

STATE OF NEW YORK

6246

2019-2020 Regular Sessions

IN SENATE

May 29, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring the court to provide a range of dates for a person pleading not guilty to a traffic infraction to appear

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1806 of the vehicle and traffic law, as amended by
2 section 1 of part C of chapter 55 of the laws of 2012, is amended to
3 read as follows:

4 § 1806. Plea of not guilty by a defendant charged with a traffic
5 infraction. In addition to appearing personally to enter a plea of not
6 guilty to a violation of any provision of the tax law or the transporta-
7 tion law regulating traffic, or to a traffic infraction for the
8 violation of any of the provisions of the vehicle and traffic law or of
9 any local law, ordinance, order, rule or regulation relating to the
10 operation of motor vehicles or motorcycles, a defendant may enter a plea
11 of not guilty by mailing to the court of appropriate jurisdiction the
12 ticket making the charge and a signed statement indicating such plea.
13 Such plea must be sent: (a) by registered or certified mail, return
14 receipt requested or by first class mail; and (b) within forty-eight
15 hours after receiving such ticket. Upon receipt of such ticket and
16 statement, the court shall advise the violator, by first class mail, of
17 an appearance at which no testimony shall be taken. The court shall
18 provide the violator with a range of dates to appear which shall include
19 at least three different dates and times at which the violator may
20 appear. If the motorist requests a trial, the court shall set a trial
21 date on a date subsequent to the date of the initial appearance and
22 shall notify the defendant of the date by first class mail but no
23 warrant of arrest for failure to appear can be issued until the violator
24 is notified of a new court appearance date by registered or certified
25 mail, return receipt requested, and fails to appear.

26 § 2. This act shall take effect immediately.

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

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