

LOCAL LAW 2 OF 2004

Local Law 2 of 2004 – Imposing A Surcharge Pursuant to Vehicle and Traffic Law Section 1809-D

Section 1 – Purpose. The purpose of this local law is to impose a local surcharge on convictions rendered in the Town Justice Court pursuant to the enabling authority of section 1809-D of the Vehicle and Traffic Law, as added by Chapter 56 of the Laws of 2004

Section 2 – Local Surcharge for Traffic Violations – For convictions rendered in the Town of Brant Justice Court for violations committed between the effective date of this local law and September 1, 2005, which convictions are subject to a mandatory surcharge imposed pursuant to 1809 of the Vehicle and Traffic Law, there shall be an additional surcharge of ten dollars (\$10.00) per violation.

Section 3 – Payment to Clerk of Court, Disposition of Surcharge – The surcharge authorized by subdivision one of this section shall be paid to the clerk of the court that rendered the conviction. Within the first ten days of the month next succeeding the collection of such surcharge, the court shall pay the surcharge upon application to the chief fiscal officer of the town which imposed such surcharge. Such chief fiscal officer shall require such proof as is necessary in order to determine whether a refund is required by law.

Section 4 – Refunds – Any person who has paid a surcharge authorized by this section which is ultimately determined not to be required by this section shall be entitled to a refund of such surcharge. Such chief fiscal officer shall require such proof as in necessary in order to determine whether a refund is required by law.

Section 5 – Effective Date – This Local Law shall take place effective immediately.

