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TO: Town and Village Justices and Court Clerks
FROM: The Justice Court Fund
SUBJECT: Legislative Changes Effective 7/26/13
ISSUED: June 17, 2013

Recently enacted legislation (Chapter 55, Laws of 2013, Part C) resulted in changes to certain Vehicle and Traffic Law surcharges. Below is information relating to these changes which are **effective July 26, 2013.**

Increase in Additional Surcharge

Vehicle and Traffic Law (VTL) Section 1809-e (1)(a) has been amended to increase the current additional surcharge from \$20.00 to \$28.00 effective for violations committed on or after July 26, 2013. This surcharge is required to be levied for certain vehicle and traffic violations in accordance with VTL Section 1809-e (1)(a).

Please continue to report this additional surcharge in the "mandatory surcharges" column on the monthly justice report, AC-1030.

New Surcharge: Mandatory Surcharge for Certain Parking Violations

Chapter 55, Laws of 2013, amended the VTL to require the imposition of a new mandatory surcharge on certain parking violations (VTL Section 1809-aa) effective for violations committed on or after July 26, 2013. The new mandatory surcharge of \$25.00 required by VTL Section 1809-aa must be imposed on convictions of VTL Sections 1200, 1201, and 1202.

Report the new surcharge in the "mandatory surcharges" column on the monthly justice report, AC-1030.

Increase in Mandatory Surcharge and Crime Victim Assistance Fee Cap

VTL Section 1809 (2) has been amended to increase the statutory cap on the amount of mandatory surcharges and crime victim assistance fees that can be imposed on certain VTL convictions arising out of the same incident. The cap has been raised from \$180 to \$196. The new cap is effective for violations committed on or after July 26, 2013.

Increase in Certain Fines

VTL Sections 1225-c (4) and 1225-d (6) have been amended to increase the amount of fines that may be imposed for convictions under VTL Section 1225-c for use of a mobile telephone while driving or VTL Section 1225-d for use of an electronic device while driving. The increased fines are effective for violations committed on or after July 26, 2013 as follows:

1. Upon conviction of a first violation – Fine of \$50-\$150;
2. Upon conviction of a second violation, both of which were committed within a period of 18 months – Fine of \$50-\$200;
3. Upon conviction of a third or subsequent violation, all of which were committed within a period of 18 months – Fine of \$50-\$400.

Please continue to report these fines in the “fines, forfeited bail and civil penalty” column on the monthly justice report, AC-1030.

We hope that this information is sufficient to address your reporting concerns. If you have any questions, please contact this office by email at courtfund@osc.state.ny.us, by telephone at (518) 408-4934, or toll free at 1-855-478-5472.