§ 1802. Receipts for fines or bail; installment payment plans. 1. Receipts for fines or bail. Upon receipt of the payment of any fine or penalty collected under a sentence or judgment of conviction of a violation of any of the provisions of this chapter or any local law, ordinance, order, rule or regulation made by local authorities in relation to traffic or the deposit of bail of a person charged with a violation of any such provision, local law, ordinance, order, rule or regulation, the officer or employee receiving such payment or deposit shall issue a receipt therefor when the payment or deposit is made in cash. Whenever any such payment or deposit is made by check, money order or in other property, the officer or employee shall issue a receipt therefor upon request; provided, however, no such receipt shall be issued where a fine or penalty is paid by mail unless the name and address of the payee is known to such officer or employee or enclosed with the payment.

2. Installment payment plans. (a) Whenever fines, fees, and/or surcharges are imposed upon a natural person upon a conviction of a violation of any of the provisions of this chapter or any local law, ordinance, order, rule or regulation made by local authorities in relation to traffic, or whenever an order is entered pursuant to subdivision three of section two hundred twenty-seven of this chapter, such fines, fees, and/or surcharges may be paid in installments at no charge to the natural person. The court or hearing officer shall offer such persons the opportunity to enter into an installment payment plan at any time, including after a conviction entered as a result of the failure to appear in response to a summons or appearance ticket. Any such installment payment plan shall be comprised of all fines, fees and mandatory surcharges, including but not limited to those described in subparagraph (i) of paragraph (j-1) of subdivision two of section five hundred three, subdivision three of section five hundred fourteen and paragraph a of subdivision four of section two hundred twenty-seven of this chapter, and shall consist of monthly payments that do not exceed two percent of such person's monthly net income or twenty-five dollars per month, whichever is greater. For the purposes of this subdivision, the term "net income" shall mean such person's total income from all sources and assets, minus deductions required by law including but not

limited to administrative or court-ordered garnishments and support payments. A court or hearing officer may require the submission of a financial disclosure report, on a form prescribed by the commissioner, from all persons who opt to enter into installment payment plans. A court or hearing officer also may accept payments higher than the set amount, but may not undertake additional collection activity so long as the person meets his or her payment obligations under the installment payment plan. A court or hearing officer may undertake additional collection activity, but no sooner than ninety days after a person fails to meet their payment obligation under the installment payment plan; a court, hearing officer or the commissioner shall not suspend such person's driver's license or privileges for failure to meet their payment obligation under the installment payment plan. A court or hearing officer may require persons entering installment payment plans to appear periodically before such court or hearing officer to assess their financial circumstances but no more frequently than annually and may set a new payment amount if such person's financial circumstances have changed. A person who enters into an installment payment plan and experiences a reduction in income may petition the court or hearing officer no more than two times in a calendar year to seek a reduction in the monthly payment; provided, however, in the interests of justice, the court or hearing officer may accept a reduction request from such person at any time.

(b) The court or hearing officer shall have the discretion in the interests of justice to reduce or waive the amount of any fine, fee or mandatory surcharge assessed for a violation of any of the provisions of this chapter or any local law, ordinance, order, rule or regulation made by local authorities in relation to traffic.

(c) A person assessed a fine, fee and/or mandatory surcharge following a conviction for a violation of any of the provisions of this chapter or any local law, ordinance, order, rule or regulation made by local authorities in relation to traffic, or the entering of an order pursuant to subdivision three of section two hundred twenty-seven of this chapter, shall be notified of their right to an installment payment plan (a) at the time the summons is issued; (b) at the time of sentencing; and (c) in any communication concerning imposition or collection of a fine, fee or mandatory surcharge. Information about the availability of

installment payment plans shall be prominently posted, in a clear and conspicuous manner: at each court and administrative tribunal and its website, if any, and on the commissioner's website.