

SPECIAL PROCESSES & PROCEDURES PROCESSING MOTOR VEHICLE VIOLATIONS SR16 / BMV COURT RECORD ABSTRACTS	CONTACT: Annette Page annette.page@courts.in.gov
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Processing abstracts of motor vehicle violations is an important function of trial court clerks. Not only is this function important to the administration of justice, but it is also necessary for the state to remain in substantial compliance with the Federal Motor Carrier Safety Act of 1999. Failure to remain in substantial compliance with federal rules and regulation could result in Indiana losing millions of dollars of federal highway funding.

The accurate and timely reporting of court actions to the Bureau of Motor Vehicles (BMV) assures that suspensions are properly instituted or terminated and that driving records are properly assessed and available to law enforcement authorities. Federal rules require courts and clerks to report serious traffic violations by commercial drivers to the BMV promptly after conviction so that the BMV can notify the licensing agency in the driver's home state of the conviction within 10 days of conviction. Indiana law also requires courts to report convictions for traffic offenses, other than non-moving violations, within 10 days of conviction. Accuracy is paramount on the SR16 since the BMV is not a party to the litigation and will not know if an error has been made.

An SR16 is the BMV's Abstract of Court Record form that is used by courts to notify the BMV that a driver has:

- been convicted,
- been granted Specialized Driving Privileges (SDP) on the instant conviction,
- failed to appear (FTA), or
- failed to pay (FTP) a citation

involving a violation of a motor vehicle law.

Courts may transmit documents to the BMV for processing at courtdocuments@bmv.in.gov or fax to (317) 233-5153. If a court has questions about procedure, an answer can be obtained by writing to bmvcourts@bmv.in.gov.

The SR16 allows the BMV to impose administrative driving privilege suspensions and to record court ordered driving privilege suspensions. The driving privilege suspensions for FTA and for FTP are indefinite suspensions that remain in effect until the BMV receives required notices:

- For FTAs, an SR16 Re-Open is sent that the defendant has appeared, and a final judgment determined, or
- For FTPs, an SR16 Payment is sent that the defendant has now satisfied all fines and court costs.

The SR16 is also used to notify the BMV of these changes that terminate the indefinite license suspensions. The SR16 can be used to end SDP for Pre-Conviction if SDP was granted on a Probable Cause Failure suspension, and the conviction (SR16) for the charge(s) is sent to the BMV to record conviction and the court wants to either delete or terminate the SDP. In addition, if SDP was granted at the time of conviction or post-conviction on a specific case and the SDP information was originally sent using the SR16, the original SR16 can be amended to either terminate or delete the SDP. For SDP that was sent to the BMV for an MI case, a separate order must be submitted every time a court wishes to end a period of SDP for this case type.

The Court Abstract Transmission System (CATS) Technical Manual was prepared by the BMV to assist trial court clerks in processing the SR16 form. Included in this technical manual are a sample SR16 with instructions and 8 flowcharts illustrating the steps for submission of an SR16. Questions regarding this form should be addressed to the BMV. To access these documents, login to INCITE, hover over the “Documents” tab, and select BMV Portal.

In an infraction or ordinance violation case, when a defendant fails to appear, or fails to pay (FTA/FTP) and an appearance is not compulsory, the case technically remains open until payment is made or the case is dismissed. However, the court is left with a substantial backlog of cases that are essentially dormant. **For statistical reporting purposes**, the case is shown disposed on the Quarterly Case State Report (QCSR) when the defendant fails to appear or fails to pay.

Once an infraction or ordinance violation case is reported as disposed on the QCSR for either failure to appear or pay, the case is not reported again even if a defendant later appears, pays or proceeds to trial. The Statistical Closure categories of FTA or FTP is used even if the court sends the case to the Indiana Bureau of Motor Vehicles after the defendant’s failure to appear or pay. The FTA and FTP Statistical Closure categories apply only to infractions and ordinance violations. It does not apply to criminal cases or other types of civil cases.

Questions regarding statistical reporting should be addressed to the Indiana Office of Court Services at 317-232-2542.