

§ 8-18-1. Legislative findings.

Rhode Island Statutes

Title 8. Courts and Civil Procedure-Courts

Chapter 8-18. State and Municipal Court Compact

Current through Public Law 534 of the 2013 Legislative Session

§ 8-18-1. Legislative findings

It is hereby found and declared as follows:

- (1) The general assembly has authorized the establishment of municipal courts, in order to promote the health and safety of the residents of each city or town and to insure compliance with any and all local ordinances.
- (2) In furtherance of this finding there is hereby created a compact between the state courts and agencies and the local municipal courts to establish and define jurisdictional responsibility for law enforcement powers within the state.

Cite as R.I. Gen. Laws § 8-18-1

History. P.L. 1992, ch. 488, § 1; P.L. 2006, ch. 650, §1.

§ 8-18-2. Universal summons.

Rhode Island Statutes

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§ 8-18-2. Universal summons

All state agencies and municipalities which have law enforcement powers shall be issued and authorized a form for summons and complaint to be used for all violations specified in chapters 27, 41.1 and 41.2 of title 31 and no other summons shall be substituted except as provided by section

31-12-12. All fines, assessments, fees, and other financial charge or any other responsibility not changed by the following shall be deemed enforceable even when the summons is issued by a municipality and adjudicated by a municipal court, or issued by state agencies or a municipality without a court and adjudicated by the traffic tribunal. All summonses once issued must be recorded by the traffic tribunal prior to a hearing, arraignment, or trial. If the summons is answered by payment without personal appearance pursuant to section 31-41.1-2, it shall be recorded by the traffic tribunal upon return from the financial institution.

Cite as R.I. Gen. Laws § 8-18-2

History. Amended by 2013 Pub. Laws, ch. 144, §9-12, eff. 7/3/2013.

P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1.

§ 8-18-3. Jurisdiction for certain violations.

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§ 8-18-3. Jurisdiction for certain violations

- (a) Subject to subsection (b) of this section, jurisdiction over the adjudication of matters relating to violations enumerated in the following sections of the general laws is hereby conferred upon the municipal courts and the traffic tribunal:

SEE THE BOOK FOR THE PROPER TABLE.

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- (b) Except as provided in §§ 8-18-9, 8-18-10, and 31-41.1-11 jurisdiction over violations enumerated in subsection (a) shall be exercised as follows:
- (1) By the traffic tribunal over all violations for which the summons is issued by a state agency;
 - (2) By the traffic tribunal over all violations for which the summons is issued by a city or town which has not established a municipal court; and
 - (3) By the municipal court over all violations for which the summons is issued by a city

or town which has established a municipal court.

Cite as R.I. Gen. Laws § 8-18-3

History. P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1; P.L. 2006, ch. 650, §1.

§ 8-18-4. Adjudication of summonses by municipal courts.

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§ 8-18-4. Adjudication of summonses by municipal courts

- (a) All summonses to be adjudicated by a municipal court shall be forwarded to the municipal court.
- (b) Summonses to be adjudicated by a municipal court shall be adjudicated by a judge of the municipal court pursuant to § 31-41.1-6 and the rules established by the chief magistrate of the traffic tribunal subject to the approval of the supreme court pursuant to § 8-6-2. Municipal courts shall have jurisdiction over matters brought pursuant to § 31-41.1-7.
- (c) If a motorist fails to appear to answer a summons before a municipal court, the municipal court may proceed pursuant to § 31-41.1-5 to enter a default judgment and determine whether the charges have been established. Where a determination is made that a charge has been established, an appropriate order shall be entered and the motorist's license and registration privileges may be ordered by the municipal court to be suspended by the division of motor vehicles as provided by law.
- (d) All summonses which have been adjudicated by the municipal court and entered into the data electronic system shall be returned to the traffic tribunal for storage as required by § 8-14-1.
- (e) All municipal courts shall be courts of record, shall tape record all sessions, maintain dockets, and adjudicate all violations on the summonses and shall be responsible for data entry into an electronic data processing system of all citations heard and decided by said municipal courts pursuant to procedures and rules promulgated by the chief magistrate of the Rhode Island traffic tribunal subject to the approval of the supreme court pursuant to §

8-6-2.

- (f) Municipal court judges may, in their discretion, order driver retraining courses in appropriate cases.
- (g) A thirty-five dollar (\$35.00) hearing fee shall be assessed by both municipal courts and the traffic tribunal against each person pleading guilty to or found guilty of a traffic offense or violation, as provided in the general laws. In no case shall any municipal court exercising jurisdiction pursuant to this chapter impose or assess any fees or costs except as expressly authorized by state law.
- (h) If a payment for any fine assessed in the municipal court for any violation is attempted with a check written against insufficient funds, then an additional penalty not to exceed twenty-five dollars (\$25.00) may be added to the amount due.

Cite as R.I. Gen. Laws § 8-18-4

History. P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1; P.L. 2003, ch. 437, §1; P.L. 2008, ch. 1, §8; P.L. 2008, ch. 100, art. 12, § 1; P.L. 2012, ch. 415, §14.

§ 8-18-5. Administration of funds.

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§ 8-18-5. Administration of funds

The cities and towns and the state shall enter into an agreement which will authorize the transfer of funds and guarantee against misuse, misdirection, and nontransference of funds owed to the appropriate jurisdiction by means of a financial institution compact.

Cite as R.I. Gen. Laws § 8-18-5

History. P.L. 1992, ch. 488, § 1.

§ 8-18-6. Joint violation fines - Distribution of funds.

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§ 8-18-6. Joint violation fines - Distribution of funds

Cities or towns with municipal courts shall dedicate four dollars (\$4.00) for reimbursement from each summons to the general fund. Cities or towns without a municipal court shall dedicate six dollars (\$6.00) for reimbursement from each summons to the general fund. State agencies shall dedicate twenty-two dollars (\$22.00) from each summons to the general fund. Provided that cities, towns and state agencies shall also dedicate all revenues generated directly as a result of fee increases effective July 1, 2002 and July 1, 2008 to the general fund.

Cite as R.I. Gen. Laws § 8-18-6

History. P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1; P.L. 2002, ch. 65, art. 13, § 23; P.L. 2008, ch. 100, art. 12, § 1.

§ 8-18-7. Repealed.

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§ 8-18-7. Repealed

§ 8-18-8. Judicial conduct.

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§ 8-18-8. Judicial conduct

All judges of any municipal court which exercises jurisdiction under the provisions of this chapter shall be subject to and governed by the canons of judicial ethics or code of judicial conduct in effect at the time, as prescribed by the Rhode Island supreme court, and the provisions of chapter 16 of this title.

Cite as R.I. Gen. Laws § 8-18-8

History. P.L. 1992, ch. 488, § 1.

§ 8-18-9. Appeals.

Rhode Island Statutes

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§ 8-18-9. Appeals

Any person desiring to appeal from an adverse decision of a municipal court pursuant to the provisions of this chapter may seek review thereof pursuant to the procedures set forth in § 31-41.1-8.

Cite as R.I. Gen. Laws § 8-18-9

History. P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1.

§ 8-18-10. Exclusive jurisdiction.

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§ 8-18-10. Exclusive jurisdiction

The universal summons shall also be used for any violations of those sections not listed in § 8-18-3; provided, however that the following violations shall remain the exclusive jurisdiction of the traffic tribunal or the other state courts and shall not be within the jurisdiction of any municipal court:

SEE THE BOOK FOR THE PROPER TABLE.

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Cite as R.I. Gen. Laws § 8-18-10

History. P.L. 1992, ch. 488, § 1; P.L. 1999, ch. 218, art. 5, § 1; P.L. 1999, ch. 445, §2; P.L. 2001, ch. 86, §20.

§ 8-18-11. Municipal court adherence to promulgated procedures.

Rhode Island Statutes

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Current through Public Law 534 of the 2013 Legislative Session

§ 8-18-11. Municipal court adherence to promulgated procedures

All municipal courts which shall hear and decide traffic matters pursuant to the authority of this chapter shall do so in a manner consistent with the procedures of the traffic tribunal. If it shall appear to the chief magistrate of the traffic tribunal that said procedures are not being followed by any municipal court he or she shall inform the municipal court in question that it appears that it is

not in compliance with the procedures of the traffic tribunal. If, thereafter, the chief magistrate is not satisfied that compliance is forthcoming he shall have standing under § 8-1-2 to petition the supreme court for appropriate relief.

Cite as R.I. Gen. Laws § 8-18-11

History. P.L. 1999, ch. 218, art. 5, § 3; P.L. 2008, ch. 119, §1.