

OFFICE MEMORANDUM T6751

FROM: MVD POLICY UNIT

THRU: ERIC R. JORGENSEN
Division Director

TO: ARIZONA COURTS

DATE: JANUARY 23, 2018

RE: DISPOSITION CODE 59

Reminder, Disposition Code 59 voids any withdrawal action entered as a result of the citation/conviction; such as points assessed, SR22, interlock requirement, and traffic survival school. Understanding the proper use of this code will insure that the customer's driving record stays intact.

It may be used to set aside:

1. A failure to appear suspension for good cause (overlays Disposition Code 58).
2. A failure to pay suspension for good cause (overlays Disposition Code 55).
3. A conviction (if a new hearing or trial was granted) (overlays Disposition Codes 20, 21, 22).

It should NOT be used to:

1. Correct a court error.
 - Court should be using Disposition Code 00=DATA ENTRY ERROR CORRECTION, followed by the proper Disposition Code.
2. Apply a post adjudication warrant suspension. There is no statutory authority for Motor Vehicle Division to suspend a driver for nonpayment/noncompliance on criminal violations.
 - Court will issue the warrant independent of updating the Disposition Code.
3. Indicate a conviction set aside pursuant to 13-907.
 - Court should be using Disposition Code 76= CONVICTION SET ASIDE 13-907.

Disposition Code 59 is not a final code. The court will need to report one of the below codes to finalize the charge/violation.

Type	Code	Definition
Final Codes	10	Plea of guilty or responsible; sentence suspended
	11	Plea of guilty or responsible; sentence imposed
	12	Bail or deposit given and declared forfeited
	20	Judgment of guilty or responsible; sentence suspended
	21	Judgment of guilty or responsible; sentence imposed
	22	Judgment of guilty or responsible; bail or deposit applied to fine/sanction
Dismissal Codes	30	Judgment of acquittal (not guilty) or not responsible
	43	Dismissed on motion of court or defendant
	44	Dismissed on motion/request of prosecutor
	45	Dismissed on motion/request of arresting officer