

(H. B. 668)
(Conference)

(No. 56)

(Approved August 19, 2005)

AN ACT

To amend Subsection (h) of Section 23.05 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to establish a fixed penalty to an offender if a ticket is not paid within the term; to make retroactive the reduction of the surcharge to all tickets issued after January 1, 2004; and for other purposes.

STATEMENT OF MOTIVES

Act No. 132 of June 3, 2004 amended Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act.” Said Act incorporated an amendment to Subsection (h) of Section 23.05, which changed the term to collect surcharges as of the date of registration and not as of its date of issue.

Once again, the Legislature deems it meritorious to evaluate Subsection (h) of Section 23.05 of the Puerto Rico Vehicle and Traffic Act in order to do justice to our citizens. At present, the Department of Transportation and Public Works collects millions of dollars from the citizens for surcharges because offenders do not pay the ticket within the term provided by law.

This Legislative measure has the purpose to establish that every offender shall pay his/her ticket within thirty (30) days of its date of issue. If the offender fails to do so, a penalty of five (5) dollars shall be imposed, and if sixty (60) days pass, a surcharge of an additional twenty (20) dollars shall

be paid. This amendment is retroactive to all tickets issued after January 1, 2004. Every citizens who has paid any ticket with surcharges after January 1, 2004, shall not be entitled to reimbursement.

Another proposed amendment to the Puerto Rico Vehicle and Traffic Act, is the reduction of the penalty to an offender if the ticket is not paid within the term provided. At present, the Act establishes that offenders shall pay five (5) dollars for each month, up to a maximum of eighteen (18) months, and this amendment proposes to reduce said amount to twenty-five (25) dollars.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Subsection (h) of Section 23.05 of Act No. 22 of January 7, 2000, as amended, is hereby amended to read as follows:

“Section 23.05.- Administrative Procedure

(a) ...

(h) It shall be the duty of the offender to pay the ticket within thirty (30) days as of the date of issue. Should he/she fail to pay within said term, he/she shall pay a surcharge of five (5) dollars and if it exceeds sixty (60) days the offender shall pay an additional twenty (20) dollars if the ticket was issued after January 1, 2004. If the ticket was issued before January 1, 2004, the surcharge shall be five (5) dollars for each month or fraction thereof that has elapsed from the date of issue of said ticket until eighteen (18) months have elapsed. The surcharge may be paid together with the ticket at any Internal Revenue Collections Office prior to the date that the payment of the motor vehicle permit is due or of the driver’s license. If the fine is not paid before said date, the violation shall be included on the motor

vehicle permit or in the driver's license. In the event that the ticket for the administrative fine is lost and said fine does not yet appear in the corresponding registers of the Department, the offender may proceed to pay it by filing a statement to such effect in the form and manner provided by the Secretary through regulations. Said payment shall be credited against any pending fine issued prior to the same, in chronological order. Any citizen who has paid any ticket with surcharges issued after January 1, 2004, shall not be entitled to reimbursement. Any offender who receives a ticket five (5) months before the date of approval of this Act, shall be entitled to pay the lower surcharge of the two mechanisms established by this subsection.

...”

Section 2.- Effectiveness

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 56 (H.B. 668) (Conference) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Subsection (h) of Section 23.05 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to establish a fix penalty to an offender if a ticket is not paid within the term; to make retroactive the reduction of the surcharge to all tickets issued after January 1, 2004; and for other purposes,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 23rd of November of 2005.

Francisco J. Domenech
Director