

**MICHAEL J. POULIN
DISTRICT ATTORNEY
COUNTY OF FULTON
State of New York**



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Johnstown, NY 12095
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APPLICATION FOR VEHICLE & TRAFFIC DIVERSION PROGRAM

Please fill out form then print, initial and sign in the designated places

Driver's License Number: _____ Driver's License State: _____

First name: _____ Middle Initial: ____ Last name: _____

Current Street Address: _____

City: _____ State: _____ Zip Code: _____

Date of Birth: _____

Email Address: _____

Telephone #: _____

Insurance Co. Name: _____ Policy #: _____

Exp. Date: _____

Charges: _____

(Please attach copy all tickets)

VTL Section(s): _____

Court: _____

To be eligible to enter the traffic diversion program I must meet the following requirements:

1. I have not previously completed the Fulton County Vehicle & Traffic Diversion Program within the 18 months before this application.
2. I have not had any Vehicle and Traffic Law Convictions (i.e. point violations) within the last 18 months in any court.
3. If currently charged with a speeding offense, it was for driving 20 miles per hour or less over the posted speed limit.

4. There was no motor vehicle accident involving serious injury to someone other than me.
 5. I did not receive more than 6 points on the tickets I received at the time I was stopped.
 6. I have answered and pled not guilty to the ticket prior to the return date listed on the ticket.
 7. I have not missed any scheduled court appearances without prior approval from the court. If accepted into the diversion program, I will continue to make any scheduled court dates.
 8. I have not had my license suspended for failing to answer the ticket I am seeking to have dismissed through the diversion program.
 9. I have not been convicted of or plead guilty to the ticket for which I am seeking dismissal via the diversion program.
 10. I have not been previously convicted of any Felony, any alcohol or drug related driving offense within the last 10 years, Reckless Driving (VTL 1212), Leaving the Scene (VTL 600-1a) in New York or any other state.
 11. All the tickets in this case are Vehicle and Traffic Law and/or Transportation Law charges (e.g. not Penal Law, Environmental Conservation Law, Tax, etc.)
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By initialing _____, I agree that if I misrepresent any of the above facts or affirmations, I forfeit the application fee and I will be terminated from the diversion program and the tickets will still be pending.

By initialing _____, I hereby apply to the Fulton County Vehicle & Traffic Diversion Program. In doing so, I request a 60-day adjournment to attend a Defensive Driving Course and complete the diversion program. I understand that my acceptance into the program is based on my meeting the conditions above. I am waiving all Speedy Trial Rights.

By initialing _____, I agree that failure to respond to any information or giving false or incorrect information in the application is grounds to deny entry into the program, forfeiture of the application fee, and removal from the program.

By initialing _____, I agree that failure to complete the program within 60 days may result in termination from the program and forfeiture of the application fee which will result in me having to appear in court to answer the ticket as if though I never applied for the program.

By initialing _____, I agree that if I chose to complete an on-line Defensive Driving Course or an in-person DDC, I am responsible for any and all fees that may be required above and beyond the application fee for this program and I am responsible for sending in a certificate of completion to the District Attorney's Office. **Please be aware that your certificate may not be mailed until 14 to 21 business days after you complete the course.**

By initialing _____, I agree to waive any right under VTL section 1806 to have a conference with the prosecutor.

WARNING: If you have not received formal notice from the District Attorney's Office that your Traffic Diversion application has been approved, you must appear at the date and time indicated on your Simplified Traffic Information (i.e. your ticket) or as directed by the court. Failure to do so may result in a suspension of your license and/or a bench warrant being issued for your arrest.

Please include ALL of the following with your application:

- A non-refundable, certified bank check (**not a personal check**) or money order made payable to the Fulton County Traffic Diversion Program. The amount will be \$200 or \$125 based on what charge was listed on the original ticket.

AND THE FOLLOWING:

- A copy of all Traffic Tickets (or Court notice in absence of ticket(s));
- A copy of your Driving Abstract (can be obtained at any DMV or online);
- Proof of valid motor vehicle insurance and;
- Self addressed, stamped envelope.

***** Each item listed MUST accompany your application*****

Please mail your application to:
Fulton County District Attorney's Office
C/O Traffic Diversion Program
223 West Main Street
Johnstown, NY 12095

Once accepted into the Fulton County Traffic Diversion Program the application fee is non-refundable. Please make sure all selections are accurate and monies are correct before submitting the application.

NO PERSONAL CHECKS OR CREDIT CARDS WILL BE ACCEPTED

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

AFFIRMED UNDER PENALTY OF PERJURY.

Completed and signed on _____
(date) (Signature of Applicant) (Print Name)

*****DO NOT CALL** THE DISTRICT ATTORNEY'S OFFICE IN REGARDS TO THE STATUS OF YOUR APPLICATION. FOR AN UPDATE YOU MAY EMAIL THE TRAFFIC DIVERSION PROGRAM AT Trafficdiversion@fultoncountyny.gov.