

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

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ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

March 5, 2020

Cindy Urtz  
Clerk  
138 N Court St, PO Box 635  
Wampsville NY 13163

**RE: County of Madison, Local Law 1 2020, filed on February 2020**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



Department  
of State

**Local Law Filing**

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- X County
- ~~City~~ of \_\_\_\_\_ Madison \_\_\_\_\_
- ~~Town~~
- ~~Village~~



Local Law No. 1 of the year 2020

A Local Law Establishing a Traffic Ticket Diversion Program.  
*(Insert Title)*

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Be it enacted by the Board of Supervisors of the \_\_\_\_\_  
*(Name of Legislative Body)*

- X County
- ~~City~~ of \_\_\_\_\_ Madison \_\_\_\_\_ as follows:
- ~~Town~~
- ~~Village~~

See attached pages

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**COUNTY OF MADISON  
A LOCAL LAW ESTABLISHING A TRAFFIC TICKET  
DIVERSION PROGRAM**

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON AS FOLLOWS:**

**SECTION 1. PURPOSE AND INTENT**

- A. The office of the District Attorney prosecutes violations of New York State Vehicle and Traffic Law in the City, Town and Village courts of Madison County. A significant portion of these violations involve a threat to public safety as a result of poor driving habits and/or decision making. Many of these drivers would benefit from defensive and safe driving education that would improve their driving habits and increase public safety on the public roadways. It is the intent of this Local Law to authorize the establishment of a traffic ticket diversion program that would improve public safety by targeting particular motor vehicle operators for participation in a diversion program. This diversion program would include mandating defensive and safe driving courses for persons charged with certain Vehicle and Traffic Law violations. This will be a voluntary educational program entered by defendants with the goal to increase the safety of the roads in Madison County.
  
- B. In order to effectuate "the government, protection, order, conduct, safety, health, and well-being of persons and property "[New York Municipal Home Rule Law §10] within Madison County, the Madison County Board of Supervisors hereby finds that it is in the best interests of Madison County to establish a Traffic Ticket Diversion Program (the "Program").

**SECTION 2. ADMINISTRATION OF THE PROGRAM.**

The Madison County District Attorney is hereby authorized to establish this Program, and shall have complete discretion over the administration of the Program.

**SECTION 3. ADMINISTRATIVE FEE.**

- A. The Madison County District Attorney has authorization to set an administrative fee for the Program.
  
- B. The District Attorney shall collect the administrative fee, and thereafter, the District Attorney shall forward such funds to the Madison County Treasurer.

**SECTION 4. FEE DISBURSEMENT.**

- A. The administrative fee shall be shared by the County and the City, Town, or Village that had jurisdiction over the Vehicle and Traffic offense(s) that was/were the subject of the diversion.
- B. Thirty-four percent (34%) of the administrative fee shall be retained by the County; thirty-three percent (33%) to the District Attorney; and thirty-three percent (33%) shall be distributed to the City, Town, or Village where the tickets originated.
  - i. The County will forward the City, Towns, and Villages their share of the administrative fee on a quarterly basis.

**SECTION 5. SEVERABILITY.**

If any clause, sentence, paragraph, section, subdivision or other party of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, provided that such judgment does not invalidate this Local Law or prohibit its administration, such order or judgment shall not affect, impair or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.**

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 20, 21, and 27 of New York State Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 20 of the (County)~~(City)(Town)(Village)~~ of Madison was duly passed by the Board of Supervisors on Feb. 11, 20 20 in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on 2 in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on 2 *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.) \_\_\_\_\_

I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 1 \_\_\_\_\_, above.

*Cindy Holt*

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: February 12, 2020

(Seal)