



NEW YORK STATE SENATOR

John J. Bonacic

Bonacic Seeks to Repeal New Mandate on Ticketed Drivers and Local Courts: "If Making Life More Inconvenient, Costly and Burdensome for Taxpayers Was an Olympic Sport, the Governor and Nyc Democrats Who Run the State Would Win Gold Medals Every Time"

JOHN J. BONACIC August 3, 2009

State Senator John J. Bonacic (R/I/C – Mt. Hope) is drafting legislation to repeal the requirement that motorists make two appearances in traffic court in order to plea bargain or have a trial on a traffic ticket.

Under the old law – which changed earlier this year, when a motorist is ticketed, he or she could plead guilty or not guilty by mail. If the motorist pled not guilty, Courts would typically notify the motorist of a “trial date” when the motorist should appear. At that time, the ticket would typically be plea bargained to a lesser offense. If a plea bargain cannot be agreed upon, a trial occurs.

This year for the first time in decades, State government is entirely controlled by one party – Democrats. The leaders of that party are all from New York City. Their New York City based constituents have alternative transportation methods other than cars.

“Yet again, the Governor and his Democratic colleagues have shown indifference to those of us who live north of Westchester County. Requiring motorists to make two court appearances, often take two days off from work, to typically just plea bargain down a ticket is foolish,” Senator Bonacic said.

The new system will require an overwhelming number of motorists to appear twice before local Courts – clogging court calendars, extending wait times in Court, and raising property taxes by adding to overtime costs paid to court clerks.

Some Courts meet in the day, others at night. In larger towns, Courts are often heard in the day. “Under the Democrats new scheme for traffic tickets, the average person – who in this economy is working hard to make sure they keep their job; may now have to take two days off of work to end up pleading guilty to a traffic infraction.”

Senator Bonacic stressed that is not condoning speeding or otherwise violating the Vehicle and Traffic Law. “Speed kills. Dangerous driving kills. Those reckless drivers will appropriately be charged with a crime. We aren’t talking about hardened criminals here. The reality is nearly every driver will at some point be ticketed – particularly in this day and age of rushing between one or two jobs and family obligations,” Senator Bonacic said.

Senator Bonacic noted that the entire issue could have been avoided if State Troopers were allowed to plea bargain traffic tickets. In 2006 the State Police prohibited Troopers from plea bargaining tickets. Bonacic introduced and passed legislation to reinstate that – legislation which had broad support by

Republicans and Democrats alike. However, the legislation was vetoed at the request of the State police leadership. “Rank and file State Troopers are good people doing an honorable job. They want to be able to plea bargain. We trust them to carry a gun and shoot people when necessary. I think they can handle plea bargaining a speeding ticket,” concluded Senator Bonacic