

2017 -- H 5987

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - ADJUDICATION OF TRAFFIC  
OFFENSES

Introduced By: Representatives Coughlin, Edwards, and Maldonado

Date Introduced: March 23, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-41.1-10 of the General Laws in Chapter 31-41.1 entitled  
2 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

3 **31-41.1-10. Expungement.**

4 All violations within this title which are in the jurisdiction of the traffic tribunal or of a  
5 municipal court shall by operation of law, after three (3) years, following adjudication of the  
6 violation and after expiration of any mandatory state or federal record-retention period, be  
7 expunged from the records of the traffic tribunal or the municipal court and from the records of  
8 the division of motor vehicles, except for those offenses related to alcohol as provided in § 31-27-  
9 2.1, which shall be expunged after five (5) years. Provided however, that any offense which is  
10 dismissed by the traffic tribunal, a municipal court, by rule of court, or upon motion by the  
11 issuing agency, or which has resulted in a dismissal for failure of the state to meet its burden of  
12 proof or dismissal for any other reason, except pursuant to §31-41.1-7, shall be automatically  
13 expunged and deleted from all court records, within forty-eight (48) hours of dismissal. These  
14 expungements shall be in addition to and not in place of any expungement provided for by  
15 chapter 1.3 of title 12.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would mandate that any traffic offense in the Rhode Island traffic tribunal or any  
2 municipal court, that is dismissed shall be expunged and deleted from court records within forty-  
3 eight (48) hours.

4           This act would take effect upon passage.

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