

STATE OF NEW YORK

4536

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

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

AN ACT to amend the vehicle and traffic law, in relation to authorizing
a plea of guilty and payment of fines or penalties electronically via
the internet

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

1 Section 1. Section 1805 of the vehicle and traffic law, as amended by
2 chapter 182 of the laws of 2004, is amended to read as follows:

3 § 1805. Plea of guilty, how put in. The provisions of section 170.10
4 of the criminal procedure law and the provisions of section eighteen
5 hundred seven of this article may be waived, to the extent hereinafter
6 indicated, by a defendant charged with a violation of any provision of
7 the tax law or the transportation law regulating traffic, or a traffic
8 infraction, as defined in this chapter, other than a third or subsequent
9 speeding violation committed within a period of eighteen months,
10 provided that ~~he~~ such defendant shall submit to the local criminal
11 court having jurisdiction, in person, by duly authorized agent, by first
12 class mail or by registered or certified mail, return receipt requested,
13 or electronically via the internet, which method shall include
14 instructions relating to the use of an electronic signature, an applica-
15 tion setting forth (a) the nature of the charge, (b) the information or
16 instructions required by section eighteen hundred seven of this article
17 to be given defendant upon arraignment, (c) that defendant waives
18 arraignment in open court and the aid of counsel, (d) that ~~he~~ such
19 defendant pleads guilty to the offense as charged, (e) that defendant
20 elects and requests that the charge be disposed of and the fine or
21 penalty fixed by the court, pursuant to this section, (f) any statement
22 or explanation that the defendant may desire to make concerning the
23 offense charged and (g) that defendant makes all statements with respect
24 to such application under penalty of perjury. This application shall be

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

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1 in such form as the commissioner shall prescribe and a copy thereof
2 shall be handed to the defendant by the officer charging [~~him~~] such
3 defendant with such offense. Thereupon the local criminal court may
4 proceed as though the defendant had been convicted upon a plea of guilty
5 in open court, provided, however, that any imposition of fine or penalty
6 [~~hereunder~~] pursuant to this section shall be deemed tentative until
7 such fine or penalty shall have been paid and discharged in full, prior
8 to which time such court, in its discretion, may annul any proceedings
9 hereunder, including such tentative imposition of fine or penalty, and
10 deny the application, in which event the charge shall be disposed of
11 pursuant to the applicable provisions of law, as though no proceedings
12 had been had under this section. Such fine or penalty may be paid elec-
13 tronically via the internet in a manner and condition prescribed by the
14 court. If upon receipt of the aforesaid application such court shall
15 deny the same, it shall thereupon inform the defendant of this fact, and
16 that [~~he is~~] they are required to appear before the said court at a
17 stated time and place to answer the charge which shall thereafter be
18 disposed of pursuant to the applicable provisions of law.
19 § 2. This act shall take effect on the one hundred twentieth day after
20 it shall have become a law.