



# STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

BARBARA J. FIALA  
Commissioner

"P" 5 (2012)

"M" 2 (2012)

Albany, New York

February 23, 2012

TO: All Enforcement Agencies and Magistrates

SUBJECT: Driver License Scofflaw Suspensions (Proof of Compliance- MV-1160.3/UT-26)

When a motorist answers an outstanding summons or pays an outstanding fine, the court gives the motorist a copy of the MV-1160.3 (Notice of Driver License or Driving Privilege Suspension) or the UT-26 (Notice of Appearance), endorsed by the magistrate or court clerk. (See attached samples.) The magistrate or court clerk certifies that the driver named on the notice has answered the ticket or paid the fine/surcharge.

The MV-1160.3 and the UT-26 serve as notice to the law enforcement community that a scofflaw suspension is no longer in effect, even though the motorist's record on DMV's license file may indicate to the contrary. This apparent discrepancy arises because there is a lag between the time the motorist appears in court to answer the summons or pay the fine, and the time when DMV receives notice of that payment from the court and enters such transaction on our records.

We ask that law enforcement personnel honor such proof presented by the motorist, and not confiscate the license or issue a ticket for operating with a suspended license. If the officer has any questions about the authenticity of an MV-1160.3 or UT-26 presented by a motorist, the officer should contact the court that is identified on the document.

A memo on this topic was previously issued August 9, 2007. This memo is being reissued as a "refresher". Please share this information with all appropriate staff. Thank you.

Barbara J. Fiala  
Commissioner

Attachments



## NOTICE OF DRIVER LICENSE OR DRIVING PRIVILEGE SUSPENSION

**Bring this entire SUSPENSION NOTICE with you to the court.**

The Department of Motor Vehicles has been notified by the court shown below that, for a period of at least sixty days from the return date, the last adjournment date, or the date a fine/surcharge imposed by the court was due, you failed to appear or to pay the fine/surcharge. Section 510 (4-a) of the New York State Vehicle and Traffic Law authorizes the Commissioner of Motor Vehicles to suspend the driver license or driving privilege of anyone who does not appear in court or pay a fine/surcharge, when required to do so.

To avoid suspension of your driver license, it is recommended that you respond to this notice 7 days prior to the suspension date. We suggest you keep the motorist copy for at least 6 months from the date you answer the ticket or pay the fine/surcharge.

**SUSPENSION DATE:**

**CLIENT ID NUMBER:**

**DATE OF BIRTH:**

**REASON:**

**COURT CODE:**

MV-1160.3 (5/09)

MOTORIST COPY

**DMV is not authorized to terminate a suspension for failure to appear or to pay the fine/surcharge until we are notified by the court that you have paid a Scofflaw Suspension Termination Fee, and appeared in court or paid the fine/surcharge. You are not required to pay the Suspension Termination Fee if you appear before the suspension takes effect.**

**Completed by the Court when violator appears.  
Final disposition of the case is not required.**

*I certify that the driver has answered the ticket or paid the fine surcharge and, if required, has paid the scofflaw suspension termination fee.*

\_\_\_\_\_  
Signature of Magistrate or Clerk of Court

\_\_\_\_\_  
Date

\_\_\_\_\_  
Justice Code

**SUSPENSION DATE:**

**CLIENT ID NUMBER:**

**DATE OF BIRTH:**

**REASON:**

**COURT CODE:**

MV-1160.3 (5/09)

COURT COPY

**Completed by the Court when violator appears.  
Final disposition of the case is not required.**

*I certify that the driver named above has answered the ticket or paid the fine surcharge and, if required, has paid the scofflaw suspension termination fee.*

\_\_\_\_\_  
Signature of Magistrate or Clerk of Court

\_\_\_\_\_  
Date

\_\_\_\_\_  
Justice Code



New York State Department of Motor Vehicles  
Traffic Safety Law Enforcement and Disposition Bureau

## NOTICE OF APPEARANCE

I certify that the driver named below has replied to the ticket specified.

Name			Date of Birth / /	Ticket No.	
Mailing Address (Include Street, Number and Apt. No.)				Date of Violation / /	
City			State	Zip Code	NCIC/ORI No.
Court of					Adjourned to Date / /
					Date of Appearance / /

Signature of Magistrate or Clerk of Court

Justice Code

Date

UT-26 (5/08)

**COURT: SEND THIS DOCUMENT TO YOUR ASSIGNED DATA ENTRY LOCATION**

