

LIVINGSTON COUNTY TRAFFIC DIVERSION PROGRAM

Welcome to the Livingston County Traffic Diversion Program. This program is designed to assist first time traffic ticket offenders who are seeking a disposition of their current Vehicle and Traffic Tickets. The successful completion of this program will result in the District Attorney's Office withdrawing prosecution of your traffic ticket.

ELIGIBILITY

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

1. You are charged with an eligible offense;
2. You have not been convicted of any moving violation (violation with points) of the Vehicle and Traffic Law within the last 18 months, or any DWI or Vehicular Homicide in the last 10 years;
3. You have a valid license and insurance at the time of the offense;
4. You pay an application fee of one hundred fifty dollars (\$150.00);
5. Be able to complete a Defensive Driving Course.

ELIGIBLE OFFENSE

“**Eligible Offense**” means any New York State Vehicle and Traffic violation, but specifically *excludes*, any V&T §1192 Driving Under the Influence of Alcohol or Drug Charge; V&T§1212 Reckless Driving; V&T §511 Aggravated Unlicensed Operation; Passing a Stopped School Bus; any speed greater than 20 mph over the speed limit; Leaving the Scene of an Accident; accidents resulting in physical injury or death or any offense committed in a school or construction zone.

NEXT STEPS

Within 7 -10 days of receipt of your completed application, the Livingston County District Attorney's Office will notify you by letter of your enrollment in the Traffic Diversion Program. The court will be notified of your acceptance and your court case will be adjourned for 30 days. It is important to keep any court dates set by the court and failure to appear may result in license suspension. If you require an adjournment of your case, please contact the court directly as the District Attorney has no power to grant an adjournment.

During your thirty-day adjournment, you must complete a Defensive Driving Course, commonly known as Point and Insurance Reduction Courses. Many of these courses are offered online. A list of which is contained on the DMV website: <https://dmv.ny.gov/pirp/online>. However, you may also take a course in a traditional course setting, such as through an insurance agent, community college or AAA office. Both online and traditional courses will provide you with a certificate of completion upon finishing the course. If you choose to complete your course online, please be aware that your certificate will be mailed 7 to 10 days *after* your completion of the course. You must submit a copy of your certificate to the District Attorney's Office by the date stated in your Program acceptance letter.

Once you receive your certificate, please forward a **COPY** via mail to: Livingston County Traffic Diversion Program, 2 Court Street, Geneseo, New York 14454, fax 585-243-7199 or email to trafficdiversionprogram@co.livingston.ny.us. Upon receipt, the District Attorney's Office will inform you and the court by letter of your successful completion of the Traffic Diversion Program and will withdraw prosecution of your ticket. At that point your court case will be dismissed.

QUESTIONS

Please direct any questions about the Traffic Diversion Program by email to: TrafficDiversionProgram@co.livingston.ny.us. Only requests for adjournments should be addressed to the court. Again, the District Attorney's Office cannot grant further adjournments of your court case for the purpose of completing the Traffic Diversion Program requirements.

**PLEASE
PRINT**

**LIVINGSTON COUNTY
TRAFFIC DIVERSION PROGRAM APPLICATION**

Last Name _____ First Name _____ Middle Initial _____

Current Mailing Address _____

City _____ State _____ Zip Code _____

Phone _____ Email _____

Date of Birth _____ Driver's License Number _____ State _____

Traffic Related Offenses: (1) Have you been convicted of Driving Under the Influence Offense, Vehicular Homicide, Involuntary Manslaughter within the last 10 years? Yes or No

(2) Have you been convicted of any traffic related offense within the last 18 months? Yes or No

If yes, please explain what traffic offense you have been convicted of in the last 18 months.

Please remember to enclose the following with your application (Incomplete applications will be returned):

- A check or money order for \$150.00 made payable to Livingston County Traffic Diversion Program;
- A copy of all Traffic Tickets (or court notice in absence of ticket); and
- ~~A copy of your Driving Abstract (can be obtained at any DMV).~~
- Self-addressed, stamped envelope.

Please submit your application to:

**Livingston County Traffic Diversion Program
2 Court Street
Geneseo, New York 14454**

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

Completed and signed on _____
(date) (Signature of applicant)

AFFIRMED UNDER PENALTY OF PERJURY

I hereby apply as a participant in the Livingston County Traffic Diversion Program, waive speedy trial rights and ask for an adjournment of the case for at least 30 days and/or until I complete the Diversion Program. I agree that failure to respond to the information sought or the giving of false or incorrect information in the application is grounds to deny me diversion or remove me from the program.

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 on the date and time indicated on your Simplified Traffic Information 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.