

MORROW COUNTY MUNICIPAL COURT

48 East High Street, Room A Courthouse
Mount Gilead, Ohio 43338
Phone: 419-947-5045 Fax: 419-946-4070
Probation: 419-947-5055
info@morrowcountymunict.org
www.morrowcountymunict.org

Jenifer Murphy Burnaugh, Judge

John Conn, Bailiff
Amy Braddock, Clerk
Greg Thomas, Chief Probation Officer

Mon. - Fri. 8:00am - 4:00pm
(CLOSED on legal holidays)

**HANDS FREE PRIMARY OFFENSE NOTICE
(First Offense in 2 years)**

Pursuant to ORC 4511.204:

If law enforcement issues a citation that indicates the offender is guilty of operating a motor vehicle while using an electronic wireless communication device, the offender may enter a plea of guilty and waive the right to contest the citation by paying the total amount of the fine established by the court (\$150 plus court costs). For Ohio licensed drivers, 2 points would be added to your license.

In lieu of paying the \$150.00 fine and having 2 points added to an Ohio driver's license, for a first offense in 2 years, the offender may attend a distracted driving safety course. If the offender attends and successfully completes the course, the offender MUST provide proof of completion to the court. A conviction would be reported on the driving record and the offender would still be required to pay the court costs. Proof of course completion MUST accompany your payment to the court for the fine and points to be waived.

If the offender appears in court to contest the citation in a trial and pleads guilty or is convicted, the court, in addition to all other penalties provided by law, may impose the \$150.00 fine and must report 2 points on the Ohio driver's license. The offender may still attend the distracted driving safety course and provide proof to the court to have the fine (but NOT court costs) and points waived.

If you wish to take the distracted driving course referenced above, a certificate of completion must be filed with the Court (by fax at 419-946-4070, email at info@morrowcountymunict.org, mail at 48 E. High St., Rm. A, Mt. Gilead, OH 43338, or in person) with the full waiver amount of court costs on or before your court date.

If you do not wish to take the distracted driving course your options on a waiver are as follows:

1. Pay the waiver amount (\$150.00 fine plus court costs) prior to your scheduled court date. Payment may be made by mail, in person, or over the phone. Payment of the waiver amount constitutes a plea of Guilty-
2. Come to Court and enter a plea of Not Guilty, Guilty, or No Contest to the alleged offense.
 - * If you enter a plea of Not Guilty, a trial will be scheduled where you will have the opportunity to testify as to the relevant facts.
 - * A plea of Guilty is a complete admission of the truth of the facts in the complaint and of your guilt to the charge(s) brought by the State.
 - * A plea of No Contest is an admission of the truth of the facts in the complaint but not an admission of guilt. However, it permits the Court to make a finding of guilt if the facts that are assumed to be true constitute a violation of the law. Such a plea cannot be used against you in any future civil or criminal proceedings arising out of the same set of circumstances.

NOTE: By entering a plea of Guilty or No Contest that results in a finding of guilt, the Court will impose sentence.
3. You may hire an attorney to represent you in the case.

Please note that failure to comply with the Court's deadline could also result in a late fee being added and your operator's license being suspended.

The Distracted Driving Safety Course can be found at:
<https://otso.ohio.gov/programs/ohio-driver-training/for-drivers/resources/distracted-driving-safety-course>