



Q: Can I receive a traffic ticket if I am riding a bicycle?

A: Yes, the laws governing automobiles generally apply to bicycles and other similar vehicles.

Q: Can I automatically receive court supervision for my first speeding ticket?

A: No. Supervision is discretionary. The higher the speed, the less likely it is for supervision to be granted. The judge will evaluate your entire record before granting court supervision.

Q: How many times may I receive court supervision?

A: There is no limit on the number of times you may receive court supervision; however, in Champaign County the judges will usually grant supervision one time only. Sometimes court supervision will be granted a second time if the earlier supervision is quite old and your record is otherwise good.

Q: If the police officer or witness doesn't show on the trial date, will my case be dismissed?

A: Yes. Please note, that police officers and other witnesses do not have to appear at any other court dates besides this.

Q: Is a traffic ticket invalid if the police officer doesn't read me my "Miranda rights"?

A: No. For routine traffic tickets, you do not have to be informed of your Constitutional rights; rights must be read when you are taken into custody and questioned.

Q: The cop made a mistake on my ticket. Does that make it void?

A: If the ticket says your car is a red Pontiac but it's a Chevy, this will not invalidate the citation. That kind of error can always be corrected; it's not a loophole.

DISTRACTED DRIVING

Since 2002, Illinois law has prohibited the use of a "electronic communications device" while operating a motor vehicle on a roadway.

- **As of July 12, 2019 this law is a MOVING violation.** THREE moving violations in a 12 month period will result in the suspension of your driver's license.
- Electronic Communication Devices include cell-phones, smartphones, PDAs, and portable computers/laptops but does NOT include GPS or navigation systems.
- The law does NOT apply if the device is physically or electronically integrated into the vehicle or the device is in "hands-free" mode.
- The law does NOT apply if the vehicle is stopped due to normal traffic being obstructed and the transmission in Neutral or Park.
- Violations resulting in great bodily harm, permanent disability, or disfigurement to another, are a Class A misdemeanor with driver's license suspension and minimum \$1000 fine.
- Violations resulting in the death of another person, are a Class 4 felony with driver's license suspension and minimum \$1000 fine.



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Student Legal Services

STUDENT AFFAIRS



Student Legal Service will provide advice and representation in all non-felony traffic matters EXCEPT for driving under the influence cases (DUI).

In-court representation in Champaign County ONLY

PLEADING GUILTY: ONLINE, MAIL, IN-PERSON

If your ticket is a minor traffic offense and is not a THIRD offense within 12 months (SECOND offense within 24 months, if you are under 21) or one of the offenses listed below, and your ticket is marked “NO COURT APPEARANCE REQUIRED”, it may be beneficial for you to plea guilty and pay the ticket.

This avoids court costs, which can be substantial, and are required if you appear in Court.

Information on pleading guilty online or by mail can be found at www.champaincircuitclerk.org/forms-and-resources/traffic/

If the citation is for:

- Reckless driving
- Misdemeanor speeding
- Driving while suspended/revoked (DUS/DUR)
- Fleeing and eluding
- Drag racing
- Leaving the scene of an accident
- Unlawful use of a driver’s license or permit
- Illegal transportation of alcohol
- Improperly approaching a stationary emergency vehicle (Scott’s Law)
- Any offense involving personal injury or property damage

admitting guilt and paying the fine is likely not your best course of action and you should meet with an attorney.

YOUR RIGHTS UPON A GUILTY PLEA

If you appear in court to plead guilty and the offense does not carry a possible jail sentence, a hearing will be held immediately to determine your fine.

Before the judge decides upon the fine to be assessed, you will be given an opportunity to explain anything you may want considered.

SUPERVISION – TRAFFIC SCHOOL

Court supervision requires a plea of guilty but has certain potential benefits.

If you receive supervision and you do not get another ticket within the supervision period, points will not be assessed on your driving record. The Secretary of State records court supervision on your record.

Generally, in order to receive court supervision for a petty offense ticket it will be necessary for you to attend traffic school at Parkland College.

Eligibility for traffic school requires the following:

1. **No Illinois moving violation convictions within 12 months.**
2. **Have NOT completed traffic school or been on supervision in Illinois in the past 4 years.**
3. **Ticket marked “No Court Appearance Required”**
4. **Ticket is NOT for speeding 21+ mph over the limit**

You will receive the traffic school application in the mail or may pick one up at the traffic clerk’s office.

You are still required to pay all fines stated on the ticket as well as the fee for traffic school.



YOUR RIGHT TO A JURY or BENCH TRIAL

If you plead NOT guilty, you have the right to a bench trial or a jury trial. At either trial the State must prove your guilt beyond a reasonable doubt.

A bench trial is conducted by a judge only who decides the facts of the case. At a jury trial, 12 residents of Champaign County are chosen to decide the facts of the case.

You should consult with an attorney before deciding to go to trial and in choosing either type of a trial.

YOUR TRIAL RIGHTS

Regardless of the type of trial you choose, you have the following rights:

- Proof of guilt beyond a reasonable doubt
- Cross-examination of witnesses testifying against you
- Presentation of witnesses and evidence on your own behalf
- Right to testify on your own behalf
- Right against self-incrimination, the right to not testify against yourself
- If you are convicted and sentenced, you have the right to appeal both determinations.

PLEADING TO A LESSER OFFENSE

The prosecutor sometimes will be willing to reduce a moving violation ticket to a non-moving petty offense.

Non-moving petty offenses do not become a part of your driving record, unlike moving violations. This is sometimes referred to as “pleading to a 12-101” named after the section in the vehicle code.

This type of plea is usually negotiated where proof of the original offense is weak, the offender would otherwise suffer a loss of driving privileges, or where the offender presents unique circumstances.

A fine will still be required where the charges are reduced. It is likely that the fine will be increased in return for the benefit of keeping the ticket off your record.

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