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Subject: Allows reduction or waiver of the criminal/traffic surcharge

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Overview

This bill requires the uniform traffic ticket to inform recipients that a surcharge may be waived; permits courts to reduce or waive a fine, fee, or the surcharge imposed on criminal and traffic offenders based on a defendant's ability to pay.

Section

- 1 Notice of surcharge.** Requires the uniform traffic ticket to notify recipients that they may be required to pay a surcharge.
- 2 Financial hardship.** Contains the language required to be printed on the uniform traffic ticket informing recipients that the cost of the summons may be waived on a showing of financial hardship.
- 3 Surcharges on criminal and traffic offenders.** Allows courts to reduce or waive the surcharge imposed on criminal and traffic offenders based on their ability to pay. Courts may also impose community work service in lieu of the surcharge.
- 4 Waiver prohibited; reduction and installment payments.** Requires the court to consider a defendant's ability to pay, including the hardship payment would place on the person's immediate family, before imposing a fine, fee, or surcharge. The bill includes six factors a court must consider to determine a defendant's ability to pay. The requirement does not apply to a violation listed on the statewide payables list if the person does not request a hearing.