

PART V

MISCELLANEOUS

The provisions of this part also apply to Local Supplemental Violations Bureau Schedules as referenced.

A. ADDITIONAL PENALTIES FOR FAILURE TO APPEAR ON RETURN DATES

1. MOTOR VEHICLE, TRAFFIC AND PARKING CASES

For offenses listed on this Schedule and on Local Supplemental Violations Bureau Schedules, the following additional penalties will be added to the Payable Amount as indicated:

1. When a supplemental notice is sent, \$10 will be added to the Payable Amount.
2. When a Notice of Proposed Suspension for a parking violation is sent, \$10 will be added to the Payable Amount.
3. When an Order of Suspension is issued for a parking violation, \$15 will be added to the Payable Amount.
4. A \$3.00 DMV fee is also to be added to the total Payable Amount due upon the issuance of an Order of Suspension.
5. When a warrant is issued, unless the judge otherwise orders, the amount of the bail indicated on the warrant shall be as follows: Parking offenses - The Payable Amount plus \$15. All other listed offenses - The Payable Amount plus \$25.

(Note: Under the provisions of N.J.S.A. 39:5-9, costs, not to exceed \$33, may be deducted by the court from forfeited bail in traffic cases.)

2. NON-TRAFFIC CASES

For offenses listed in Part II on this Schedule, N.J.S.A. 2B:12-31 permits the municipal court to order the suspension of a defendant's driving privilege for failure to appear at any scheduled court appearance. The following procedures may be used by the court to effectuate that process:

1. Send a "Notice of Proposed Suspension of Driving Privileges for Failure to Appear" to the defendant. This notice may be used for violations that are payable on this Schedule as well as for those violations that are not. Note: Unlike traffic

matters, no fee may be assessed for the mailing of this notice.

2. Should the defendant fail to respond to the Notice of Proposed Suspension, the court may issue an Order of Suspension. When the court issues the Order, \$25 (\$10 (Notice) + \$15 (Order)) will be added to the total Payable Amount.
3. A \$3 DMV fee is also to be added to the total Payable Amount upon the issuance of the Order.
4. When a warrant is issued, unless the judge otherwise orders, the amount of the bail indicated on the warrant shall be the amount of the Payable Amount plus \$50.

B. APPEARANCE OF DEFENDANT IN CERTAIN CASES

The officer issuing the Complaint/Summons may, where in the opinion of the officer circumstances indicate the defendant should appear in court, check the Complaint/Summons "Court Appearance Required" box in which event the case may not be processed in the Violations Bureau.

C. AUTHORIZATION TO APPLY BAIL AGAINST FINE(S) AND COSTS

By executing the form of Authorization to Apply Bail Against Fine(s) and Costs and Waiver of Rights, a defendant against whom a warrant has been issued waives the rights to a lawyer and a trial, enters a plea of guilty to the offense charged, and authorizes the municipal court administrator to apply the bail posted toward the payment of fines, assessments and costs. This form may be used for all offenses payable through the Violations Bureau.

D. DEFENSE BY AFFIDAVIT IN CERTAIN CASES

For any offense not listed on this Schedule or on a Local Supplemental Violations Bureau Schedule (see Part VI), a court appearance is required unless the court authorizes a defense by affidavit in accordance with the provisions of R. 7:12-3. For offenses involving traffic accidents resulting in personal injury, a court appearance is also required.