

JUVENILE VS ADULT COURT JURISDICTION (Rev 4/2018)

An Adult Court Traffic Offender is a juvenile who is charged with an adult court traffic offense and was at least 16 at the time of the offense. See Minn. Stat. § 260B.225, subds. 1-4.

“Adult court traffic offense” means:

- (1) a petty misdemeanor violation of a state or local *traffic* law, ordinance, or regulation, or a petty misdemeanor violation of a federal, state, or local water *traffic* law, not a part of the same behavioral incident of a misdemeanor being handled in juvenile court; or
- (2) a violation of section [169A.20](#) or any other misdemeanor- or gross misdemeanor-level *traffic* violation committed as part of the same behavioral incident as a violation of section [169A.20](#).

Traffic offenses are offenses “under chapter 168, 169, 169A, or 171, 86B (Water Safety, Watercraft, and Watercraft Titling), and any other Minnesota Statute, Code of Federal Regulations, administrative rule, or ordinance offense where the Certify to DPS flag has been set in MNCIS as required by law.” See [Statewide Payables List](#) Traffic/Criminal.

| Offenses | Offender Under 16 | Offender 16 or 17 |
|--|-------------------|-------------------|
| All Charges on Citation are: | | |
| Petty Misdemeanor Traffic Offenses | Juvenile Court | Adult Court |
| DWI (Minn. Stat. § 169A.20) – Misdemeanor, Gross Misdemeanor, or Felony | Juvenile Court | Adult Court |
| Petty Misdemeanor Non-Traffic Offenses (e.g., possess small amt of marijuana, Minn. Stat. § 152.027, subd. 4, or drug paraphernalia, Minn. Stat. § 152.092) | Juvenile Court | Juvenile Court |
| Major Traffic Offenses ¹ –Traffic Offenses Other Than Petty Misdemeanors and DWI (e.g., underage drink and drive, Minn. Stat. § 169A.33) | Juvenile Court | Juvenile Court |
| Misdemeanors and Gross Misdemeanors – Non-Traffic Offenses (e.g., minor consuming, Minn. Stat. § 340A.503) | Juvenile Court | Juvenile Court |
| Multiple Types of Charges – Same Behavioral Incidents: | | |
| DWI AND Petty Misdemeanor Traffic Offenses | Juvenile Court | Adult Court |
| DWI AND Misdemeanor or Gross Misdemeanor Traffic Offense (e.g., marijuana in a motor vehicle, Minn. Stat. § 152.027, subd. 3) | Juvenile Court | Adult Court |
| DWI AND Non-Traffic Petty Misdemeanor (e.g., possess small amt of marijuana, Minn. Stat. § 152.027, subd. 4, or drug paraphernalia, Minn. Stat. § 152.092), Misdemeanor, or Gross Misdemeanor Offenses | Juvenile Court | Juvenile Court |
| Petty Misdemeanor Traffic AND Major Traffic Offense (e.g., speeding and open bottle) | Juvenile Court | Juvenile Court |
| Petty Misdemeanor Traffic AND any Non-Traffic Offense (e.g. speeding and minor consuming, Minn. Stat. § 340A.503) | Juvenile Court | Juvenile Court |

¹ A **Major Traffic Offense** includes any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law not included in the definition of Adult Court Traffic Offense. Minn. Stat. § 260B.225, subd. 1(b).