

New York Speeding Ticket Explained

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Below is a detailed explanation of the different parts of a standard New York State Speeding ticket. We will refer back to each one of the parts throughout this document. Please note that New York City traffic tickets are different and will be explained in a different document.

<p>I.</p> <p>NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES UNIFORM TRAFFIC TICKET</p> <p>Q80000 [Redacted]</p> <p>To be completed by Police Officer and given to Motorist</p> <p>NEW YORK STATE POLICE Local Police Code</p> <p>Officer Name (Defendant) [Redacted] First Name DAMEN Last Name [Redacted]</p> <p>Officer No. [Redacted] Age, Sex, Height (ft/in) [Redacted] (Indicate if known)</p> <p>City [Redacted] State NY Zip Code 12110 Owner Type (a) D Lic. Class. [Redacted]</p> <p>Plate No. [Redacted] Make NISS Date Expires 06/30/2016</p> <p>Year 2003 Color RD</p> <p>Reg. State NY Registration Expires</p> <p>THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS</p>	<p>TO PLEAD BY MAIL (NOT TO BE USED FOR MISDEMEANORS OR FELONIES)</p> <p>- If you are pleading "GUILTY" by mail, place an "X" through SECTION B, then complete and sign SECTION A.</p> <p>- If you are pleading "NOT GUILTY" by mail, place an "X" through SECTION A, then complete and sign SECTION B.</p> <p>- Mail this form to the Court noted on this ticket by Registered, Certified, or First Class Mail, with Return Receipt Requested.</p> <p>- DO NOT use this form for Misdemeanors or Felonies or for a third or subsequent speeding violation in an 18 month period, instead you must appear in the Court noted on this ticket in person.</p> <p>- If the Court denies your plea, you will be notified by mail to appear in the Court noted on the front of this ticket.</p> <p>SECTION A - PLEA OF GUILTY</p> <p>To the Court listed on the other side of this ticket:</p> <p>I, [Redacted], residing at [Redacted], have been charged with the violation as specified on the other side of this ticket. I acknowledge receipt of the warning printed in bold type on the other side of this ticket and I waive arraignment in open court and the aid of an Attorney. I plead GUILTY to the offense as charged and request that this charge be disposed of and a fine or penalty levied by the court.</p> <p>Additionally, I make the following statement of explanation (optional):</p> <p>_____</p> <p>_____</p> <p>All statements are made under penalty of perjury.</p> <p>Date _____ Signat _____</p>
<p>II.</p> <p>Date 12:52 AM Date of Offense 09/05/2011</p> <p>Section Sub-Section 1172A</p> <p>Section Sub-Section 1172A</p> <p>Description of Violation FLD TO STOP @ STOP SIGN</p> <p>US DOT# [Redacted]</p> <p>CDL Ver. [Redacted] Bus [Redacted] Reg. Ma [Redacted]</p> <p>Place of Offense HAMILTON ST @ SWAN ST</p> <p>CITY Name ALBANY, CITY OF - 9181 County ALBANY</p> <p>AFFIRMED UNDER PENALTY OF PERJURY</p> <p>Date referred 09/05/2011 OR Assign G 4 11</p> <p>Arrest Type 1 - PATROL</p> <p>Officer's Signature [Signature] [Redacted]</p> <p>Officer's Last Name GURY First Name M Initial J</p>	<p>SECTION B - PLEA OF NOT GUILTY</p> <p>The following notice applies to you if the officer did not issue you a supporting deposition with your ticket.</p> <p>NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ON THE OTHER SIDE OF THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?</p> <p>Yes <input type="radio"/> No <input type="radio"/></p> <p>SUPPORTING DEPOSITION PROVIDED WHEN THIS TICKET WAS ISSUED? NO <input checked="" type="radio"/> SPEEDING (Gen 101) <input type="radio"/></p> <p>GENERAL (Gen 101A) <input type="radio"/></p> <p>Signature _____</p> <p>Address _____</p> <p>City _____ State _____ Zip Code _____</p> <p>NOTE: Mail this NOT GUILTY Plea within 48 hours. The court will notify you by First Class Mail of your appearance date.</p> <p>APPLICANTS UNDER 18 YEARS OF AGE MUST SUBMIT NAME AND ADDRESS OF PARENT OR GUARDIAN BELOW.</p> <p>Name of Parent or Guardian _____</p> <p>Address _____</p> <p>City _____ State _____ Zip Code _____</p> <p>FAILURE TO ANSWER THIS TICKET WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.</p> <p>UTD-1.7 (6/02)</p>
<p>III.</p> <p>THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW</p> <p>ALBANY CITY COURT CRIMINAL PART</p> <p>Address 1 MORTON AVE @ BROAD ST.</p> <p>City ALBANY State NY Zip 12202</p> <p><input type="radio"/> RETURN BY MAIL BEFORE OR IN PERSON ON _____ Date 09/13/2011 Time 9:00 AM</p> <p><input checked="" type="radio"/> MUST APPEAR IN PERSON</p> <p>A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL. IF YOU ARE CONVICTED, NOT ONLY WILL YOU BE LIABLE TO A PENALTY, BUT IN ADDITION YOUR LICENSE TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND YOUR CERTIFICATE OF REGISTRATION, IF ANY, ARE SUBJECT TO SUSPENSION AND REVOCATION AS PRESCRIBED BY LAW.</p> <p>Conviction may subject you to a mandatory exchange and/or Driver Responsibility Assessment as prescribed by law.</p> <p>Your failure to respond may result in a warrant for your arrest or suspension of your driver's license under a default judgement against you.</p>	<p>IV.</p> <p>Section B</p>

I. The Defendant's Information

These boxes display numerous identifying data about the defendant including name, address and information about the car being driven at the time of the stop. It also contains the ticket number in the top right corner



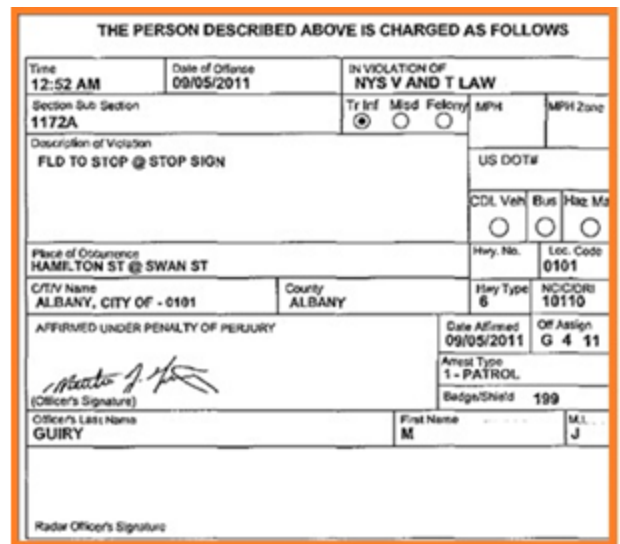
New York State - Department of Motor Vehicles									
UNIFORM TRAFFIC TICKET									
Q80000					POLICE AGENCY				
To be completed by Police Officer and given to Motorist					NEW YORK STATE POLICE				
Last Name (Defendant)					First Name				
K					DAMIEN				
Number and Class					Apt. No.		Photo Lic Shown		
City					State	Zip Code		Owner Oper	Lic. Class
					NY	12110		<input checked="" type="radio"/>	D
Client ID Number					Sex		Date Expires		
S					M		04/30/2016		
Lic. State	Date of Birth	Veh. Type	Year	Make	Color				
NY		1	2003	NISSA	RD				
Plate Number		Reg. State		Registration Expires					
		NY							

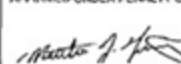
Many people think that if a police officer misspells the driver's name the ticket will be dismissed. This is not a factor which the judge will take into consideration when looking at your case.

I. - The Defendant's Information

II. The Charges

The "Section Sub Section" box indicates which section of the law the defendant is being accused of violating. Below (on the next page) is a list of common New York traffic violations as well as the New York Vehicle & Traffic Law sections they fall under, the amount of points (if any) and the maximum fines and New York State surcharges attached to them. It also lists the date, location of the offense and officer's information.



THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS									
Time		Date of Offense		IN VIOLATION OF					
12:52 AM		09/05/2011		NYS V AND T LAW					
Section Sub Section				Tr Inf	Misd	Felony	MPH	MPH Zone	
1172A				<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>			
Description of Violation							US DOT#		
FLD TO STOP @ STOP SIGN									
Place of Occurrence							Hwy. No.	Loc. Code	
HAMILTON ST @ SWAN ST								0101	
CITY Name				County		Hwy Type	NCCCR#		
ALBANY, CITY OF - 0101				ALBANY		6	10110		
AFFIRMED UNDER PENALTY OF PERJURY							Date Affirmed	Off Assign	
							09/05/2011	G 4 11	
Officer's Signature							Arrest Type	Badge/Shield	
							1 - PATROL	199	
Officer's Last Name				First Name		M.I.			
GUIRY				M		J			
Radar Officer's Signature									

II. - The Charges

Speeding Ticket Points & Fine System

Speeding Over State Limit	Points	Fine	Surcharge
1-10 mph over posted speed limit	3	\$150	\$80-\$85
11-20 mph over posted speed limit	4	\$300	\$80-\$85
21-30 mph over posted speed limit	6*	\$300	\$80-\$85
31-40 mph over posted speed limit	8*	\$600	\$80-\$85
40 mph + over posted speed limit	11 **	\$600	\$80-\$85
**Speeding in Construction Zone	Points	Fine	Surcharge
10 mph over posted limit	0	\$150	\$130-\$135
11 -30 mph over posted limit	0	\$300	\$130-\$135
31 mph + over posted limit	0	\$600	\$130-\$135

***Driver Responsibility Assessment Fee (DRA):** If you receive 6 or more points as a result of violations that occurred within an 18 month period you will be subject to an additional fine known as the Driver Responsibility Assessment fee (DRA). When you reach 6 points you will be penalized \$300. An additional \$75 will be imposed for each point after the 6-point mark. This penalty is paid to DMV and is separate and in addition to the court fines associated with your ticket.

****At 11 points the NY DMV will suspend your NY license or NY driving privileges** (if you live out of state). Any points accumulated for violations which occur within a given 18-month period count towards suspension. If you have a CDL license or a Junior license, the penalties can be even more severe.

III. Court Info. & Plea Deadline

This particular Section shows the name of the court and its address, along with a date and time for a response, either by postal mail or in person. Most tickets allow a plea to be made by mail, some require a plea to be made in person. To find information and directions to court go to [New York court directory](#).



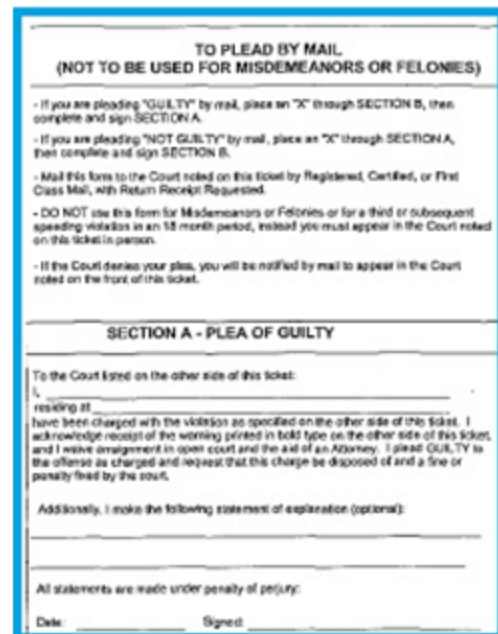
III. - Court Info. & Plea Deadline

IV. SECTION A – PLEA OF GUILTY

Important note: Many people think that if they plea guilty “with an explanation” there is a possibility that the court decide to find them not guilty. This is not the case. Once you fill out this portion of the ticket and mail it in, the court will have no choice but to convict you of the offense.

If you choose to plead “guilty” to the charges fill out this Section and mail to the address of the court mentioned in Section 3. Bear in mind that pleading guilty to certain offenses like “no insurance” can lead to mandatory driver’s license suspension or revocation.

Just because you might be guilty of the charged offense does not mean you have to plead guilty. An initial plea of not guilty merely preserves your right to a trial. You can always change your plea to “Guilty” later on, and in most cases where a plea bargain is offered, you will be pleading guilty at some point, but to a less severe offense than the one you are being charged with.



IV. Section A - Plead Guilty

The only way to challenge the charges or get the charges reduced is to plead “not guilty” (see next Section).

It is also a common belief that a person should plead “Guilty” if he or she knows that he was, in fact, guilty. It is important to keep two things in mind:

1. Under our legal system, it is the prosecution that has the burden of proof. It is every defendant’s right to plead “Not Guilty” and make them do their job which is to prove that you were guilty (or offer you a plea agreement for a reduced charge).
2. Entering an initial plea of “Not Guilty” does not mean that there is no going back. To the contrary, all it does is preserve your rights to a plea bargain (if applicable) or trial.

IV. SECTION B - PLEA OF NOT GUILTY

IV. Section B - Plead Not Guilty

If you choose to plead “Not Guilty” fill out SECTION B. The Not Guilty section features a spot for you to request a supporting deposition. A supporting deposition is a written sworn statement detailing the traffic violation and it is signed by the law enforcement officer who issued the ticket. Remember, it is your Constitutional right to plead “Not Guilty” which may lead to a plea bargain or trial which is why we advise this route. You can always change your plea later on, and if an acceptable plea bargain is offered, you will ultimately be pleading guilty to that reduced charge.

SECTION B - PLEA OF NOT GUILTY

The following notice applies to you if the officer did not issue you a supporting deposition with your ticket.

NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ON THE OTHER SIDE OF THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?

Yes No

SUPPORTING DEPOSITION PROVIDED WHEN THIS TICKET WAS ISSUED? NO SPEEDING (Gen 101)

GENERAL (Gen 101A)

Signature _____

Address _____

City _____ State _____ Zip Code _____

NOTE: Mail this NOT GUILTY Plea within 48 hours. The court will notify you by First Class Mail of your appearance date.

APPLICANTS UNDER 18 YEARS OF AGE MUST SUBMIT NAME AND ADDRESS OF PARENT OR GUARDIAN BELOW.

Name of Parent or Guardian _____

Address _____

City _____ State _____ Zip Code _____

FAILURE TO ANSWER THIS TICKET WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.

UTD-17 (1/02)

IV. Section B - Plead Not Guilty

Call Us for a FREE Consultation: 888-883-5529