**JUVENILE VS ADULT COURT JURISDICTION (Rev 1/15/2013)**

An Adult Court Traffic Offender is a juvenile who is charged with an adult court traffic offense and was at least 16 years old at the time of the offense. Minn. Stat. § 260B.225.

"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](https://www.revisor.leg.state.mn.us/statutes?id=169A.20#stat.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](https://www.revisor.leg.state.mn.us/statutes?id=169A.20#stat.169A.20).

Minn. Stat. § 260B.225, subd. 1(c).

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| **Offenses** | **Offender Under 16** | **Offender 16 or 17** |
| **All Charges on Citation are:** |  |  |
| Petty Misdemeanor Traffic or Water Traffic Violations | Juvenile Court | Adult Court |
| DWI - Misdemeanor, Gross Misdemeanor or Felony | Juvenile Court | Adult Court |
| Petty Misdemeanor – Other Violations (not traffic or water traffic)  (e.g., possess small amt of marijuana or drug para) | Juvenile Court | Juvenile Court |
| Major Traffic Offenses[[1]](#footnote-1) – Traffic or Water Traffic Violations Other Than Petty Misdemeanors and DWI  (e.g., underage drink and drive – Minn. Stat. §169A.33) | Juvenile Court | Juvenile Court |
| Misdemeanors and Gross Misdemeanors – Other Violations (not traffic or water traffic)  (e.g., minor consuming – Minn. Stat. §340A.503) | Juvenile Court | Juvenile Court |
| **Multiple Types of Charges – Same Behavioral Incidents:** |  |  |
| DWI AND Petty Misdemeanor Traffic or Water Traffic | Juvenile Court | Adult Court |
| DWI AND Misdemeanor or Gross Misdemeanor Traffic Offense | Juvenile Court | Adult Court |
| DWI AND Other Misdemeanor or Gross Misdemeanor Violations (not traffic or water traffic) | Juvenile Court | Juvenile Court |
| Petty Misdemeanor Traffic or Water Traffic AND  Major Traffic Offense  (e.g., speeding and open bottle) | Juvenile Court | Juvenile Court |
| Petty Misdemeanor Traffic or Water Traffic AND any Non-Traffic or Water Traffic offense  (e.g. speeding and minor consuming) | 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). [↑](#footnote-ref-1)