

**HISTORY OF MANDATORY SURCHARGES AND OTHER FEES IN NEW YORK STATE\***

	<b>MANDATORY SURCHARGE</b>	<b>CRIME VICTIMS ASSISTANCE FEE</b>	<b>TOWN AND VILLAGE FEE</b>
<b>PENAL LAW 60.35</b>			PL 60.35(9)
Felony [PL 60.35(1)(a)]	5-12-82 \$ 75 5-17-85 \$ 100 5-25-90 \$ 150 4-01-00 \$ 200 <b>11-11-03 \$ 250</b>	4-19-89 \$ 2 6-12-91 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	
Misdemeanor [PL 60.35 (1)(b)]	5-12-82 \$ 40 5-17-85 \$ 60 5-25-90 \$ 85 4-01-00 \$ 110 <b>11-11-03 \$ 140</b>	4-19-89 \$ 2 6-12-91 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	<b>1-01-98 \$ 5</b>
Violation [PL 60.35 (1)(c)]	5-12-85 \$ 15 5-17-85 \$ 25 5-25-90 \$ 40 4-01-00 \$ 50 <b>11-11-03 \$ 75</b>	4-19-89 \$ 2 6-12-91 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	<b>1-01-98 \$ 5</b>
<b>VEHICLE AND TRAFFIC LAW</b>			VTL 1809(9)
Conviction of an 1192 Felony [VTL 1809(1)(b)(i)]	6-12-91 \$ 150 4-01-00 \$ 200 <b>11-11-03 \$ 250</b>	4-10-92 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	
Conviction of an 1192 Misdemeanor [VTL 1809(1)(b)(ii)]	6-12-91 \$ 85 4-01-00 \$ 110 <b>11-11-03 \$ 140 + \$ 25**</b>	4-10-92 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	<b>1-01-98 \$ 5</b>
All infractions except standing, parking, pedestrians and bicyclists	4-01-83 \$ 10 4-19-89 \$ 17 5-25-90 \$ 25 4-01-00 \$ 30 <b>11-11-03 \$ 45</b>	<b>11-11-03 \$ 5</b>	<b>1-01-98 \$ 5</b>
When the registrant of the vehicle, rather than the operator, is convicted of VTL 385(8)(9) or (10), or section 401, and the non-registrant operator was served and the registrant did not respond to the original summons [VTL 1809(1)]	<b>8-19-90 Additional \$30</b>		
Conviction of a traffic infraction pursuant to Article 9 (§§375 - 383 of the VTL (equipment violations) [VTL 1809(1)(a)]	6-12-91 \$ 15 4-01-00 \$ 20 <b>11-11-03 \$ 25</b>	<b>11-11-03 \$ 5</b>	<b>1-01-98 \$ 5</b>
Two or more VTL crimes or infractions arising out of same incident [VTL 1809(2)]	8-8-83 - Impose only 1 mandatory surcharge  6-12-91 \$50 Cap		<b>\$5 for each crime or infraction for which a surcharge is actually imposed per VTL 1809(1)</b>

	<b>MANDATORY SURCHARGE</b>	<b>CRIME VICTIMS ASSISTANCE FEE</b>	<b>TOWN AND VILLAGE FEE</b>
Handicapped parking spaces violations under VTL and/or local ordinances [VTL 1809-b]	<b>11-11-03 Total of Surcharge and Crime Victim Assistance Fee Capped at \$100</b> (Does not apply to DWI convictions)		
	<b>4-01-00 \$ 30</b>		
<b>9-22-03 - Termination of Suspension Fee - \$35</b>			
<b>ALL OTHER LAWS EXCEPT PENAL LAW and VTL</b>			PL 60.35(9)
Misdemeanor [PL 60.35(1)]	5-12-82 \$ 40 5-17-85 \$ 60 5-25-90 \$ 85 4-01-00 \$ 110 <b>11-11-03 \$140</b>	4-19-89 \$ 2 6-12-91 \$ 5 4-01-00 \$ 10 <b>11-11-03 \$ 20</b>	<b>1-01-98 \$ 5</b>
Violation [PL 60.35(7)]	None		
Parks, Rec. & Hist. Preservation Law: all violations and traffic infractions, except for parking or standing [PRHPL 27.12]	<b>4-01-92 \$ 15</b>		

\* Bolded text indicates surcharges and fees currently in effect.

\*\* **Additional Surcharge** when defendant convicted of violating any provision of VTL §1192

#### **NOTES**

1. 6-12-91: General Municipal Law amended to impose bail poundage
2. 7-01-93: CPL amended to provide that Mandatory Surcharge cannot be waived unless CPL§420.10 application made on the record and payment will cause unreasonable hardship.
3. 7-01-93: CPL amended to provide that Crime Victim Assistance Fee **cannot** be waived.
4. 7-01-95: CPL amended to provide that Mandatory Surcharge **cannot** be waived.
5. 9-22-03 **Termination of Suspension Fee** - When a defendant's license has been suspended for failure to appear or failure to pay a fine, penalty or mandatory surcharge, the suspension shall remain in effect until the defendant pays to the court a termination of suspension fee of \$35. In no event may the aggregate of the fees imposed by an individual court for the termination of all suspensions that may be terminated as a result of a person's answers, appearances or payments made in cases pending before an individual court exceed two hundred dollars.