

TRAFFIC TICKETS

The Moreau Town Court handles all traffic tickets which are issued for alleged violations of the New York State Vehicle and Traffic Law, which are charged in the Town of Moreau. It is the responsibility and obligation of the motorist to respond to these in a timely manner.

To handle a traffic ticket in our Court you need to review your ticket to determine if it is a "Traffic Infraction," or a "Misdemeanor."

If the Misdemeanor box is checked you must appear in person on the day and time, listed on the ticket. For example, Driving While Intoxicated or Aggravated Unlicensed Operation are both Misdemeanors. At first Court appearance, which is called an "Arraignment," the Judge notifies the motorist of the charges pending in the Court and what the motorist rights are. If the motorist cannot afford an attorney, they can apply to be represented by the Public Defenders Office, free of charge if you're indigent. You would file an application, through the Court and the PD's office would have the right to decide if you're financially eligible.

If the "Traffic Infraction," Box is checked you can handle the ticket, either by mail or contact the District Attorney's Office through the link provided to possibly get a plea bargain to a lesser or reduced charge at: <https://www.saratogacountyny.gov/departments/district-attorney/plea/> or you can appear in person on the date and time listed on the ticket.

1. Appearing in person

At your first appearance, which is called "Arraignment," the Judge makes sure the driver is aware of the charges against them and what their rights are. The issuing officer will not be present at arraignment, and no trial will be held on the first return date. The motorist will either plead "**Guilty,**" or "**Not guilty.**" If the motorist pleads guilty the motorist has the right to make a statement to the Court before a sentence is imposed. If the Defendant pleads "Not guilty," the case will be scheduled for a "Pre-Trial Conference." The Saratoga County District Attorney's office will be represented by one of their Assistant DA's. If the plea bargain is not accepted by the motorist, the matter will be scheduled for a trial on the next Pre-Trial Conference date (Usually the 3rd Thursday of the month.)

2. PLEA BY MAIL

If you choose to handle a traffic ticket by mail, you can plead either "Not guilty" or "Guilty," by signing the appropriate section listed on your ticket(s) and mailing to the Court within 24 hours of when the ticket was issued. Please make sure you give the Court the current mailing address, if the address on the ticket is not valid.

If you plead "Guilty," you will receive a letter advising you of the sentence imposed.

If you do not hear back from the Court within Six(6) weeks from the scheduled date of return, pleas call the Court to make sure your plea was received.

COMMON QUESTIONS:

Q: Is there a schedule of standard fines for traffic infractions?

A: No. Penalties are set by the Judge within certain maximum/minimum guidelines prescribed by law and are based on the severity of the offense. Repeat offenses are usually assessed more seriously.

Q: If I plead guilty, or am found guilty, after trial, how long will I have to take care of the penalties?

A: Should you be fined, all fines should be paid immediately on the date of trial or guilty plea. If you are unable to pay your fine, at that time, you may ask for extension. Fines may also be paid in person by credit card and also with a credit card online on, Govpaynow.com

Q: What happens if I ignore the ticket(s), miss a Court date or fail to pay the fine/surcharge or fail to fulfill any other part of the sentence, in a timely fashion?

A: The Court will notify the New York State Department of Motor Vehicles which will suspend your license. Driving while your license is suspended can be charged as a misdemeanor, or even, in some cases as a felony. If you miss a Court date, call the Court immediately and ask for a new Court date. You may be required to post bail. The Court can also change the parameters of your sentence.

Q: How long after I move to NY State, can I continue to use my out-of-state license?

A: 30 days. Use of your out-of-state license after that period is an infraction.

Q: I have been Charged with DWI. Will I continue to be able to drive after my first Court appearance?

A: Quite possibly not. Better bring a backup driver to Court. (AND A LAWYER ALSO)

Q: I have been charged with AUO(Aggravated Unlicensed Operation). What does that mean?

A: It means that you have been charged with operating a motor vehicle, while your driving privileges have been suspended. This is a Misdemeanor and can result in serious penalties. It is advisable for you to try to clear up suspension(s) before you come to Court and bring proof that you have done so. Keep in mind that you cannot legally drive while you're suspended, even to Court.

Q: Am I entitled to a Court appointed attorney for a traffic infraction?

A: No, although you may bring an attorney at your own expense.

Q: Am I entitled to a, "Jury Trial," for a traffic infraction?

A: No

Q: How many points do various traffic infractions carry?

A: The point system is controlled by NY State Department of Motor Vehicles. The Court does not assess points, nor can the Court prevent points from being assessed for moving violations.