

**CHAD W. BROWN
DISTRICT ATTORNEY
COUNTY OF FULTON
State of New York**



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VEHICLE & TRAFFIC DIVERSION PROGRAM

The Fulton County Vehicle & Traffic Diversion Program is designed to assist certain traffic ticket offenders who are seeking an out of court disposition of their current traffic ticket(s). The goals of this program are to:

- (1) **Promote Safe Driving.** Every participant is required to complete a Defensive Driving Course.
- (2) **Promote Driver Financial Responsibility.** Every participant is required to have a valid automobile insurance policy, a valid registration (where applicable), and a valid license. This will help reduce the number of people driving in Fulton County who are uninsured, unregistered or unlicensed.
- (3) **Efficiently Resolve Cases.** This program will help to free up valuable prosecution resources, allowing the District Attorney's Office to focus on more complex criminal cases. The program is no additional cost to the taxpayers of Fulton County.

This program is a valuable tool designed to protect the public, promote lawful conduct and reduce inefficiency in the criminal justice system without decreasing services to Fulton County residents.

PARTICIPANT BENEFITS:

- (1) Education from the Defensive Driving Course.
- (2) Up to 4 points removed from their Driving History.
- (3) Up to 10% reduction on vehicle insurance costs.
- (4) Ticket will be dismissed.

The driver should note that with surcharges and fines, a "typical" traffic ticket could cost approximately \$200.00 and carry 0 to 6 points. The fine amounts and points vary depending on the ticket that was issued. Consequences for insurance coverage and increased premiums may also occur if convicted of a traffic infraction.

ELIGIBILITY: In order to be eligible for the Traffic Diversion Program you must meet the following requirements:

- (1) Charged with an “eligible offense”;
- (2) Have not participated in the Fulton County Vehicle & Traffic Diversion Program within the past 18 months;
- (3) Have no more than 4 points on their license;
- (4) Have no drinking and driving convictions within the past 3 years;
- (5) Have a valid license and insurance at the time of offense;
- (6) Cannot be involved in an accident at the time of the offense;
- (7) Cannot be ticketed for a speed in excess of 20 mph over the posted limit.

***NOTE* WE RESERVE THE RIGHT TO USE OUR DISCRETION TO APPROVE OR DENY AN APPLICANT FOR REASONS THAT MAY NOT BE SET FORTH ABOVE.**

“ELIGIBLE OFFENSE”

An “Eligible Offense” means a Vehicle and Traffic Law violation (**i.e. no misdemeanors**) and specifically excluding the following:

- Any DWAI/DWI related charges.
- Reckless Driving.
- Cell phone violations.
- Passing a school bus.
- Any ticket that resulted in physical injury, serious physical injury or death.
- Any ticket for Leaving the Scene of an Accident.
- Any ticket issued due to a violation in a school or construction zone.
- No combination of tickets that equals more than 6 points.

HOW TO APPLY FOR THE PROGRAM:

1. Plead not guilty to the ticket;
2. Complete the Diversion Program Application;
3. Include with your application the following:
 - **A copy of the ticket**
 - **A copy of your Driving History**
 - **A self-addressed, stamped envelopes (one for the letter notifying you or acceptance or denial and one for the notification of dismissal upon successful completion)**
 - **A money order of \$200.00 for the application and program fees made out to the “**Fulton County Traffic Diversion Program**”**

*Send all of the above to: Fulton County District Attorney's Office
Attn: Traffic Diversion Program
223 West Main Street
Johnstown, NY 12095

APPLICATION REVIEW PROCESS: The ticket and application will be reviewed by the District Attorney's Office. If a driver is not accepted into the Program, their \$200.00 money order will be returned. If accepted into the Program, the driver must attend and complete a New York certified Defensive Driving Program and return the Certificate of Completion within 60 days of being accepted.

Any driver who is accepted into the Fulton County Vehicle & Traffic Diversion Program and then fails to complete the requirements of the Program forfeits the \$200.00 application and program fee.

TICKET RESOLUTION: Upon successful completion of the course, the People will dismiss the pending vehicle and traffic ticket. Participants are free to use their class certificate for insurance reduction purposes.