



# Supreme Court

STATE OF ARIZONA

402 ARIZONA STATE COURTS BUILDING  
1501 WEST WASHINGTON STREET  
PHOENIX, ARIZONA 85007-3231  
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RACHELLE M. RESNICK  
CLERK OF THE COURT

KATHLEEN E. KEMPLEY  
CHIEF DEPUTY CLERK

September 6, 2007

**RE: RULES 2, 22(a) & 32(c), RULES OF PROC-CIV TRAFFIC**  
Arizona Supreme Court No. R-06-0029

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 27, 2007, in regard to the above-referenced cause:

**ORDERED: [Petition to Amend Rules 2, 22(a), and 32(c), Rules of Procedure - Civil Traffic Violation Cases] = ADOPTED, effective January 1, 2008.**

**FURTHER ORDERED: RESCINDING Administrative Order No. 2003-99.**

Rachelle M Resnick, Clerk

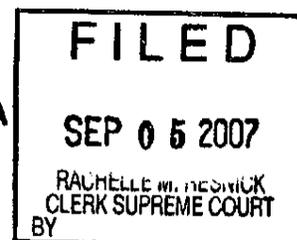
TO:

Hon Jose M Tafoya, Committee on Limited Jurisdiction Courts, Rules  
Subcommittee

Final Rule Distribution List  
cf

IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-06-0029



ORDER AMENDING TITLE AND RULES 2(a), 22(a) and 32(c), Rules of Procedure in Civil  
Traffic Violation Cases

IT IS ORDERED that the Title and Rules 2(a), 22(a) and 32(c), Rules of  
Procedure in Civil Traffic Violation Cases, be amended in accordance with the  
attachment hereto,\* effective as of January 1, 2008.

IT IS FURTHER ORDERED rescinding Administrative Order 2003-99, effective  
as of January 1, 2008.

DATED in the City of Phoenix, Arizona, at the Arizona Courts  
Building, this 5<sup>th</sup> day of September, 2007.

For the Court:

  
RUTH V. MCGREGOR  
Chief Justice

\* Changes or additions in rule text are indicated by underscoring and deletions from  
text are indicated by ~~strikeouts~~.

**RULES OF PROCEDURE**  
**In CIVIL TRAFFIC and CIVIL BOATING VIOLATION CASES**

**Rule 2. Definitions**

- (a) "Civil traffic violation" means any violation designated as such under the provisions of A.R.S. § 28-121 or expressly designated as such by a traffic ordinance of a city or town and any boating violation punishable by a civil sanction under Articles 1 through 11 of Chapter 3, Title 5 of the Arizona Revised Statutes, or expressly designated a civil violation by a boating ordinance or a city or town.

**Rule 22. Default by Defendant at Hearing**

- (a) Except where Rule 21 is applicable, if the defendant fails to appear as required, the allegations of the complaint shall be deemed admitted, and the court shall enter a judgment for the State, impose a civil sanction, and report such judgment to the Department of Transportation, except civil boating violation judgments shall not be reported to the Department of Transportation.

**Rule 32. Perfection of Appeal; Dismissal by Trial Court**

- (c) In the event an appeal is dismissed, the judgment of the trial court may be enforced as if no appeal had been taken. The trial court may take appropriate action including the application of any payment, deposit, or bond to the sanction, notice to the Department of Transportation, Department of Public Safety, or Motor Vehicle Division, or notice to the appellant to reappear upon at least 14 calendar days written notice for further proceedings, except that in civil boating violation cases notice shall not be sent to the Department of Transportation, Department of Public Safety or Motor Vehicle Division.