

PROPOSED ORDINANCE NO. 168 –2017

AN ORDINANCE AMENDING ORDINANCE NO. 16-2011, AS AMENDED BY ORDINANCE NO. 75-2014, AS AMENDED BY ORDINANCE NO. 178-2015, IN RELATION TO IMPOSING FEES TO DEFRAY ADMINISTRATIVE COSTS RELATED TO VARIOUS PROCESSING ACTIVITIES AT TPVA.

WHEREAS, section 370 of the General Municipal Law establishes the Nassau county traffic and parking violations agency (“TPVA”) as a department of Nassau county government, to operate under the direction and control of the county executive; and

WHEREAS, pursuant to section 10(1)(ii)(9-a) of the Municipal Home Rule Law, the County of Nassau has the power to adopt and amend local laws relating to the fixing, levy, collection, and administration of charges, rates, and fees; and

WHEREAS, TPVA incurs costs related to tracking and processing scofflaws; and

WHEREAS, this Legislature recognizes that it is appropriate to shift the burden for financing these costs onto those motorists who have failed to pay the fines associated with their noncompliance with the County's traffic regulation; therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau as follows:

Section 1. Section 1 of Ordinance No. 16-2011, as amended by Ordinance No. 75-2014, as amended by Ordinance No. 178-2015, is hereby amended to read as follows:

§ 1. The following administrative fees are authorized and fixed as follows:

FEE NAME	FEES (in dollars)
FINAL DISPOSITION OTHER THAN NOT GUILTY AND DISMISSALS PURSUANT TO VTL 376-A(4) FEE ("DRIVER RESPONSIBILITY FEE") – PER TICKET	45.00
INITIAL DEFERRED PAYMENT FEE – PER TICKET	15.00
SUBSEQUENT DEFERRED PAYMENT FEE – PER DEFERRAL – PER TICKET	10.00
SCOFFLAW/DEFAULT JUDGMENT ADMINISTRATIVE PROCESSING FEE	15.00
DEFAULT CONVICTION or JUDGMENT ADMINISTRATIVE PROCESSING FEE – PER TICKET	75.00
MOTION TO VACATE DISPOSITION FEE – WRITTEN APPLICATION – PER TICKET	125.00
MOTION TO VACATE DISPOSITION FEE – ORAL APPLICATION – PER TICKET	50.00
TRANSFER OF NOTICE OF LIABILITY FEE – PER TICKET	30.00
CREDIT CARD CHARGEBACK PROCESSING FEE – PER TICKET	50.00

§ 2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this Ordinance is a "Type II" Action within the meaning of Section 617.5(c)(20), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 3. This ordinance shall take effect immediately.