

(11) ADJUDICATION OF AN INFRACTION, AS DEFINED IN PARAGRAPH (1) OF THIS SUBSECTION, IS NOT A CRIMINAL CONVICTION FOR ANY PURPOSE, NOR DOES IT IMPOSE ANY OF THE CIVIL DISABILITIES ORDINARILY IMPOSED BY A CRIMINAL CONVICTION.

(12) IN ANY PROCEEDING FOR AN INFRACTION:

(I) IT SHALL BE THE BURDEN OF THE COUNTY TO PROVE THAT THE DEFENDANT HAS COMMITTED THE INFRACTION BY CLEAR AND CONVINCING EVIDENCE, AND IN ANY SUCH PROCEEDING, THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PRESCRIBED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(II) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(III) THE DEFENDANT SHALL BE ENTITLED TO CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, TO PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TO TESTIFY IN THE DEFENDANT'S OWN BEHALF, IF THE DEFENDANT ELECTS TO DO SO;

(IV) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE; AND

(V) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE INFRACTION AS CHARGED, AND THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF AN INFRACTION OR NOT GUILTY OF AN INFRACTION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(13) THE COURT COSTS IN AN INFRACTION PROCEEDING IN WHICH COSTS ARE IMPOSED ARE \$5. A DEFENDANT MAY NOT BE LIABLE FOR PAYMENT TO THE CRIMINAL INJURIES COMPENSATION FUND.

(14) THE STATE'S ATTORNEY OF THE COUNTY IS AUTHORIZED TO PROSECUTE AN INFRACTION AND IS AUTHORIZED TO ENTER A NOLLE PROSEQUI IN SUCH CASES OR TO PLACE SUCH CASES ON THE STET DOCKET.

(15) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (14) OF THIS SUBSECTION, THE COUNTY MAY DESIGNATE AN ATTORNEY TO PROSECUTE ANY INFRACTION IN THE SAME MANNER AS THE STATE'S ATTORNEY OF THE COUNTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1996.

Approved May 14, 1996.