S T A T E O F N E W Y O R K

7042

2015-2016 Regular Sessions

I N A S S E M B L Y

April 21, 2015

Introduced by M. of A. COLTON -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to providing an income-driven payment plan for all traffic infractions, misdemeanors and related court fees

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 1800 of the vehicle and traffic law is amended by adding a new subdivision (a-1) to read as follows:

(A-1) AN INDIVIDUAL SEEKING TO DEFER PAYMENT OF FEES, FINES OR COURT COSTS IMPOSED BY THIS SECTION OR LOCAL COURT SYSTEMS SHALL APPLY TO THE CLERK OF THE COURT FOR ENROLLMENT IN A PAYMENT PLAN. THE CLERK SHALL ENTER INTO A PAYMENT PLAN WITH AN INDIVIDUAL WHO THE COURT DETERMINES IS INDIGENT FOR COSTS. A MONTHLY PAYMENT AMOUNT, CALCULATED BASED UPON ALL FINES AND COURT FEES, SHALL CORRESPOND TO THE PERSON'S ANNUAL NET INCOME. THE COURT MAY REVIEW THE REASONABLENESS OF THE PAYMENT PLAN.

S 2. Section 1801 of the vehicle and traffic law is amended by adding a new subdivision 3 to read as follows:

3. AN INDIVIDUAL SEEKING TO DEFER PAYMENT OF FEES, FINES OR COURT COSTS IMPOSED BY THIS SECTION OR LOCAL COURT SYSTEMS SHALL APPLY TO THE CLERK OF THE COURT FOR ENROLLMENT IN A PAYMENT PLAN. THE CLERK SHALL ENTER INTO A PAYMENT PLAN WITH AN INDIVIDUAL WHO THE COURT DETERMINES IS INDIGENT FOR COSTS. A MONTHLY PAYMENT AMOUNT, CALCULATED BASED UPON ALL FINES AND COURT FEES, SHALL CORRESPOND TO THE PERSON'S ANNUAL NET INCOME. THE COURT MAY REVIEW THE REASONABLENESS OF THE PAYMENT PLAN.

S 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the commissioner of motor vehicles shall promulgate rules and regulations necessary or appropriate to carry out the provisions of this act.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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