreement to EITHER pay the fine OR plead not guilty in court. Your signature is merely an acknowledgement that you received the ticket, not that you agree with anything in it. Paying the fine means that you are pleading guilty and will accept the points. You have to sign the ticket, or you risk being arrested—but you don't have to pay if you plan on fighting back.

**Myth:** The police have a quota of tickets they must write each day.

**Fact:** This is not an official rule; however, giving out a lot of tickets shows their supervisors that they are vigilant and working hard, so it is to their benefit to write a lot of them. No police officer will admit that they have quotas, but they do have *de facto* quotas, unofficial ones that improve their work performance evaluations. In other words, who do you think will get the promotion from traffic



cop to sergeant? The cop who writes more tickets or fewer tickets? Who do you think will be recognized by their superiors as doing a good job, the cop who writes two tickets a day or the cop who writes twenty? So you see, in practice, cops do have ticket quotas.

**Myth:** If I pay a few extra dollars with my ticket and don't cash the refund check, my case will be left open and I won't get points on my license

**Fact:** This is an internet hoax that's been viral for years. The idea is that the court clerks are so stupid that, because you overpaid your ticket, the case will stay open and the points won't be assessed. Like a lot of things in life, if it sounds too good to be true, it probably is. As soon as you send in the money, you have admitted guilt and it will automatically go on your record, and points will be added to your license. You will, however, have donated a few extra bucks to the county and your insurance company.





**Myth:** My insurance rates won't increase if I go to driving school after my court appearance.

**Fact:** This is partially correct. If you elect school and pay a hefty fine on the first ticket you get, the insurance companies are not SUPPOSED to raise your rates as a result of the ticket. However as you know, the insurance companies can raise your rates and don't have to give you an explanation, so you won't know why they did it. Not only is it likely that your car insurance rates will rise, but because tickets are part of the public record, it can affect your credit score, other insurance rates, and even your ability to get a job.

**Myth:** I need to stop for a full three seconds at a stop sign.

**Fact:** You only need to stop for an instant—it's a good idea to stop for a second before proceeding through a stop sign for safety purposes, but there is no LEGALLY required length of the pause. Only that you come to a complete stop (no rolling stops allowed).

**Myth:** Red cars get more tickets and higher insurance rates than other cars.

**Fact:** There have been no conclusive studies to indicate that red cars, indeed, get more tickets than other cars because the bright color creates an illusion of speed. This is highly unlikely, and insurance companies have reassured customers that car color will not affect their premium.



**Myth:** If I drive the posted speed limit, I can't get a ticket.

**Fact:** Unfortunately, the speed limit is the maximum legal speed only during GOOD CONDITIONS. In rain or other poor weather conditions, police officers may deem it unsafe to drive the posted limit.



# 1: Your License

## Violation Points

In Florida, your driver's license has a point system for traffic offenses. Unlike some states, where points are deducted from a set number, Florida ADDS a varying number of points for each violation. After accumulating certain amounts over certain periods of time, the authorities will suspend your license. What this means is that you will not be allowed to drive for a set amount of time. The police won't be watching your house to make sure you obey, but if you are caught driving with a suspended license, the consequences will not be pleasant—you could even go to jail.



The points on your license are not permanent, though. Points from tickets stay on your license for three years, and then they are removed. Your driving record will always show the ticket, but you don't have to worry about points from a decade ago affecting your license now. It is important to note that if you get a ticket in another state, points will still be added to your Florida driver's license. This is called reciprocity. It is a compact that almost every state in the country has signed. It basically means that each state will respect the other state's laws and will make sure its citizens do the same. Thus, if the New York driver gets a ticket in Florida, the DMV in Florida will inform New York. If the Florida driver gets a ticket in North Carolina, the North Carolina DMV will tell the Florida DMV to put points on the Florida driver's license.

#### **OTHER STATES**

Getting a ticket in another state will still put points on your Florida license.

Suspension of your license, as determined by the point system, has three levels with different degrees of punishment:

- **12 points in 12 months** will get you a 30-day suspension
- **18 points in 18 months** gets you 3 months
- **24 points in 3 years** lands you a full year suspension

There are other ways to get your license suspended, which we will talk about later, but this is how the point system works. If you aren't sure how many points you have on your license, you can go to Florida's DMV website and find out.

Getting a ticket does not mean that you will get points on your license, though. Sometimes for minor violations you will get the opportunity to attend driving school to have the points removed. It will not delete the ticket from your record, but you can minimize or eliminate points this way to prevent a suspension if you get any future tickets.

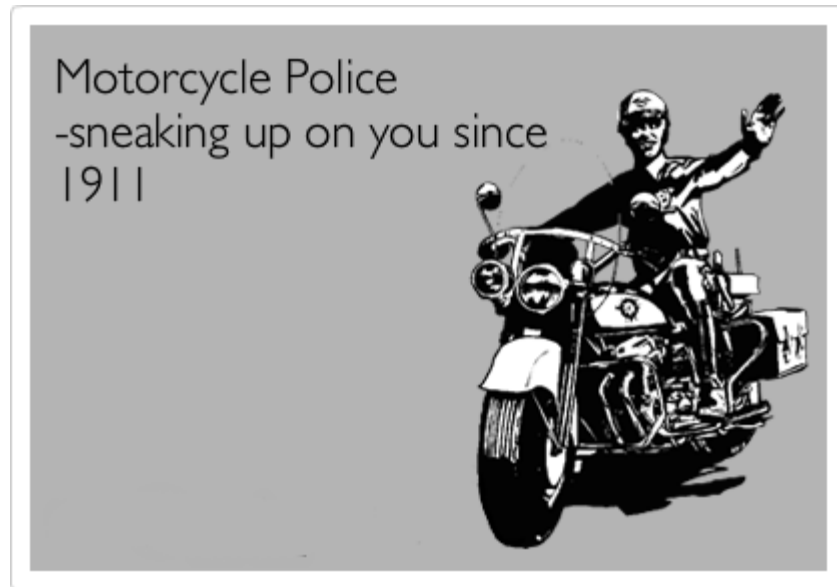
However, there are limits to this as well. You may only voluntarily attend driving school ONCE in any twelve month period

and no more than five times every ten years. We almost always recommend to clients that they NOT elect driving school for the following reason: if you elect driving school, you are using up an opportunity to go to driving school for your next ticket. However, if you fight your ticket and end up having the judge ORDER driving school, you have not used up your opportunity to elect driving school instead of points. In other words, if the judge orders you to driving school on Monday, and you get a second ticket on Tuesday, you can still elect to go to driving school. However, if you elect to go to driving school on Monday and you get a ticket on Tuesday, the judge is very unlikely to order driving school for the Tuesday ticket.



## 2: Getting Pulled Over

### Pulling Over Safely



When that moment of shock hits and you realize you are getting pulled over, it is important to keep your composure, even if you are panicking on the inside. Pull over to the right side of the road, onto the shoulder if possible. Do this in the most careful and safe way possible. Put your hands on the steering wheel at the 10 and 2 positions, like on a clock, and wait for the police officer to come to you. **DO NOT REACH INTO THE GLOVE COMPARTMENT OR PURSE TO GET YOUR DOCUMENTS.** The police officer doesn't know you are a normal, harmless person. He assumes you are a crazy murderer with guns stashed everywhere. He needs to feel

safe, and by keeping your hands in plain sight, this will put him at ease. DO NOT unbuckle your seatbelt before the officer is at your window—in fact, if you weren't wearing one, this is the time to subtly fasten it. Even if you had it on while driving, you could get written up if it looks like you weren't.

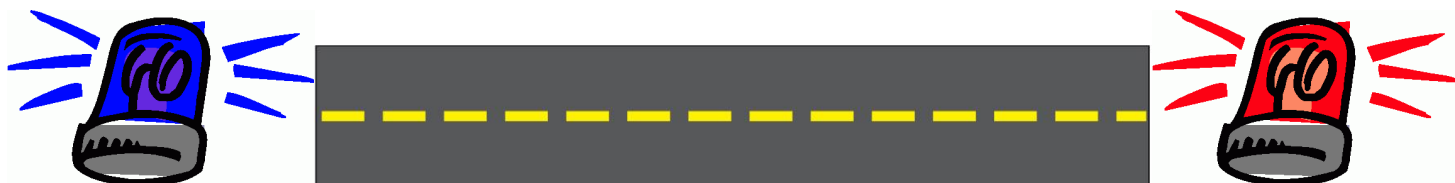
If it's night time, there are a few extra things you want to do. The first is be aware of your location, and the second is to be sure that it is actually a cop

coming to your window; although rare, police impersonators can use the fear of a driver being pulled over to rob or hurt you. If you are in a poorly lit area or a bad neighborhood and feel unsafe, drive slowly to a lighted area. Explain to the officer that you were being cautious. If you have real concerns for your safety, call 911 on your cell phone and tell them about your situation.



As mentioned above, do not reach for your license, registration, and insurance until asked to do so, and when you do, tell the officer where they are. Saying "I am getting them out of my glove compartment" or "I'm reaching for my wallet" will make the officer feel safer. Staying calm and collected and being respectful will also tell the officer that you are not a bad person and make them more inclined towards leniency.

But cops are people too; some cops are in a foul mood before they pull you over and may take that anger out on you by being rude. DO NOT respond in equal measure. Cops are people who have bad days just like the rest of us, and fueling their anger will only make things worse for you.



## Talking to the Officer

The average police officer who is assigned to a traffic division hands out about twenty tickets a day and have another ten or so encounters with the public. When we go to court, it's usually about two-to-three months after the ticket was issued. Thus, the officer has probably interacted with close to 3,000 people while on duty by the time he comes to court for your traffic ticket. If you give him a reason to remember you, he will. If not, he won't.

You don't want him to remember you. In fact, you want the whole experience to be so forgetfully he can't even remember what



### DIAMOND RULE

**DON'T CONFESS**

**&**

**BE FORGETTABLE**

you looked like. The reason for this is that when you go to court and he is being cross examined, it will be very difficult for him to remember the facts and circumstance of your ticket. If he can't remember anything, he can't truthfully testify, and you have a great shot at getting your ticket

dismissed. If he DOES remember you, the odds drop considerably because the judge tends to believe the officer over the civilian.

Based on our many years in court and countless tickets, here are a few things that we've heard that you **DON'T** want to say—they will definitely make you memorable:

- 💎 I'm sorry I was speeding; I'm late for work.
- 💎 I just broke up with my boyfriend and was not paying attention.
- 💎 I'm sorry; I just really have to go to the bathroom.
- 💎 Why don't you do something useful and go after real criminals.



- ◇ Oh, was the doughnut shop closed?
- ◇ I knew I shouldn't be driving because my license is suspended.  
***THIS WILL GET YOU ARRESTED.***
- ◇ It's a rental, and I'm not used to the car.
- ◇ 65!? My car couldn't go that fast if I tried!
- ◇ My speedometer is broken
- ◇ I was just keeping up with traffic.

***THIS IS OUR PERSONAL FAVORITE:*** 75 in a 45? That's B.S., I was only doing 60.

There are countless more wrong things to say, but you get the point. All of these are excuses and admissions, and the officer will probably put a note on his copy of the ticket with the exact words you used so he can tell the judge when he goes to court. So don't make excuses, don't admit anything, and definitely don't be a jerk.

The only thing worse than giving excuses is being a jerk. For example, mentioning doughnuts or bacon in the conversation is never a good idea. But there are less overt things drivers do that anger cops; the most common is ATTITUDE. You can say a lot with your gestures, facial expressions, sighs, etc. If the police officer catches your subtle rudeness, he will probably put a circumpunct on the back of his copy of the ticket. Also called a circle-dot, this is designed to resemble your bottom to remind the cop when he goes to court, that you were being, as the mark symbolizes, an a\*\* h\*\*\*. He won't necessarily know why he didn't like you or thought you were a jerk, but he knows he's going to say whatever he can to make sure you get slammed by the judge. And yes, judges care about your attitude. They often ask the police officer before they rule in Court.



### **A CIRCUMPUNCT**

This circle-dot is meant to resemble a person's bottom, indicating to the officer that the person was an a— hole; even if they can't remember why, cops will make sure you pay in court.





## Never confess

One of the first things an officer will ask you is, "Do you know why I pulled you over?" A lot of people make the mistake of answering yes or making a guess. They either get frustrated or try to be friendly and apologize, and in their moment of panic blurt out the first thing that comes to mind. **ALWAYS ANSWER NO**, even if you are fully aware that you were speeding or didn't stop at the stop sign. Answering with anything other than "no" is a confession of guilt and will make it very hard to get your ticket dismissed if you take it to court. The same advice goes for all questions that the officer asks you. Be polite but concise.

If the officer is in a good mood and you are very, very lucky, asking if they can forgive you this one time may get you a warning instead of a ticket—don't beg or be aggressive, merely ask. If you don't ask, the officer likely won't offer to let you off. If they still give you a ticket, you are in no worse shape than you were before.



# Reading a Ticket

Some cops have bad handwriting. Some write so big it can obscure the labels on the ticket and make it hard to understand. Here's a reference map for knowing what the different parts of the ticket are.

The image shows a Florida Uniform Traffic Citation form with the following details:

- CITATION NUMBER:** 1234-ABC
- COUNTY:** Alachua
- DATE OF CITATION:** 11-30-11
- OFFENSE:** EXCESSIVE SPEED (with handwritten speed of 310 MPH)
- ACCIDENT?** No
- WHETHER THE CITATION REQUIRES A COURT APPEARANCE OR IS ACTUALLY CRIMINAL:** YES
- COURT ADDRESS:** Alachua County Traffic Court, 4th Floor Courthouse 220 S. Main St, P.O. Box 600, Gainesville, FL 32602-0600

Arrows on the left side of the form point to these specific sections: CITATION NUMBER, COUNTY, DATE OF CITATION, OFFENSE, ACCIDENT?, WHETHER THE CITATION REQUIRES A COURT APPEARANCE OR IS ACTUALLY CRIMINAL, and DATE OR COURT DATE.



**CITATION NUMBER:** This is used by the clerk of court in each county to identify which officer wrote the ticket and who received it. Often this citation number is converted into a case number for the court's records.

**COUNTY:** This is where the ticket was given. Different counties have different ways of determining fines, so even if you live in a different county, the ticket will be dealt with according to the county that gave it. This is also the county you will go to when you defend yourself in court.

**DATE OF CITATION:** It's important to remember this if you decide to go to court. It is the date that the ticket was given. You must respond (pay it, fight it etc. within 30 days).

**OFFENSE:** Here is where the officer will mark why the ticket was given. Probably they will write short notes right below the check boxes to specify exactly what the offense was—for instance, how fast you were going and what the posted speed limit was.

**ACCIDENTS:** The police have to take notes on accidents, including not only what happened and what the different parties involved say, but also who was injured and how badly.

**MANDATORY COURT APPEARANCE:** You DO NOT always get a required court appearance, but if court IS required, this is where they will mark it.

**DUE DATE/COURT DATE:** This is the day that you must either have the ticket paid or the day you must show up in court. If going to court is not mandatory, you can choose to defend yourself on the date written instead of paying the fine. If the date is inconvenient, call the courthouse, or file a Motion depending on the county, as soon as you can and attempt to reschedule. This may, however, be the comply by date so you need to plead not guilty to delay it.

## Reminder Checklist if You Get Pulled Over

**Do:** Pull over carefully and use your blinker. Keep the engine running and keep your hands at 10 and 2. Be polite and respectful.

**Don't:** Attempt to be overly friendly or rude. Stay calm and neutral. Be polite and don't argue or make excuses. Remember, you are not admitting or apologizing for anything, but you are not arguing either.

**Don't:** Admit to the violation; the officer can use this against you in court.

**Do:** Get your license and registration out when the police officer asks you to.

**Don't:** Unbuckle your seatbelt to retrieve these things before the officer comes to your window. You could get ticketed for not fastening your seatbelt, even if you had it on while you were driving.

**Don't:** DON'T BE MEMORABLE FOR ANYTHING. Be calm and don't leave an impression. The less the cop remembers about you, the better your chances are of getting the ticket dismissed in court.

if the police officer asks "you drinking?", never respond with "you buying?" It's definitely not a good way to end your night.



## 3: Speeding Ticket Penalties

Speeding is the most common traffic violation in Florida, with over 500,000 tickets given each year—and these don't include people who were pulled over and just given a warning. While the easiest way to avoid a speeding ticket is simply not to speed, no one is perfect. Even if you get away with speeding most of the time, getting pulled over once can land you with one of four different kinds of infractions.



**15 MPH or less.** If you are ticketed for going 15 mph or lower over the lawful or posted speed limit, you will receive 3 points on your license, plus a fine that varies by county. If you take the ticket to court, you can also ask to go to traffic school instead of getting points taken away, but as explained before, this is almost never the way to go.

**16 MPH or more.** Your fine will be heftier and you will receive 4 points on your license.

**30 MPH or more.** This infraction is more serious and comes with a MANDATORY court date. You will not see a fine on the back of your ticket because it will be set by the judge in the courtroom. Failing to show up for your hearing could get your license suspended.

**50 MPH or more.** If, for some reason, you were going more than 50 mph over the speed limit, you will get a \$1,000 fine in addition to your court date. A second offense will get you a fine up to \$2,500 and your license revoked for a year. A third offense becomes a THIRD-DEGREE FELONY. Your license will be revoked for 10 full years on top of a \$5,000 fine.

Oh, you're speeding to get to your grandmother's funeral? And you lost your job? Here, have a ticket.





## 4: Traffic Violations

Although speeding is the most common type of ticket received, there are a lot of different things that a police officer can ticket you for. Remember: EVERY TICKET CAN BE FOUGHT, no matter how small or severe the crime. Knowing some of the other common traffic violations may help you avoid a ticket altogether.



**DIAMOND RULE**  
**GET INFORMED**

Note that there are two different levels of infractions. First are misdemeanors and traffic criminal offenses which can result in jail time. These go to an actual trial judge. Second are civil infractions which, on the other hand, may result in steep fines, points, or losing your license, but will never result in jail time. Below is a list of different infractions and their consequences if you do not fight your ticket.

***Causing an accident.*** This is one of the most detrimental to your insurance rates and license points. If it is determined that speeding caused the accident, you will get 6 points on your license—that is halfway to having your license suspended. If it was another traffic violation that caused the accident, you will receive 4 points instead.

Because cops are not usually there to observe an accident happen, they can only prove that you are guilty in court through the testimony of the other drivers or witnesses and what the investigation officer THINKS happened based on his or her



expertise. If no witnesses against you show up, or if the officer doesn't show up, your case will almost always be dismissed.

**Leaving the scene of an accident.** If you do cause an accident, DO NOT LEAVE. Do not get into a fight with any other drivers involved, but don't drive off either. This is a 6-point infraction, as well as a criminal traffic ticket, and will cost you a lot in fees and insurance rate spikes. Even if you and the other driver work things out amicably and exchange information, it is still a good idea to inform the police so you don't get charged with leaving the scene of an accident. However, always exchange information if you don't call the police.

**Ignoring traffic control signals or devices.** This includes stop signs, traffic lights, yield signs, and any other posted traffic sign. You will receive 3-4 points on your license and a fine determined by the county.



***Driving recklessly or with a suspended license.*** These are the most common traffic criminal violations and will earn you 4 points, a nice fine, and possibly jail time. These include driving with a suspended license (termed DWLS).

***Passing a stopped school bus.*** Because doing this could endanger children, it is a 4-point infraction. If a school bus is stopped in front of you—even if they are going the opposite direction as you—always stop until the bus starts moving again.

***Minors driving during restricted hours.*** In Florida, minors are considered people under the age of 17. They are not allowed to drive between 11 p.m. and 6 a.m. unless accompanied by someone over the age of 21 or going to/leaving work. This violation is a 3-point infraction; 17 year olds are restricted between 1 a.m. and 5 a.m. and subject to the same punishment.

***All other moving violations are civil infractions*** and will result in three points added to your license on top of any fees the county charges.



60 miles an hour?! But that's impossible!  
I've only been driving for 15 minutes!

## 5: Going to Court

### Showing Up

Appearances matter, and when you make your court appearance, you should look clean and professional. A sloppy look can give the wrong impression. If the officer has shown up and you recognize them, go talk to them. Although they can't get your ticket thrown out before the hearing, ask if there is anything that they can do to help. Officers are not without compassion, so appeal to it. You can't get their help if you don't ask for it.

Sometimes you will luck out and the officer won't show up to the hearing. In many jurisdictions, the police do not get paid extra for court appearances, so if they have other things they would rather be doing—because, really, who wants to spend all day in court? — they may not bother showing up to court at all. If this happens, congratulations—your ticket will be dismissed! Despite the above, we ALWAYS recommend you hire a lawyer to fight your ticket. In most cases, you won't even have to come to court. We will fight it for you and you can stay at school or work.



#### DIAMOND RULE

**officers are**

**People too:**

**Be respectful**



## On Your Own

Snapshots at [jasonlove.com](http://jasonlove.com)



"Mr. Evans, it's a speeding ticket.  
You can't plea insanity."

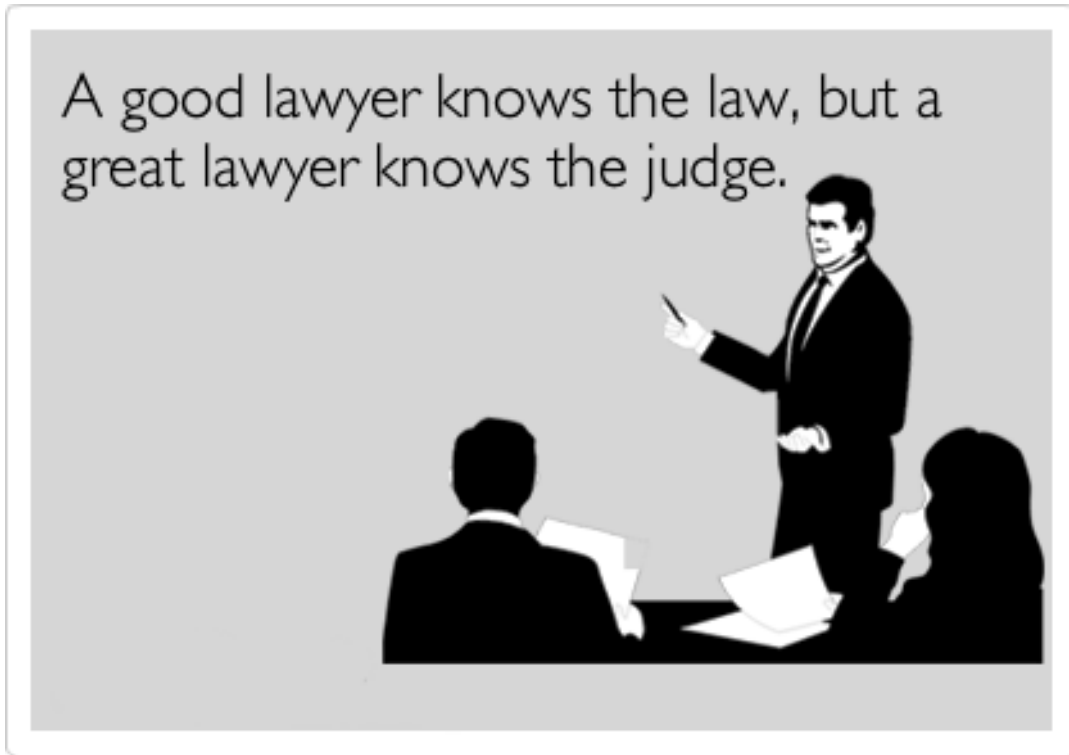
You are not required to have a lawyer to defend yourself at a traffic ticket hearing and can instead act in your own defense. While this is an option, it is not the best one, especially if you are nervous. A lawyer will exude the confidence and have all of the legal knowledge that it will take to get your ticket dismissed. If you do want to be your own lawyer, though, we want to help you have the best chance in court.

During the hearing, as with getting pulled over, be polite and professional. If you brought with you any pictures or notes, make sure to present them, and ask the officer questions when given the opportunity. Ask him where he was located before he pulled you over, ask about any equipment used to measure speed—anything to make the judge doubt that the officer remembers everything and

that they may have made a mistake. This can lead to the ticket being dismissed.

If the ticket is not dismissed, always ask for leniency. Traffic school is sometimes an option for minor violations. By completing a course, you will have the points removed from your record. Even if the ticket stays on your record, reducing the points on your license may keep your insurance rates from skyrocketing. It is always a good idea to try asking.





## Getting Help

A lawyer can seem like an expensive or unattainable resource, and you may think that it's not worth the expense, that you should just pay the fine and move on—and that's your choice to make—but a traffic ticket lawyer knows all the ins and outs of how to make a ticket go away. A lawyer can take the burden off of your shoulders. Many, like us, offer a money-back guarantee if they fail to help, so there is **NO ADDED FINANCIAL RISK** on your part. You don't have to bear the weight on your own. The cost is usually around \$69 for our fee so think about that before you miss two days of work or school.

## You Have Rights Fight for Them

Getting a ticket is a frustrating and frightening thing. Nobody is a perfect driver all of the time, and tickets happen. Of course avoiding a ticket by obeying the laws is the best course of action, but if you do get a ticket, just remember that you can fight it. Whether you take a stand by yourself or with the help of a lawyer, it is your right to defend yourself and FIGHT BACK.

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