

## STATEMENT OF CORRECTION FOR EQUIPMENT DEFECT

If a summons is issued for an equipment violation of VTL sections 375, 376, or 381, (except where both headlamps are defective and except a violation relating to service brakes or audio amplification systems), the charge will be dismissed if proof is presented to the court that the defect was corrected prior to 1/2 hour after sunset on the first full business day after issuance of the summons (VTL section 376-a.)

(a) Under Section 375, sub. 5, the following are acceptable proofs of correction:

- (i) a statement of correction from an officially designated state inspection station duly executed by the person performing or making such inspection and bearing the facility number of the state inspection station, or
- (ii) a statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction, or
- (iii) a statement of correction from any registrant having more than twenty-five vehicles registered and having a fleet maintenance program administered by the registrant, duly executed by the person performing or making such correction and countersigned by the fleet maintenance supervisor, or
- (iv) a signed statement of any police officer that the necessary corrections have been made, or
- (v) evidence acceptable to the court from any person that he or she completed the repair together with proof of purchase of the equipment needed for repair, or
- (vi) in the discretion of the court, submission of the vehicle to the court for inspection not later than one-half hour after the next ensuing sunset.

(b) the statement required by this subdivision shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include:

- (i) the name, occupation, and position of the person making the statement; and the
- (ii) time and date that the repairs or inspection were made; and
- (iii) a statement that the defective equipment, cited in the summons or information, on the vehicle in question, is in proper working order.

The following may be used by inspection station, fleet maintenance supervisors and police officers:

To \_\_\_\_\_, I \_\_\_\_\_, \_\_\_\_\_  
Court Name Occupation  
 \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Position Address or Police Department affirm under penalty of perjury that  
 on \_\_\_\_\_, at \_\_\_\_\_, I inspected (and repaired)\* the \_\_\_\_\_  
Date Time Cited Equipment  
 of a \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and that at such time the defective equipment,  
Year of Vehicle Make of Vehicle Plate Number  
 cited in the summons or information, on the vehicle in question, was in proper working order.

\_\_\_\_\_  
 Place inspection station facility number and signature of inspector, or signature of fleet maintenance supervisor or police officer above. (Repair shops which are not licensed inspection stations must use business stationary.)

\*Strike out if inapplicable