

Traffic Overview Course PLEAS

Pleas that are taken in traffic violation infraction cases generally:

- Not Guilty
- Guilty
- No Contest (with the consent of the Court)

A defendant may also request traffic school or show proof of correction.

A no contest plea has the same legal effect as a guilty plea; however, it cannot be used as an admission of guilt in a subsequent civil proceeding.

Pleading guilty with an explanation has the same effect as a guilty plea—all elements of the offense charged are deemed admitted. The Court may take the explanation into account in setting the sentence.

A defendant has a right to a delay in sentencing of no less than 6 hours, and no more than 5 days (Penal Code section 1449). This right may be waived (and, as a practical matter, usually is).

If a defendant refuses to enter a plea the Court should enter a plea of not guilty for him/her and set the case for trial on a time not waived basis (Penal Code section 1024).

The Court does not have to advise the defendant of all of the collateral consequences of a conviction, i.e. the number of points that will result due to the conviction.