



## The FindLaw Guide to Fighting a Traffic Ticket

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Traffic tickets are not only annoying, but they can also have serious financial and legal consequences. Before fighting a ticket, there are some considerations you should know. Here is some information that can help.

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## Introduction

No one likes getting traffic tickets, but most people get one or several during their driving years. Sometimes it's easier just to pay a traffic ticket than to try and fight it, especially for minor traffic violations. But if a speeding ticket would trigger a higher insurance premium or add too many points to your license, it could be worth it to fight the ticket.

## Infraction vs. Misdemeanor

Before making the decision to fight your ticket, you will want to know whether you face an [infraction or misdemeanor](#) charge. Infractions are usually not considered criminal offenses and oftentimes just involve paying a fine. So depending upon the amount of the fine, it may not be worth your time to fight the ticket.

On the other hand, if you are charged with a misdemeanor, you could face criminal penalties and could possibly even face jail time. For example, you can face a misdemeanor charge if you are caught driving on a suspended license, are drunk, or if you injured someone. In these situations, it's probably a good idea to hire an attorney to assist you in your defense.

## Preparing for Court

For many people, fighting a traffic ticket may be your first experience with court.

One of first things you should do is set the date for your hearing. Your ticket should provide information on the procedures to set a court date to dispute the ticket. You should also review your ticket and see the specific offense you have been charged with. You will want to look up the traffic laws to see if you in fact did something illegal. In some cases, the officer who pulled you over may have made a mistake in law. For example, even if you did make a right turn at a redlight, you may not have done anything illegal if you're allowed to do so.

Next, you should gather evidence to support your claim. Steps you can take include printing out the law, taking pictures, and preparing your own testimony. Adlibbing before a judge is not a good idea and you'll want to have some idea of what to say if you're representing yourself. Read more about [how to fight a traffic ticket](#).

## Defenses to Avoid

So now you're up in front of a judge in traffic court. If you're prepared, you should have one or several defenses ready. As you prepare for your defenses, you should know there are [several defenses that just don't work](#):

1. Ignorance of the law. It doesn't matter how honestly you misunderstood the law, this defense won't work. So saying that you misunderstood the requirement that



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you had to come to a complete stop at a stop sign won't help you. In fact, by admitting you misunderstood the law, you're also admitting that you broke the law. If you employ this defense, you're setting yourself up for a quick defeat.

2. No one was hurt. The no-harm-no-foul rule doesn't apply in court. If you're caught driving 120 mph, a judge probably won't consider the fact that you can handle a car like a NASCAR driver or the fact that you can drive safely at high speeds. The one exception may be if safety is part of the law itself.
3. The officer selected you alone out of a dozen other potential violators. Admitting that you were in fact guilty, but that there were other guilty people present probably doesn't help you. Still you should be aware that selective enforcement is a tricky defense as it can involve more complicated issues like civil rights. For example, if only one black driver is pulled over out of a pool of ten white drivers. In this case, you may want to talk to an attorney.
4. You claim the officer is lying. Between you and the police officer, the judge is more likely to believe the officer.

**STOP**

### Should I Talk to an Attorney?

Oftentimes a traffic ticket dispute can be resolved without an attorney's help. In fact, it may cost you more money to seek the advice of an attorney than what you would have to pay in penalties if you simply paid your ticket.

However, if your ticket involves a criminal misdemeanor or felony charge, and you are looking at penalties beyond a mere traffic citation, you will want to have an experienced attorney on your side. An attorney can advise you on the penalties you face, options for your defenses, and possible plea tactics that can reduce your charge.

You can locate an experienced traffic attorney in your area by visiting our [directory of lawyers](#).

### For More Information

Regarding fighting a traffic ticket and other traffic violations, please visit our website at <http://www.findlaw.com> or <http://traffic.findlaw.com/>

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