

State of New York
Unified Court System
Financial Planning & Control Manual

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Surcharges - Restitution or Reparation in Criminal Proceedings

Pursuant to chapter 363 of the Laws of 1991, section 60.27 of the Penal Law was amended to increase, in certain cases, the amount of the designated surcharge that a criminal defendant must pay when a sentence of restitution or reparation is imposed. Generally, designated surcharges imposed in cases involving restitution or reparation as part of the disposition will be collected by a local probation department pursuant to 420.10(8) of the Criminal Procedure Law.

Parking Violations in Cities With Populations Exceeding 100,000 but Less Than 1,000,000

Effective January 1, 2008, a \$15 mandatory surcharge is to be imposed upon conviction for violation of any statute, local law, ordinance or rule involving parking, stopping, or standing which occurs within cities with a population in excess of 100,000 but less than 1,000,000. Surcharges collected pursuant to this section are to be transmitted to the appropriate local government. However, this surcharge should not be imposed when a surcharge is collected pursuant to Penal Law section 60.35 or VTL section 1809.

Parking Violations in Cities With Populations Exceeding 1,000,000

The \$15 mandatory surcharge imposed and collected by a city with a population exceeding 1,000,000 should continue to be reported as state revenue utilizing revenue object 35355.

Additional Mandatory Surcharge - DWI / DWAI Convictions

Pursuant to the provisions of chapter 62 of the Laws of 2003 and effective November 11, 2003, the Vehicle and Traffic Law is amended to add a new section 1809-c which imposes an additional \$25.00 surcharge upon persons convicted of driving while intoxicated and while driving while impaired.