

STATEMENT OF CORRECTION FOR SAFETY VIOLATION NEW YORK STATE TRANSPORTATION LAW

If a summons is issued for an equipment violation of the New York State Transportation Law Section 14-f; 1 NYCRR, Part 507 (except for out-of-service violations or operating an out-of-state vehicle) or Section 140-2d(ii): 17 NYCRR, Part 820(except for out-of-service violations relating to load securement, brake systems, steering components, coupling devices or operating an out-of-service vehicle) the charge will be dismissed if proof is presented to the court that the defect was corrected prior to one-half hour after sunset on the first full business day, or if such complaint involves a farm vehicle registered pursuant to VTL Section 401 Sub 13 and operated in conformance with the terms of such registration, not later than one-half hour after sunset on the third full business day after issuance of the summons and proof of such correction is submitted to the court on or before the return date on the summons.

- (a) Under Section 375, sub. 5, the following are acceptable proofs of correction:
- (i) a statement of correction from an officially designated state inspection station duly executed by the person performing or making such inspection and bearing the facility number of the state inspection station, or
 - (ii) a statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction, or
 - (iii) a statement of correction from any registrant having more than twenty-five vehicles registered and having a fleet maintenance program administered by the registrant, duly executed by the person performing or making such correction and countersigned by the fleet maintenance supervisor, or
 - (iv) a signed statement of any police officer that the necessary corrections have been made, or
 - (v) evidence acceptable to the court from any person that he or she completed the repair together with proof of purchase of the equipment needed for the repair, or
 - (vi) in the discretion of the court, submission of the vehicle to the court for inspection not later than one-half hour after the next ensuing sunset.
- (b) the statement required by this subdivision shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include:
- (i) the name, occupation and position of the person making the statement; and
 - (ii) the time and date that the repairs or inspection were made; and
 - (iii) a statement that the defective equipment, cited in the summons or information, on the vehicle in question, is in proper working order.

The following may be used by inspection stations, police or DOT inspector:

To _____, I _____, _____,
Court Name Occupation

_____, _____ affirm under penalty of perjury that
Position Address or Station

on _____, at _____, I inspected (and repaired)* the _____
Date Time Cited Equipment

of a _____, _____, _____ and that at such time the defective equipment,
Vehicle Yr. Veh. Make Plate Num.

cited in the summons or information, on the vehicle in question, was in proper working order.

 Place inspection station stamp or signature of police or DOT inspector above. (Repair shops which are not licensed inspection stations must use business stationary).

*Strike out if inapplicable