

There was a time when people believed morphine was suitable to soothe teething babies. There was also a time when people believed the earth revolved around the sun. These myths may sound outrageous, but they were considered fact until someone debunked them. The Metz Law Firm is here to debunk some common myths that people believe about speeding tickets.

Red cars get more tickets.

Contrary to what some people believe, people that drive cars that are specific colors are not more susceptible to receiving speeding tickets.¹ However, this cannot be said about specific car models. Insurance.com conducts periodic studies on which cars receive the most speeding tickets.² In 2012 Subaru WRX drivers received the most tickets.³ This year Lexus ES 300 drivers received the most tickets.⁴

If my name is spelled wrong or I do not sign my ticket my case will be dismissed.

In fact, The Metz Law Firm has handled matters involving incorrectly written names. Unless the misspelling has something to do with the merits of the case, this defense will not be successful. In addition, if a traffic citation is not signed, it does not mean the ticket is not valid. Signing the ticket signifies that the driver has notice that he or she is required to appear in court or that he or she has to handle the ticket by other legal means.

I was only going 5 over so my case will be dismissed.

Although it may seem ridiculous, a person can be given a ticket for going as little as 1 mile per hour over the speed limit.⁵ Exceeding the posted speed limit is considered a “strict liability” offense. This means that if the law is violated, even slightly, it is punishable by law. This also means that the offense is punishable regardless of whether the person broke the law unknowingly or mistakenly.

¹ Chang, Lulu. "Which Cars Get the Most Speeding Tickets?" February 22, 2016. Accessed July 11, 2016. <http://www.wbtv.com/story/31280731/which-cars-get-the-most-speeding-tickets>.

² *Ibid*

³ *Ibid*

⁴ *Ibid*

⁵ Hylton, David. "Just 1 Mile over the Limit Could Land You a Speeding Ticket in NC." Just 1 Mile over the Limit Could Land You a Speeding Ticket in N -. March 23, 2016. Accessed July 11, 2016. <http://www.wbtv.com/story/31548649/just-1-mile-over-the-limit-could-land-you-a-speeding-ticket-in-nc>.

It doesn't matter what happened. I can just get a PJC

Many people are unsure about what a “PJC” is, but they believe it is a universal “get out of jail free” card. A “PJC” or Prayer for Judgment Continued is a way to avoid being convicted of an offense. In terms of traffic offenses, under the right circumstances, a PJC can be used to avoid acquiring points.

In North Carolina, there is a two-tiered point system. One point system is strictly for insurance points and the other point system is strictly for DMV points. In most cases, the systems are totally independent of each other. Acquiring too many DMV points may result in a driver losing his or her driving privileges. Conversely, acquiring insurance points may cause the driver’s monthly insurance premium to increase. Most times, when a driver uses a PJC, he or she is attempting to avoid acquiring insurance points. However, there are a limited amount of circumstances in which a judge will grant a PJC.

In order to receive a PJC from a judge, the driver seeking the PJC must be licensed in North Carolina. In addition, a PJC will only be granted once every three years per insurance policy member. This means that if the driver shares an insurance policy with someone else, using a PJC will automatically make the driver, and those on the same insurance policy with the driver ineligible to use another PJC for the next three years. Likewise, if the driver shares an insurance policy with someone else, and the other person on the insurance policy has received a PJC within the past three years, the driver will not be eligible for a PJC. Further, A PJC is not available for a driver if: the driver was going more than 25 miles per hour over the speed limit ⁶ the driver was ticketed for speeding in a school zone, or if the driver was ticketed while driving a commercial vehicle and has a commercial driver’s license.

The officer said I can just pay the fine and not receive any points.

Sometimes when a person is stopped for speeding, the officer will tell the person that he or she will not receive points on his or her license if the person does not contest the ticket in court and just pays a fine. This is untrue. If a person is ticketed for going 9 miles over the speed limit or less, the person may be eligible for a waiver of insurance points. An insurance company may waive insurance points if the ticketed driver has not been granted a waiver within the last three years. A review of a NC driving record would tell whether a driver has already received a waiver for insurance points. Regardless of whether the person is eligible for a waiver, the DMV points associated with the ticket will

⁶ N.C. Gen. Stat. § 20-141(p)

not be waived. The difference between DMV points and insurance points is explained above under the myth, “It doesn’t matter what happened. I can just get a PJC”.

I don't need to hire a lawyer for a traffic ticket.

Many people believe that if they simply go to court to fight the ticket or just outright pay the ticket, they won't be burdened by the matter anymore. This is untrue. If a person elects to plead guilty to the speeding offense, the person's insurance rates may increase and the person may be one step closer to having his or her license suspended. Therefore, the best option when dealing with a speeding ticket is to hire an attorney.

Attorney Keith Metz handles traffic matters all over North Carolina. If you've been given a traffic ticket in North Carolina, call 980-320-0519 or email keith@keithmetzlaw.com.

Researched and Written by: Nikki Fults - Legal Assistance, The Metz Law Firm, PLLC