



STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

BARBARA J. FIALA
Commissioner

"M" 8 (2011)

Albany, New York

June 1, 2011

TO: All Magistrates

SUBJECT: Chapter 58 of the Laws of 2011 - Adjournment in Contemplation of Dismissal (ACOD)

Chapter 58 of the Laws of 2011 amends section 170.55 of the Criminal Procedure Law by adding a new subdivision 9 to provide that a court may not issue an ACOD if the offense is for a violation of the Vehicle and Traffic Law related to the operation of a motor vehicle or a violation of a local law, rule, or ordinance related to traffic (except parking, stopping or standing) if the offense was committed by the holder of a commercial driver license or was committed in a commercial motor vehicle, as defined in VTL section 501-a(4).

This amendment is necessary to comply with federal law and applies to violations committed on or after May 30, 2011.

Please share this information with appropriate staff. Thank you.

Barbara J. Fiala
Commissioner