

SUFFOLK EXTRA RED LIGHT FEES TOTAL \$91M

Amount collected could be owed to ticketed drivers

ONLY IN NEWSDAY

BY PETER GILL

peter.gill@newsday.com

Suffolk County collected nearly \$91 million in extra fees attached to red light camera tickets — which two courts have ruled illegal — since 2013, according to county records obtained by Newsday.

The exact amount Suffolk collected in extra \$30 fees was a matter of speculation until now. That total represents the amount that the county government could have to pay back to ticketed drivers.

Nassau County, which charged each driver \$100 in driver responsibility and public safety fees over the \$50 ticket until last year, has not yet responded to Newsday's public records requests.

Suffolk is still trying to appeal its case to the state's highest court, the Court of Appeals, after county-level and appellate division courts ruled against it. But as the court battles rage on, each additional year could add millions to the potential cost to taxpayers, with a 9% annual statutory interest rate applied to judgments against municipalities, according to an attorney for the plaintiffs.

"They're kicking the can down the road so they don't have to address it in their administration," said David Raimondo, a Lake Grove lawyer in the class-action case. "If they would just agree to sit down and settle these cases, it would be in the best interest of the ticket holders and the taxpayers."

Suffolk Executive Edward P. Romaine's spokesman Michael Martino said the county "cannot comment on pending litigation." But he also said, "this case had already reached the Appellate Court before the Romaine Administration took office."

Martino declined to say how the county could pay out the money. Last year, Romaine said he intended to use reserve funds to pay out settlements from 2022 and 2023. The county has over \$800 million in non-sewer reserves, according to a March report from the Legislature's nonpartisan Budget Review Office. In prior years, the county relied primarily on borrowing to cover settlements, Newsday reported.

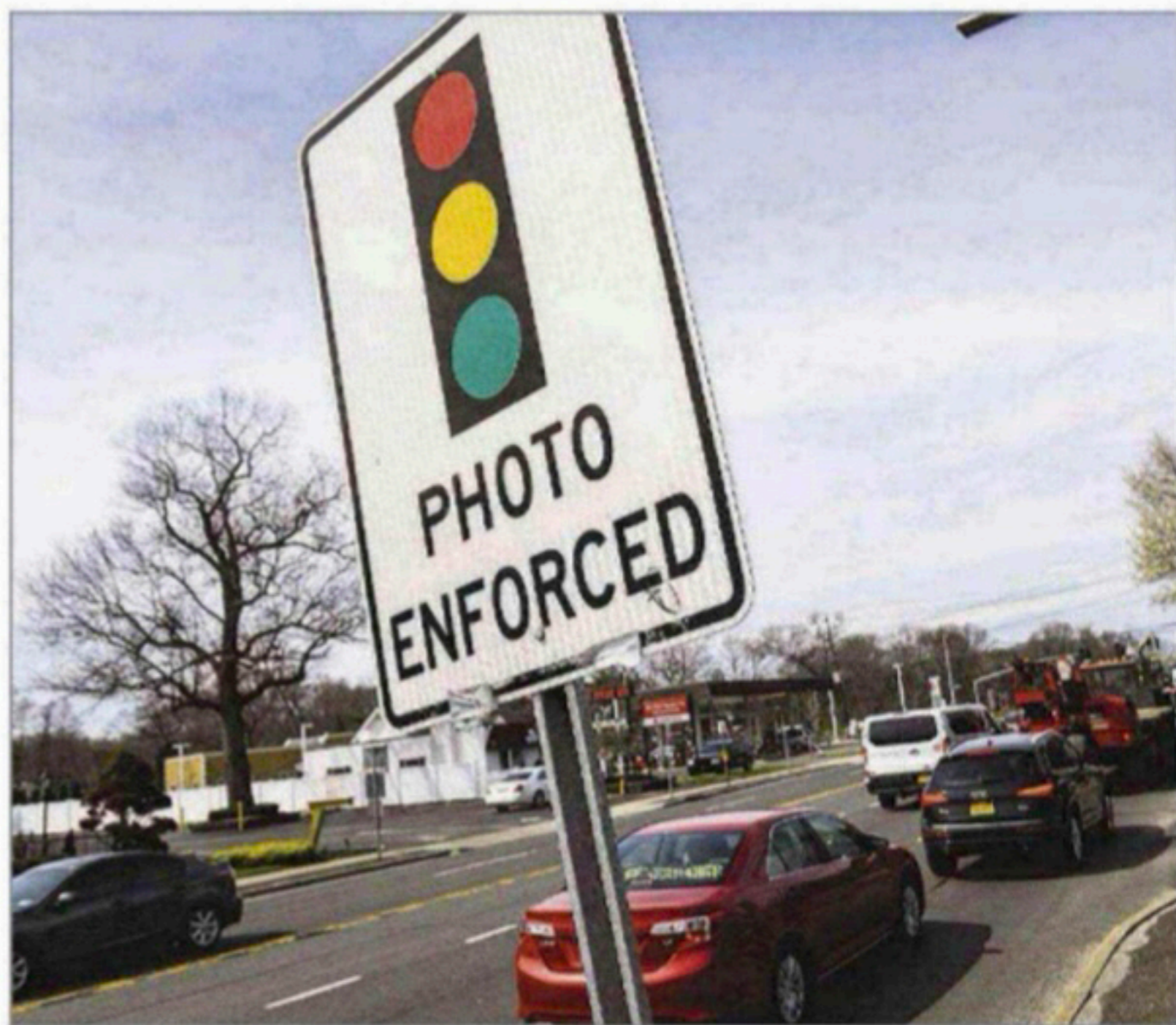
Many of the fees were collected under the prior administration of County Executive Steve Bellone. However, the county under Romaine recently applied to reargue and appeal its case.

Unclear about schedule

Raimondo said it remains unclear when ticket holders will get their money back. But typically in class action suits like this, the court assigns a third party administrator to make reimbursements through check or direct deposit, after legal fees are deducted, he said.

He said he wasn't clear about the exact amount collected in the administrative fees until Newsday obtained the figure through its public records request.

Until 2022, Suffolk charged the \$30 administration fee for each red light camera violation, on top of the \$50 base fine. However, it stopped issuing the extra fee after a county court ruled it violated a state law setting the maximum fine at \$50, or \$75 with a late fee. An appellate division court affirmed that decision in November,



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WHAT NEWSDAY FOUND

■ Suffolk County collected nearly \$91 million

in extra fees from red light camera tickets since 2013, which two courts have found illegal, potentially requiring repayment to drivers.

■ Nassau County, which charged each driver \$100

in fees over the \$50 ticket until last year, has not yet responded to Newsday's public records requests about how much it collected.

■ As the court battles

continue, each additional year could add millions to the potential cost to taxpayers, with a 9% annual statutory interest rate applied to judgments against municipalities, according to an attorney for the plaintiffs.

then sent the case back down to the county court to handle restitution.

Suffolk completely ended its red light camera program in December after state and county legislators failed to renew it.

County Legis. Rob Trotta (R-

Fort Salonga) said he blamed the Bellone administration for the fees, but the Romaine administration should cut their losses and negotiate a settlement quickly.

"At 9% interest, that's a lot of money," he said.

In January, an attorney for Suffolk told the court that the county had lost access to ticket-holder data because it had been on a thumb drive that "is corrupted and cannot be restored."

However, the county has since recovered the driver-level data, according to Raimondo, but it has yet to share data on ticket holders with the plaintiffs.

The records obtained by Newsday show that Suffolk County collected a total of \$306.8 million through the red light camera program between 2013 and 2024, of which \$203.2 million came through the \$50 tickets and \$25 late fees.

About \$90.8 million came from "administrative fees," plus about \$12.8 million from processing fees, bounced check fees and other fees. Raimondo said his lawsuit is just trying to recover the administrative fees, though he said some of the other fees may have been ille-

gal too.

The appellate division's order found that "a monetary liability for a red light camera violation in excess of \$50, or \$75 with a late fee" is illegal.

Case ongoing in Nassau too

Nassau County's red light program is ongoing. Until the appellate division's decision last year, the county charged red light runners significantly more than Suffolk did.

A Nassau judge had originally sided with the county in a separate civil case brought against its extra fees, but the appellate division overruled that decision in November. The ruling applied to both Suffolk and Nassau, and the appellate division sent both cases back to county courts.

How to handle the fees has become a political issue in campaigns for the upcoming Nassau County executive race.

Although Newsday submitted a public records request to the Nassau comptroller at the same time it submitted the one to Suffolk, Nassau has not yet provided data on the additional fees it collected. The Nassau comptroller's office and Executive Bruce Blakeman spokesman Chris Boyle did not comment Friday.