

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.

County City Town Village
(Select one:)

of STEUBEN

Local Law No. FOUR of the year 20¹⁹

A local law AUTHORIZING A STEUBEN COUNTY TRAFFIC DIVERSION PROGRAM.
(Insert Title)

Be it enacted by the LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of STEUBEN as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to authorize the establishment of a traffic diversion instructional program for persons referred by the District Attorney pursuant to this local law and guidelines hereby authorized to be instituted by the District Attorney to provide for an educational program under State authority authorizing local government to provide for the safety and well-being of persons within the County of Steuben. The Traffic Diversion Program will be a voluntary educational program with the goal to increase the safety of the roads in Steuben County by teaching drivers how to be better drivers.

SECTION 2. DEFINITIONS

- 1) "Traffic Diversion Services" shall mean instructive materials and educational classes generally recognized by the New York State Department of Motor Vehicles which provide knowledge and techniques for safe and lawful driving.
- 2) "District Attorney" shall mean the District Attorney in and for the County of Steuben as defined in the Charter of Steuben County, New York.
- 3) "Commissioner of Finance" shall mean the Commissioner of Finance in and for the County of Steuben as defined in the Charter of Steuben County, New York.

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

SECTION 3. ESTABLISHMENT OF PROGRAM

In order to effectuate “the government, protection, order, conduct, safety, health and well-being of persons and property” [New York Home Rule Section 10] within Steuben County, the County establishes a Traffic Diversion Program for any and all such persons referred to the Traffic Diversion Program, (hereinafter “Program”), by the District Attorney, as set forth herein:

- a) The District Attorney is hereby authorized, per New York Home Rule Section 10 and New York County Law Section 700(1), to establish written guidelines addressing: 1) Eligibility for participation in the Program and 2) Means of written application for eligible persons to participate in local, live driver safety classes and/or providing eligible persons with qualifying alternative means of satisfying the required local, live safety instruction.
- b) The District Attorney’s Office is authorized to administer all non-financial aspects of the Program in order to effectuate the intent of this local law.
- c) The District Attorney shall maintain its’ Traffic Diversion records in accordance with New York County Law Section 700(7).
- d) The Commissioner of Finance is authorized to accept all financial payments, as set forth herein (Section 4, below), for individuals deemed eligible by the District Attorney to participate in the Traffic Diversion Program.
- e) All disbursements of the service charges, as set forth in Section 4, below, collected by the Commissioner of Finance from the Traffic Diversion Program shall be made pursuant to agreements authorized per New York General Municipal Law Section 119-o or Memorandums of Understanding and by separate resolution(s) of the Steuben County Legislature, when required by law.

SECTION 4. SERVICE CHARGE

- a) Based on the Legislative Intent, Section 1, the Commissioner of Finance is authorized to collect a service charge of \$275 for alleged traffic violations and/or \$350 for alleged traffic related misdemeanors for an individual’s voluntary participation in the Traffic Diversion Program.
- b) All payments for voluntary participation in the Traffic Safety Program shall be submitted to the Commissioner of Finance and all checks for the same shall be payable to “Steuben County” and shall be deposited into the General Fund of Steuben County.
- c) The Commissioner of Finance shall periodically review the comprehensive costs of the Program to ensure the service charge imposed under this Section reasonably reflects the costs associated with conducting the Program.
- d) Pursuant to this Local Law, the Steuben County Public Safety Committee shall have authority upon recommendation by the District Attorney and the Commissioner of Finance, to modify, change or otherwise adjust the service charge(s) set forth herein.

SECTION 5. SEVERABILITY

In the event any portion hereof shall be declared unenforceable, the balance of the local law remaining shall be in full force and effect.

SECTION 6. EFFECTIVE DATE

This local law shall become effective upon final adoption.

(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. FOUR of 2019 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of STEUBEN was duly passed by the LEGISLATURE on 10/28 2019, in accordance with the applicable provisions of law.

~~**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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, 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) (repassed after disapproval) by the _____ on _____ 20____.

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) (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.)~~

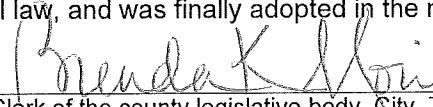
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



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

Date: 12/11/19

(Seal)