

805.10 Required court appearance.

1. Section 805.9 shall not apply to a scheduled violation in any of the following circumstances:

a. When the violation charged involved or resulted in a death or caused serious injury to person as defined under section 702.18.

b. When the violation charged involved or resulted in an accident or injury to property and based upon the violator's driving record, or failure to pay any fine, surcharge, or court costs, or any other circumstances involving the accident, the officer determines a court appearance is necessary.

c. When the violation created an immediate threat to the safety of other persons or property because of highway conditions, visibility, traffic, repetition, or other circumstances.

d. When the violation charged involves the taking of an animal for which there is a civil damage assessment in addition to a criminal penalty.

2. In such cases, the defendant shall appear before the court and regular procedure shall apply. If an information is used, the officer shall endorse thereon, "Court appearance required." If a citation and complaint is used, the officer shall strike out the space in which the defendant may admit the violation before a scheduled violations office and shall endorse thereon "Court appearance required" and the defendant shall appear before the court either in person or by attorney.

[C73, 75, 77, § 753.17; C79, 81, § 805.10]

83 Acts, ch 125, § 9; 84 Acts, ch 1067, § 50; 89 Acts, ch 296, §92; 90 Acts, ch 1216, § 5; 98 Acts, ch 1178, § 15; 2000 Acts, ch 1131, § 4, 5; 2000 Acts, ch 1154, §42