

# NEW YORK SURCHARGES

December 2009

PENAL LAW MISDEMEANORS	<b>\$205.00</b>
PENAL LAW VIOLATIONS	<b>\$125.00</b>
VTL 1192 (MISDEMEANOR)	<b>\$400.00</b>
VTL 1192 (VIOLATION)	<b>\$260.00</b>
VTL INFRACTIONS	<b>\$ 85.00</b>
VTL EQUIPMENT VIOLATIONS	<b>\$ 55.00</b>

VIOLATIONS DESCRIPTIONS	FINE	POINTS
306 (b) Uninspected vehicle (less than 60 days)	25-50	0
Uninspected vehicle (more than 60 days)	\$50-100	0
306 (e) Fictitious Inspection Certificate (M)	<b>\$300 MAX</b>	0
319-1 No Insurance (additional \$750 civil Penalty to DMV)	\$150-1,500	0
340a Failure to Surrender License or Registration (M)	<b>\$100-1,000</b>	0
355 Operating w/o Financial Security (M)	<b>\$200-500</b>	0
375-1 Inadequate Brakes (M)	<b>\$300 MAX</b>	4
375 All Other Equipment Violations (Dismissed if repaired in 24hrs)	\$150 MAX	0
376 Lighting Violations (dismissed if repaired in 24hrs)	\$150 MAX	0
377 Unsecured Load (M)	<b>\$300 MAX</b>	0
380 (a) Failure To Cover Loose Cargo	\$150 MAX	0
381 Motorcycle Violations	\$100 MAX	0
385-1 Overwidth Vehicle	\$200-500	0
385 All Other Overwidth/Overload Violations	SEE OTHER CHART	
392 Altered License or Registration (M)	<b>\$300 MAX</b>	0
397 Operating with Police Radio (M)	<b>\$1000 MAX</b>	0
397 (a) Radar Detector in Vehicle Over 18,000 LBS.	\$25-100	0
401-1(a) Unregistered Vehicle (less then 60 days)	\$40 -300	0
Unregistered Vehicle (more then 60 days)	\$75-300	0
401-7fb Loaded Beyond Reg. Wgt. (under 18,000 LBS.)	\$40-375	0
Loaded Beyond Reg. Wgt. (under 18,000 LBS.)	\$150-375	0
402 Improper Plate Violations	\$25-200	0
403 Registration Sticker Not Affixed	\$100 MAX	0
509 Unlicensed Operation Violations (less then 60 days)	\$0-40 or \$75-300	0
509-8 Failure to Notify DMV of Change of Address	\$50-\$75	0
511-a Facilitating Aggr Unlicensed Operation	\$200-500	0
511-1a Aggravated Unlicensed Operation 3 <sup>rd</sup> (M)	<b>\$200-500</b>	0
511-2 Aggravated Unlicensed Operation 2 <sup>nd</sup> (M)	<b>\$500 MIN + Prob. Or 7-180 days Jail</b>	
511-3a Aggravated Unlicensed Operation 1 <sup>st</sup> (F)		
512 Suspended Registration (M)	<b>\$50-300</b>	0
530-6 Violations of Restricted Use License	\$150 MAX	0
600-1 Leaving Scene of Property Damage Accident	\$250 MAX	3
600-2 Leaving Scene of Injury Accident (M)	<b>\$250-500</b>	3
1102 Failure to Comply with Police Officer	\$150 MAX	2
1110 (a) Failure to Obey Traffic Control Device	\$150 MAX	2
1111 d1, d2 Passed Red Light	\$75-225	3
1120 (a) Failure to Keep Right	\$150 MAX	3
1122 (a) Passed on Right	\$150 MAX	3
1128 (a) Unsafe Lane Change	\$150 MAX	3
1129 (a) Following Too Close	\$150 MAX	4
1140-1145 Failure to Yield R/O/W Violations	\$150 MAX	3
1144 Failure to Yield to Emergency Vehicle	\$275 MAX	3
1160-1161 Improper Turn Violations	\$150 MAX	2
1162 Unsafe Start	\$150 MAX	2
1163-1164 Improper Turn/Signal Violations	\$150 MAX	2
1172 (a) Passed Stop Sign	\$150 MAX	3
1174 (a) Passed Stopped School Bus	\$250-400	5
1180 (a) Imprudent Speed	\$45-150	3
1180 (b), (d) Speeding		
1-10 MPH Over	\$45-150	3
11-20 MPH Over	\$90-300	4
21-30 MPH Over	\$90-300	6
31-40 MPH Over	\$180-600	8
More than 40 MPH over	\$180-600	11
1180 (c) Speeding in School Zone:		
1-10 MPH Over	\$90-300	3
11-20 MPH Over	\$180-600	4
21-30 MPH Over	\$180-600	6
31-40 MPH Over	\$360-1200	8
More than 40 MPH over	\$360-1200	11
1180 (e) Failure to Reduce Speed	\$45-150	3
1180 (f) Speeding in Work Zone	FINES DOUBLE AS ABOVE * surchg \$105	POINTS SAME
1201 (a) Stopped on Pavement	\$150 MAX	0
1211 (a) Unsafe Backing	\$150 MAX	2
1212 Reckless Driving (M)	<b>\$100-300</b>	5
1225 Avoided Intersection	\$150 MAX	2
1225 (c) Cell Phone Use While Driving	\$100 MAX	0

1227-1	Open Alcohol Contain in Vehicle	\$150 MAX	0
1229 ( c ) 1	No Child Restraint - Under 4yrs old	\$25-100	3
1229 ( c ) 2	No Seat Belt – Under 16yrs old	\$25-100	3
1229 ( c ) 3	No Seat Belt – Driver or Passenger	\$50 MAX	0

**TRANSPORTATION LAW/THRUWAY RULES & REGULATIONS:**

1815	HUT Permit Violations	\$100-No Surcharge
14f	Hazardous Material <u>OUT OF SERVICE</u> Violations Of Brakes, Steering & Coupling Devices	\$500-No Surcharge
14f**	ALL Other Hazardous Material Violations	\$350-No Surcharge
14f	Operation of <u>OUT OF SERVICE</u> Hazardous Material Vehicle (M)	\$2,500-No Surcharge
140 (2) d	<u>OUT OF SERVICE</u> Violations of Brakes, Steering & Coupling Devices	\$350-1,000-No Surcharge
140 (2) d **	ALL Other Safety Violations	\$150-500-No Surcharge
211-212	Log Book Violations (M)	\$200 + <b>\$205 SURCHARGE</b>

**\*\*TICKETS TO BE DISMISSED UPON SATISFACTORY PROOF THAT VIOLATION HAS BEEN CORRECTED WITHIN 24 HOURS. DOES NOT APPLY TO OUT OF SERVICE VIOLATIONS RELATING TO BRAKES, STEERING OR COUPLING DEVICES, LOG BOOK VIOLATIONS OR OPERATIONS OF VEHICLE AFTER IT HAS BEEN PLACED OUT OF SERVICE.**

**EFFECTIVE 6/12/91: WHERE A COURT WAIVES THE SURCHARGE, A STATEMENT OF SUCH DISPOSITION AND THE FACTS UPON WHICH IT IS BASED, SHALL BE MADE PART OF THE RECORD.**

**\*\*\*SENTENCING TO CUSTODY ALONG WITH PROBATION FOR AN “A” OR “B” MISDEMEANOR MAXIMUM CUSTODY TIME IS 90 DAYS\*\*\***

**SURCHARGES 1983- present**

<u>DATE OF OFFENSE</u>	<u>V&amp;T</u>	<u>PL VIOLATIONS</u>	<u>PL &amp; V&amp;T MISDEMEANORS</u>
PRIOR TO 4/01/83	-----	-----	-----
04/01/83 – 04/17/89	\$10.00	-----	-----
04/17/89 – 05/25/90	\$17.00	\$25.00	\$ 62.00
05/25/90 – 06/21/91	\$25.00	\$42.00	\$ 87.00
06/21/91 – 12/31/97	\$25.00 EACH (\$25.00 EACH FOR VIOL 375 – 383)	\$45.00	\$ 90.00
01/01/98 – 04/01/00	\$30.00 EACH (\$15.00 – VTL 375)	\$50.00	\$ 95.00
04/01/00 – 11/10/03	\$35.00 EACH (\$25.00 EACH FOR VIOL 375 – 383)	\$65.00	\$125.00
11/10/03 – 06/30/08	\$55.00 (\$35.00 – VTL 375)	\$100.00	\$165.00
07/01/08 – 07/31/08	\$65.00 (\$55.00 – VTL 375)	\$125.00	\$205.00
08/01/08	\$85.00 (\$55.00 – VTL 375)	\$125.00	\$205.00

**SUSPENSION/REVOICATION SCHEDULE**

**ARREST DATE: 8/1/08 – PRESENT**

<b><u>CONVICTION</u></b>	<b><u>FINE</u></b>	<b><u>LICENSE SANCTION</u></b>	<b><u>MAX JAIL TIME</u></b>
1192-1 (NO PRIORS)	\$300-\$500	90-day Suspension	15 days
1192-1 (2 <sup>nd</sup> in 5 years)	\$500-\$750	6-Month Revocation	30 days
1192-1 (3 <sup>rd</sup> in 10 yrs) <b>M</b>	\$750-\$1,500	6-Month Revocation	90 days
<b><u>UNDER 21</u></b>			
<b>1192-1</b>	\$300-\$500	1-year (1 <sup>st</sup> ) 1-year or until 21 <sup>st</sup> birthday whichever is longer (2 <sup>nd</sup> )	15 days
1192-2, 3, 4 (NO PRIORS)	\$500-\$1,000	6-Month Revocation	1 year
1192-2, 3, 4 (2 <sup>nd</sup> in 10 yrs) <b>F</b>	\$1,000-\$5,000	1-Year Revocation	4 years
<b><u>UNDER 21</u></b>			
<b>1192-2, 3, 4</b>	\$1,000-\$5,000	1-year (1 <sup>st</sup> ) Rovocation 1-year or until 21 <sup>st</sup> birthday whichever is longer (2 <sup>nd</sup> )	4 years
<b>1192-2a</b> (NO PRIORS)	\$1,000-\$2,500	Revoked at least 1 year	1 year
<b>1192-2a</b> (2 <sup>nd</sup> in 10 yrs) (prior ADWI or DWI) <b>F</b>	\$1,000-\$5,000	Revoked at least 18 months	4 years
<b>1192-2a</b> (3 <sup>rd</sup> in 10yrs) (prior ADWI or DWI) <b>F</b>	\$2,000-\$10,000	Revoked at least 18 months	7 years

(DDP is mandatory)