

88 (c) the amount of the plea in abeyance fee.

89 (5) (a) (i) Except as provided in Subsection (5)(b), an individual who receives a
90 citation for a moving traffic infraction may apply for deferred prosecution.

91 (ii) A court may not require an individual to appear in-person to apply for a deferred
92 prosecution in accordance with this Subsection (5).

93 (b) The following may not apply for or be granted a deferred prosecution as described
94 in this section:

95 (i) an individual under 21 years old;

96 (ii) an individual with a commercial driver license;

97 (iii) an individual who has not been issued a current Utah driver license;

98 (iv) an individual who has been convicted of a felony traffic violation, traffic violation,
99 or traffic infraction within the 24 months immediately preceding the date of the application for
100 deferred prosecution;

101 (v) an individual charged with two or more moving traffic infractions related to the
102 same episode or occurrence;

103 (vi) an individual charged with multiple traffic infractions related to the same episode
104 or occurrence if any of the offenses is a misdemeanor or felony traffic violation;

105 (vii) an individual charged with one or more traffic infractions if none of the traffic
106 infractions are moving traffic violations;

107 (viii) any traffic infraction or traffic violation that is part of an episode or occurrence
108 involving a traffic accident;

109 (ix) a moving traffic violation that is for speeding ~~30~~ 20 ~~20~~ miles per hour or more
109a above the
110 posted speed limit;

111 (x) a moving violation that is for speeding at a speed of 100 miles per hour or more; or

112 (xi) an individual who is currently within a deferral period related to a separate episode
113 or occurrence.

114 (c) An individual who applies for deferred prosecution shall:

115 (i) apply through an online application process developed by the Administrative Office
116 of the Courts;

117 (ii) pay the relevant fine, as provided by the uniform fine schedule described in
118 [76-3-301.5](#), associated with each traffic infraction for which the individual was charged;