STATE OF NEW YORK

5052

2021-2022 Regular Sessions

IN ASSEMBLY

February 10, 2021

Introduced by M. of A. RAMOS, JEAN-PIERRE, DICKENS, COLTON, FRONTUS, L. ROSENTHAL, PICHARDO, BARRON, NIOU -- Multi-Sponsored by -- M. of A. COOK -- read once and referred 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:

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

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

§ 2. This act shall take effect immediately.

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

LBD07998-01-1