



You have the right to be represented by an attorney for this summons, including having an attorney assist you in preparing this form.

INSTRUCTIONS FOR FILLING OUT 'STATEMENT IN PLACE OF PERSONAL APPEARANCE'

To appear by written statement, complete and sign the Statement in Place of Personal Appearance form (attached) and mail it to the office where your hearing will be held. This form must be received at least two weeks before your hearing date.

At your hearing, the judge will hear the police officer's testimony and then read your written statement into the record. The judge will consider your written statement and any accompanying evidence. The judge will make a finding of "guilty" or "not guilty" as if you were present.

How to complete Statement in Place of Personal Appearance

- 1. Print your full name, address and ticket number.
2. If there is more than one ticket, use a separate Statement in Place of Personal Appearance for each ticket.
3. State, in detail, why you believe you are "Not Guilty" of the charge(s). Use additional pages if needed.
4. Sign your name and the date in the 'Certification' section.

What documentation should accompany Statement in Place of Personal Appearance

- 1. A photocopy of your driver's license or other government-issued photo ID.
2. Any evidence (papers, exhibits, photos, affidavits, etc.) that you wish the judge to consider when deciding your case. (These items will not be returned to you).

When and Where to mail Statement in Place of Personal Appearance

- 1. Your Statement in Place of Personal Appearance, and any evidence, must be received at least 2 weeks prior to the date of the hearing.
2. Your Statement in Place of Personal Appearance must be mailed to the TVB office where your hearing will take place.
3. If you are unsure of the TVB address, please visit dmv.ny.gov/pleadandpay or call (718) 488-5710.

Important reminders (after we receive your statement)

If your hearing is rescheduled, we will use your statement on any subsequent hearing date(s). You will also be notified of the new date by mail so that you can still appear in person if you decide to.

Additional Questions or to Request an Adjournment

- 1. You may call (718) 488-5710
2. Visit dmv.ny.gov

Failure to send us a timely statement, appear in person or be granted an adjournment may result in:

- The suspension of your driving privileges; and
A \$70 suspension termination fee



Name: _____

RE: Ticket No. _____

I am the motorist described in the above ticket. I am charged with committing a traffic infraction, and I have pleaded “not guilty” to that charge.

My address is: _____

My date of birth is: _____ / _____ / _____

I request that the Administrative Law Judge read and consider my statement, and make it part of the record before reaching a decision in my case. I waive my right to appear in person, to question witnesses, and/or to object to any evidence presented at the hearing. I understand that this Statement constitutes my appearance in this matter.

I understand that, in my absence, the Administrative Law Judge and the Department of Motor Vehicles may take any authorized legal action against me as if I were present at the hearing. Such actions include, but are not limited to, imposing fines, surcharges, and fees, and suspending or revoking my driver license or driving privilege, and/or registrations. I reserve the right to appeal any decision against me.

You MUST explain why you believe you are “not guilty”. You MUST enclose a copy of your driver license or government issued photo ID. (Attach additional sheets, if necessary, and copies of any evidence.)

CERTIFICATION: I certify, under penalty of perjury, that all information I have provided in this Statement and all supporting documents are true. I understand that making a false statement in connection with this Statement may subject me to criminal prosecution under the NYS Penal Law.

SIGNED X _____
Motorist Signature

Date