

8 top traffic-ticket myths

Craig Guillot for Bankrate.com

Much of what you've heard isn't true. But this is: If an officer asks if you know why you were pulled over, the answer is a very polite 'no.'

Drivers of red cars get more tickets. If you don't sign a ticket, the case will be dropped.

If the officer gets your hair color wrong on the ticket, you'll win.

Such stories relating to traffic tickets abound, but drivers and defendants will find that few of them are true.

The best advice is to simply to obey the law, know that rules and procedures vary from jurisdiction to jurisdiction, and not count on urban myths when you hope to escape a ticket -- or its consequences.

Myth No. 1

If the officer makes a single mistake on your ticket, the case will be dropped.

A ticket should be seen as an accusatory instrument and a basis for prosecution that must be factually valid, says Matisyahu Wolfberg, an attorney and former police officer from Spring Valley, N.Y., who represents defendants in traffic cases.

Clerical mistakes, such as a wrong number or wrong order of a person's name, are usually overlooked. Material mistakes, like the identity of the driver, the direction of travel, the street where the citation occurred or the description of the vehicle, can usually help a driver win the case.

"Any mistakes that involve who, where and how usually can be used to beat the case in a trial. If the description of the vehicle is inaccurate, the officer will usually lose," says Wolfberg.

He recalls one recent case in which the officer cited a white Mercedes when the defendant was actually driving a black Porsche.

Myth No. 2

If the officer doesn't show up in court, you automatically win.

Though this may happen in many cases, there's nothing automatic about it. Most judges will drop a case if the officer does not appear in court because defendants have a constitutional right to question their accusers.

However, in some jurisdictions, a case is scheduled at a time to help ensure the officer is present, or a judge will reschedule the case altogether. Wolfberg says that in most cases an officer not showing up will result in a dismissal, but there is no guarantee.

"It all depends on the jurisdiction, the court, the judge, the law," says Wolfberg. "Most judges feel the pain of people taking time off work and out of their lives to come to court and will dismiss if the officer doesn't show."

Myth No. 3

Red cars get more tickets.

Forum posters on Color Matters, a Web site that focuses on color theory and everything that color affects, claim drivers of red cars get more tickets.

There are no official studies to confirm that red cars do get more tickets, but some suggest the bold color tends to attract more attention from everyone, including police officers. There is also a theory that red cars can create an optical illusion that makes them appear to be going faster than they really are.

One myth says that insurance companies charge higher premiums for red cars. Allstate and Progressive say that a car's color has no bearing on the premiums they charge.

Myth No. 4

You need a lawyer to beat a ticket.

You might expect most traffic-ticket attorneys to say you can't beat your own ticket. With a little time and homework, however, many people successfully fight their own traffic tickets. At the very least, first-time offenders for minor offenses can usually strike a plea bargain in most jurisdictions.

An attorney's fee will often outweigh the fines and impact of a first violation, but in states such as Texas and Florida, some law firms have entire practices dedicated to fighting tickets and can often do so at reasonable rates.

Myth No. 5

If you get a ticket in another state, your home state won't find out about it.

The interstate Driver License Compact is an agreement between participating states that share information regarding certain types of traffic convictions. Reports on traffic violations and suspensions are forwarded to the home state of the nonresident.

There are only a handful of states that are not members of the compact.

There is also the National Driver Register, a database of information about drivers who have had their licenses revoked or suspended due to serious traffic violations. States provide the register with information about these serious offenses, and those in the database can be denied licenses in other states.

Myth No. 6

You can make up an excuse to get out of the ticket.

Most police officers aren't interested in excuses. When an officer pulls you over, he already suspects you of an infraction. You'll have your day in court and many ways to fight the ticket.

Remember: Any explanation you give about why you were speeding is an admission that you were speeding. If an officer logs those explanations in his notes, the statements could later be used against you in court. That's why, whenever an officer asks if you know why you've been pulled over, always answer "no" and just take the ticket.

"Never admit to speeding in the process of talking," says Aaron Quinn, the communications director for the National Motorists Association. "I would say just to be polite with the officer. Reasoning with the officer is something that might help you out if you actually are on your way to the hospital. You can try talking; just don't admit guilt."

Myth No. 7

A radar detector will ensure that you never get pulled over.

"Radar detectors give drivers a false sense of security that they can speed as much as they want without facing the consequences of breaking the law," says Ken Underwood, the president of the National Safety Commission, an organization that promotes safe driving.

But speeding drivers are also more likely to commit other infractions, and a radar detector can't tell you when a cop is watching you run that red light or make an illegal turn. Virginia and Washington, D.C., both ban the use of radar detectors, and it looks like Florida may do the same soon.

Radar-detector users often find themselves chasing new technology as law enforcement upgrades its speed-detection devices.

Myth No. 8

If you don't sign the ticket, it will be dismissed.

Signing a ticket is not an admission of guilt. The signature is merely an acknowledgement you received the ticket and a promise to appear in court.

Refusing to sign the ticket -- and there are drivers who think that if they don't sign, they can lie in court and say they weren't there -- will do nothing but agitate the officer and invite more scrutiny.

In some states, such as Texas, refusal to sign a ticket can mean a trip to jail. Houston attorney Robert Eutsler says that if you don't sign the ticket, the officer has the choice to either take you to jail or write on the ticket "refused to sign."

"It's a promise to appear in court on a certain day -- that's all it is," says Eutsler. "It's certainly a myth that if you don't sign it, it's going to get dismissed. You're more likely to get arrested, and the officer is going to get very upset."