

**Subject** Reduction or waiver of the criminal traffic surcharge

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## Overview

A court must impose a surcharge on every conviction in Minnesota. The surcharge applies to criminal convictions and petty misdemeanors including all traffic violations and parking offenses. The surcharge for parking violations is \$12. The surcharge for all other offenses is \$75. A court cannot waive the surcharge.

This bill requires the uniform traffic ticket to inform recipients that a surcharge may be waived and 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.

## Summary

Section	Description
1	<b>Notice of surcharge.</b> Requires the uniform traffic ticket to notify recipients that they may be required to pay a surcharge.
2	<b>Financial hardship.</b> 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	<b>Surcharges on criminal and traffic offenders.</b> 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	<b>Waiver prohibited; reduction and installment payments.</b> 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.



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