

APPLICATION FOR BROOME COUNTY TRAFFIC DIVERSION PROGRAM

Driver License State: _____ Driver License Number: _____
First Name: _____ Last Name: _____
Current Address: _____ Date of Birth: _____
City: _____ Zip Code: _____
Date Tickets Issued: _____ Court returnable to: _____
1st Ticket Number: _____ Charge: _____
2nd Ticket Number: _____ Charge: _____
3rd Ticket Number: _____ Charge: _____
4th Ticket Number: _____ Charge: _____

By signing this application below, I affirm that I meet all requirements for program eligibility, including:

1. I have answered and pleaded not guilty to my ticket(s) prior to the return date provided.
2. I have not previously completed the Broome County Traffic Diversion Program within the 18 months prior to the date of my current offense(s).
3. There was no motor vehicle accident associated with the ticket(s) I was issued.
4. My driver license or driving privileges in New York are not currently suspended.
5. If charged with a speeding offense, the speed alleged was **30 mph or less** over the posted speed limit.
And, if the offense was in a construction or school zone, the speed was **20 mph or less** over the posted speed limit.

Application Conditions

If I provide false or incorrect information in this application, or otherwise misrepresent any facts, I understand that I may forfeit the application fee and be terminated from the diversion program.

I consent to a 45-day adjournment of my case so I can complete an approved Driver Safety Program. I understand that if I fail to complete the program within 45 days of acceptance, I will be terminated from the program and forfeit the application fee. I will then have to appear in court as though I had never been accepted into the program.

I understand that if I fail to stay in contact with the court, my license or driving privileges may be suspended.

I understand that this program is voluntary and I have the right to a trial on these tickets, where the People would be required to prove my guilt beyond a reasonable doubt.

Please send the following to the District Attorney's Office:

- ① A non-refundable certified bank check or money order, in US currency, in the amount required by the application fee schedule on page 2 of this application. **MAKE PAYABLE:** Broome County Commissioner of Management and Budget.
- ② A copy of all traffic tickets (or court notice). **DO NOT SEND US THE ORIGINAL TICKET(S).**
- ③ Your completed application.

Submit your application packet to:
BROOME COUNTY DISTRICT ATTORNEY
C/O TRAFFIC DIVERSION PROGRAM
P.O. BOX 1766
BINGHAMTON, NY 13902

It is a crime, punishable as a class A misdemeanor under the Laws of New York, for a person in and by a written instrument to knowingly make a false statement, or to make a statement, which such person does not believe to be true.

Date: _____

Signature of Applicant

WHAT IS TRAFFIC DIVERSION?

Any motorist with up to four traffic tickets from a single incident may apply to the District Attorney's Traffic Diversion Program [TDP]. If you successfully complete the program, your ticket(s) will be dismissed. There will be no court fine or surcharge, no Department of Motor Vehicles fees or conviction added to your driving record. Before you apply, you should know that not every traffic ticket is eligible for diversion. Listed below are the eligible and ineligible offenses.

The following tickets are eligible for the program:

Equipment violations (VTL 375)

Seatbelt violations (VTL 1229-c)

Using a mobile phone (VTL 1225-c)

Using a portable electronic device while driving (VTL 1225-d)

Speeding:

≤ 20 mph over in a school or work zone.

≤ 20 mph over in a non-school or work zone

21 to 30 mph over in a non school or non work zone

Other moving violations, except for any listed here

YOU ARE NOT ELIGIBLE if you have any tickets with the offenses below:

ANY misdemeanor

ANY offense involving an accident

> 20 mph over in a school or work zone

> 30 mph over the posted speed limit

Driving while ability impaired by alcohol (VTL 1192.1)

Failure to stop for a school bus (VTL 1174)

If you have previously completed the TDP in the 18 months prior to the date you received your current tickets or your driver license is already suspended or revoked, you are also ineligible.

There is a non-refundable application fee of \$200 per ticket for all eligible offenses, except those marked above, which have a \$400 fee per ticket.

CAN YOU GIVE EXAMPLES OF HOW THE FEES MIGHT WORK?

	<u>TICKETS</u>	<u>FEE</u>
Two tickets:	Speeding 45 in a 30 mph zone and failure to signal	\$400
Two tickets:	Speeding 80 in a 55 mph zone and using a cell phone	\$800
One ticket:	Speeding 65 in a 45 mph work zone	\$400
Two tickets:	Speeding 60 mph in a 30 mph school zone and seatbelt violation	NOT ELIGIBLE

HOW DO I APPLY?

- Return your ticket(s) to the court and plead not-guilty. If you don't do this, your driving privileges may be suspended!
- Complete the application form and mail it to the Broome County District Attorney's Office.
- You must include a copy of your tickets (or court notice if you lost your tickets or already sent them in).
- Also include a certified bank check or money order payable to the Broome County Office of Management and Budget for the required fee. No personal checks or cash will be accepted.

WHAT HAPPENS AFTER I APPLY?

- We send you an acceptance letter if you have been admitted into the program.
- If you are admitted, you will have 45 days from the date on the acceptance letter to complete a New York State DMV approved traffic safety course. The course may be in person or online. A list of approved classes for NY residents can be found at <https://dmv.ny.gov/pirp/online>.
- If you live outside of New York, we will also accept any program recognized by your state DMV (or provincial Ministry of Transportation for Canadian motorists). Use the internet to look for programs in your location. You must make sure that your program will be accepted.
- Any fee for a traffic safety course is not included in the application fee for the diversion program. **You must pay the course provider separately.**
- When you get your proof of course completion – mail it to us within the 45-day period or you will be terminated from the program.
- Once we receive your certificate and if all your other paperwork is in order, we will notify both you and the court and your tickets should be dismissed. Contact the court to make sure your tickets have been dismissed.
- **YOUR APPLICATION FEE WILL NOT BE REFUNDED IF YOU ARE TERMINATED FROM THE PROGRAM.**