*** § 1809-a. Mandatory surcharge required in certain cities for parking, stopping and standing violations.** 1. The provisions of any other general or special law notwithstanding, whenever, in a city having a population of one hundred thousand or more according to the nineteen hundred eighty United States census, proceedings in an administrative tribunal or a court result in a finding of liability, or conviction for the violation of any statute, local law, ordinance or rule involving the parking, stopping or standing of a motor vehicle, except an adjudication of liability of an owner for a violation of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, there shall be levied a mandatory surcharge in addition to any other sentence, fine or penalty otherwise permitted or required, in the amount of fifteen dollars. Such surcharge shall not be deemed a monetary penalty for the purposes of section two hundred thirty-seven of this chapter or section 19-203 of the administrative code of the city of New York.

2. The mandatory surcharge provided for in subdivision one of this section shall be paid to the clerk of the court or administrative tribunal that made the determination of liability. (a) Except as provided in paragraph (b) of this subdivision within the first ten days of the month next succeeding the collection of such surcharge, the collecting authority shall pay seven dollars and fifty cents of each surcharge to the justice court fund held by the state comptroller pursuant to section ninety-nine-a of the state finance law which monies shall then be deposited to the credit of the general fund. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe. The remaining amount of the surcharge shall be paid to the chief fiscal officer of the municipality and used by the municipality from which it originated for its local criminal justice programs and purposes.

(b) Within the first ten days of the month next succeeding the collection of such surcharge, the collecting authority in cities having

a population of one hundred thousand or more but less than one million shall pay such surcharge to the chief fiscal officer of the municipality and such surcharge shall be used by the municipality from which it originated for its local criminal justice programs and purposes.

3. Any person who has paid a mandatory surcharge under the authority of this section which is ultimately determined not to be required by this section shall be entitled to a refund of such mandatory surcharge upon written application to the collecting authority. The collecting authority shall require such proof as is necessary in order to determine whether a refund is required by law. If the collecting authority shall refund any portion of the surcharge previously paid to the justice court fund pursuant to subdivision two of this section, the collecting authority may offset an equal amount from a subsequent remittance to the justice court fund, provided, however, that the collecting authority shall prepare such reports and provide such information with respect to such refunds as the comptroller shall direct, and provided, further, that the comptroller, upon review of such reports and information, may direct that any appropriate adjustments be made in future payments to the justice court fund pursuant to subdivision two of this section.

4. Notwithstanding any other provision of this section, where a mandatory surcharge is imposed pursuant to the provisions of section 60.35 of the penal law or section eighteen hundred nine or eighteen hundred nine-b of this article, no mandatory surcharge shall be imposed pursuant to the provisions of this section.

* NB Repealed September 1, 2027