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Five Defenses Which Do Not Work When Fighting A New York Speeding Ticket

Having defended 1,000s of motorists through the years from all types of traffic tickets, I have heard all kinds of defenses. This article will examine the five most common "defenses" which do not work.

"I was going with traffic : This is not a defense. The speed limit is the speed limit. If everyone is looting, it doesn't make it okay to loot.

My speedometer was broken : Again, not a valid defense. You are responsible for your car's proper functioning and for knowing how fast you are going. If it was broken, then you shouldn't be driving the car or, at the very least, you should be driving extra slow. By the way, I cannot tell you how many broken speedometers I have heard about even though in these things rarely brake.

Everyone was speeding but I was the only one pulled over : No good. For his safety, the officer is allowed to pull only one motorist at a time. The failure to pull over a second car is of no consequence.

The officer was rude : My particular favorite. While officers should not be discourteous, this is irrelevant to whether you were speeding, or not.

The officer told me that this was no points : It is not uncommon for an officer to dispense wrong legal advice. This does not change the allegation in the ticket or help you avoid its consequences.

You are probably wondering what defenses work. While this is a loaded question but the overall answer is that you need to focus on the sufficiency of the officer's presentation. Was it complete? Was it inconsistent with the information in his ticket or notes? Did the officer clearly explain what, where and how? By focusing on the officer's testimony you are often able to come up with arguments which undermine his recollection of the event. Once undermined, your contradictory testimony carries more weight.

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