

**OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TIOGA**

Kirk O. Martin
District Attorney



TRAFFIC DIVERSION

Traffic Diversion
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Traffic-Diversion@tiogacountyny.gov

WHAT IS TRAFFIC DIVERSION?

A program that District Attorney, Kirk Martin, established to make our roads safer. Studies show that motorists who take driver safety classes are safer drivers.

Traffic Diversion also benefits you the motorist, as you are able to resolve traffic tickets cheaper and easier.

At the end there will be no fine or surcharge, and there will be no record of conviction added to your driving record.

DO I QUALIFY?

What ticket(s) are ELIGIBLE?

Many, but not all, ticket(s) are eligible for this program. Tickets that are eligible:

- Speeding ticket(s) charging 1-30 miles per hour over the posted speed limit, unless the ticket was for speeding in a construction zone VTL 1180(f) or speeding in a school zone VTL 1180(c).
- Using a cell phone or portable electronic device without a hands-free device VTL 1225(c2) or 1225(d).
- VTL 511-1(a) AUO3d, which we will reduce to VTL 511-a-1 Facilitating AUO3d.
- All seat belt or equipment violations, and all moving violations not listed as Not Eligible.

What ticket(s) are NOT ELIGIBLE?

- Speeding ticket(s) charging 31 miles per hour or higher over the posted speed limit.
- Speeding ticket(s) in a construction zone VTL 1180(f) or in a school zone VTL 1180(c).
- Failure to yield the right of way to an emergency vehicle VTL 1144(a).
- Failure to stop for a school bus VTL 1174(a).
- Any offense written to a motorist who was operating a commercial motor vehicle (CMV).
- Any offense written as a result of an accident involving personal injury or death.
- Any VTL section 1192 – Driving under the influence of alcohol or drugs.
- 5 or more tickets for the same offense.
- Any misdemeanor offense, other than VTL 511-1(a) AUO3d, as noted above.
- Any motorist who was disrespectful to the officer during the traffic stop.
- Any ticket(s) which you have already plead guilty to.

WHAT ARE THE FEES?

One ticket \$200 US dollars

If you have more than 1 ticket, and they are all eligible, there is an additional fee of for each additional ticket of \$80 US dollars

Examples of how this works:

One Ticket	Speeding 19mp over the zone Explanation: One eligible Ticket.	\$200
Two tickets	Speeding 15mph over zone and a cell phone ticket Explanation: Two eligible tickets $\$200 + \$80 = \$280$.	\$280
One Ticket	Speeding 35mp over the zone Explanation: The speeding ticket is too fast to be eligible.	NOT ELIGIBLE

*There is an additional transaction of 3% for paying your fee online using GovPay.net.

IMPORTANT WEBSITE AND EMAIL ADDRESSES

You can find information about the Traffic Diversion Program at the

Tioga County DA's Website: <https://traffic.tiogacountyny.gov>

or contact the Program at

Traffic Diversion Email: Traffic-Diversion@tiogacountyny.gov

NYS approved 6 hour online traffic safety courses: <https://dmv.ny.gov/pirp/online>

PLEASE NOTE

We do not accept telephone calls regarding the Program, or your application. Telephone messages will not be returned. If you have questions, please email the program at Traffic-Diversion@tiogacountyny.gov

Application is voluntary. If you do not wish to participate in the program, you can either ask the court to schedule a conference date with the District Attorney's Office to discuss a possible reduction offer, or you can ask the court to schedule a trial.

Acceptance is determined by the motorist eligibility as outlined above, and the District Attorney's Office. The Tioga County District Attorney has complete discretion to approve or deny any application.

Any fee for a traffic safety course and the 3% online transaction fee for GovPay.Net are not included in the application fee. You must pay for the course and the 3% GovPay.Net transaction fee.

All fees must be paid in US dollars.

All fees are non-refundable.

Any motorist who submits incomplete information or false information with their application will be denied or terminated from the Traffic Diversion program.

We do not grant adjournments, only the Court can do that. We do not contact the Court for you, except to dismiss your ticket(s) after your successful completion of the Program. Failure to stay in contact with the Court and make any court appearances for which you have not been excused

could result in your driving privileges being suspended. The Traffic Diversion program does not resolve license suspension issues.

By submitting a Traffic Diversion application, I submit I have read the eligibility guidelines and am eligible to participate in Traffic Diversion, that I was not involved in a motor vehicle accident which resulted in physical injury or death, that I was not operating a commercial motor vehicle (CMV) at the time of my ticket(s) and that, if I was charged with Aggravated Unlicensed Operation in the 3d Degree (V&TL 511-1(a)), a misdemeanor offense, I ask that it be reduced so I can participate in this program.