

Drivers' be advised, a new program, called the Driver Responsibility Assessment (DRA), has begun in New York State that affects all licensed drivers. A change in the New York State Vehicle and Traffic Law requires drivers convicted of certain offenses and violations to pay an assessment to the State. This assessment is in addition to any fines, penalties and surcharges imposed as a result of the conviction.

Under the DRA Program, if any of the following occur, you are required to pay the assessment:

1. If you are convicted of an alcohol related traffic violation and the violation occurred on or after November 18, 2004 you must pay an assessment of \$250.00 each year for three years; or
2. If you are convicted of a drug related traffic violation and the violation occurred on or after November 18, 2004 you must pay an assessment of \$250.00 each year for three years; or
3. If a DMV hearing determines that you refused a chemical test

and the refusal occurred on or after November 18, 2004 you must pay an assessment of \$250.00 each year for three years; or

4. if you receive six or more points on your driver record during a period of 18 months, for purposes of this new law the 18 month period runs from the date of the first conviction date not violation date, and the violations occurred on or after November 18, 2004 you must pay an assessment of \$100 each year for three years. Each additional point over six adds another \$25.00 to your annual assessment.

If you are required to pay the assessment you will receive a statement directly from the New York State Department of Motor Vehicles. Failure to pay the assessment on time will result in a suspension of your driver's license. If you are required to pay the assessment a statement will be mailed to you by the DMV, the fee

then must be paid by you within thirty (30) days.

If you are uncertain of the number of driver violation points that you have on your driving record you can obtain a driver abstract of your driving record. You may request an abstract from the Department of Motor Vehicles at a local office or on-line at www.nydmv.state.ny. A driver abstract is a summary of your current driver record, which includes your name, date of birth and your mailing address. It will also tell you your driver license class, endorsements and restrictions, if any. More importantly, it will also show any suspensions or revocations of your driver's license, accidents or moving violation convictions.

A moving violation conviction or an accident will usually stay on your driver record during the year that the conviction or the accident occurred and the following three calendar years. The DMV usually removes a conviction or accident from a driver record on January 1 of the fourth year after the year of

conviction or accident. A conviction that is alcohol or drug related remains on a driver record for ten (10) years. A suspension or a revocation of a driver's license that was not cleared or not terminated remains on a driver record indefinitely. A suspension or a revocation that was cleared or terminated remains on a driver record for four years from the date the suspension or revocation was terminated.

Now, more than ever it is important to immediately consult with an attorney who can advise you about how a traffic violation will impact you now and for years to come.

The following are the number of driver violation points given for specific violations:

Speeding (mph over speed limit)	
1-10mph	3
11-20mph	4
21-30mph	6
31-40mph	8
over 40mph	11

Please note that the fees, penalties and points stated are current as of January 23, 2008

NEW YORK STATE'S
DRIVER
RESPONSIBILITY
ASSESSMENT
PROGRAM: What you
need to know about how a
past and future traffic
violation will affect you

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