

Justice Court FAQ's - TRAFFIC TICKETS

What do I do if I get a traffic ticket?

First, review your ticket to determine if you are charged with a "Misdemeanor" or a "Traffic Infraction."

If the "Misdemeanor" box is checked, you must appear in Court on the date and time indicated on the ticket. At this appearance, called the arraignment, you will be advised by the Judge of the charges against you and what your rights are. Driving While Intoxicated and Aggravated Unlicensed Operation are both misdemeanors.

If the "Traffic Infraction" box is checked, you can either appear in person on the date and time shown or mail in your ticket with a plea of either "Guilty" or "Not Guilty". If you appear in person, you can enter a plea of guilty and the judge will impose a fine and/or surcharge. Or you may enter a plea of not guilty and your case will be adjourned for a bench trial at a later date. Please note, the officer who issued the ticket will not be present on the first appearance date. If you wish to plead by mail, you should sign your ticket in the appropriate section and mail it to the Court before the appearance date. If you plead "Not Guilty" you will receive a notice of a trial date. If you plead "Guilty", you will receive a letter telling you how much your fine and/or surcharge are.

Is there a schedule of standard fines for traffic violations?

No. Fines are set by the Judge with certain minimum/maximum guidelines prescribed by law. In addition, the Court must impose a mandatory surcharge on most offenses. These surcharges are set by the state.

How can I pay my fine?

At this time, the Court accepts cash, checks or money orders, and Visa or Mastercard. Checks and money orders should be made out to the "Town of New Scotland Justice Court". If you are paying by mail and wish to have a receipt, please enclose a self-addressed, stamped envelope.

What happens if I ignore the ticket, miss a Court date or fail to pay the fine/surcharge on time?

The Court will notify the Department of Motor Vehicles which will suspend your license. Driving with a suspended license can be charged as a misdemeanor. If you miss a court date, call the Court office and ask for a new date.

How many points do traffic infractions carry?

The point system is controlled by the Department of Motor Vehicles. The Court does not assess the points. For more information, go to <http://www.nysdmv.com/license.htm#points>

Are there any other fees that a defendant will have to pay for traffic infractions?

Yes, the state has implemented a "Driver Responsibility Assessment ". The assessment is an amount you must pay to DMV each year for three years. One way to incur this assessment is to accumulate six points or more in an 18 month period. For more information, go to <http://www.nysdmv.com/drp.htm>

How can I remove points from my license?

The NYSDMV has approved a classroom course lasting at least six hours which may remove up to 4 points from your license and will save you up to 10% of your automobile liability and collision insurance premiums for three years.

For a list of course providers, check the yellow pages under "Driving Instruction" or visit <http://www.nysdmv.com/pirp.htm>