

## FACTS

### Going to Court

If the contestant disagrees with the results of the **Administrative Hearing**, within 30 calendar days of the mailing of the disposition from the City, the contestant may proceed to the municipal court.

The citizen must pay a \$25.00 filing fee to the court and is responsible for all costs incurred for the subpoena of any witnesses, including officers.

The case will be handled "pro-novo" or "from the beginning". The case is processed independently from the agency or the processing company and is between the individual and the Civil Court.

### **The penalty cannot be lowered in Civil Court, just dismissed or upheld.**

If the citizen has their citation dismissed at the Carol Miller Justice Center, the City will refund the dollar amount that has been applied towards the citation, and the \$25.00 filing fee, to the contestant. This was initiated to prompt the processing agencies, such as the City, to make every attempt to process the hearings as responsibly as possible.

If the citation is found to be valid at the municipal court, the contestant has no more rights to appeal the citation under current law.

☛ As per section 40202 of the CVC, four items are required to be on the citation: 1) location of violation, 2) time of violation, 3) the violation, and 4) the time and procedure to deposit the parking penalty or contest the citation.

☛ **Administrative Reviews** must be requested within 21 days of the violation date on the ticket or 14 days from the mailing of the notice of delinquent parking.

☛ **Administrative Hearings** must be requested within 21 days of the postmark on the envelope from the results of the **Administrative Reviews**.

☛ Court hearings must be requested within 30 days of the postmark on the envelope of the results of the **Administrative Hearings** if the contestant wants to continue on with the appeal process at the municipal court level.

☛ The address of Sacramento's municipal court is: Carol Miller Justice Center, 301 Bicentennial Circle, Sacramento, CA 95826.

☛ For information relating to the payment of parking citations, please call 808-8500.



# The Process for Contesting a Parking Citation

The City of Sacramento processes parking citations for the following agencies located in Sacramento County:

- ★ City of Sacramento - Fire, Parking, Planning & Development, and Police
- ★ City of Citrus Heights
- ★ County of Sacramento - General Services, Parks, and Sheriff
- ★ Sac County Parking Patrol
- ★ Sac City Unified School District
- ★ American River Fire District
- ★ Elk Grove Fire District
- ★ CA Dept of Parks
- ★ Dept of Justice, Division of Law
- ★ CA Highway Patrol
- ★ Cal Expo Police

City of Sacramento  
Revenue Div., Admin. Services Dept  
730 I Street, Room 114  
Sacramento, CA 95814

As of July 1, 1993, parking citations were decriminalized and moved from the court's jurisdiction to the jurisdiction of the cities and counties. The right to due process has not changed and there are procedures for contesting a citation. An explanation of how to contest a parking citation is contained on the back of your parking citation.

### **What Happens After You Receive a Parking Ticket**

A Notice of Delinquent Parking is sent to the registered owner's address explaining that a ticket has been issued and when the parking penalty becomes delinquent. The notice includes a description of the violation, the license plate number and the amount due.

If the citation is paid within the 21 calendar days from the issue date of the ticket, no more action is required. The citation does not affect vehicle insurance as it is not a moving violation.

If the citation is not paid, and the registered owner of the vehicle does not contest the citation, the citation becomes delinquent and the fine is doubled after 21 calendar days of receiving the Notice of Parking violation. A \$5.00 fee is added onto the doubled fine for administrative costs. An additional \$3.00 lien fee for the Department of Motor Vehicles, (DMV), will be added to the total penalty, if the vehicle is liened. This lien means that when the registered owner re-registers their vehicle, the citation's fine will be included with the original registration fee. One will not be able to re-register their vehicle without paying all outstanding parking citations which have been liened.

(1)

### **Step #1 - The Administrative Review**

You may appeal the citation by writing to the address on the back of this brochure, an explanation of why you feel your citation was invalid. According to the California Vehicle Code (CVC) §40215, for a period of 21 calendar days from the issuance of the notice of parking violation or 14 calendar days from the mailing of your Notice of Delinquent Parking, you may request a review by the processing agency. You can do this by writing a letter to the address on the back of the citation, contesting the ticket, or by calling 808-8500 and asking for an **Administrative Review** Contest Form.

At this step of the contest action, the issuing agency will review the information which the contestant has provided. Such information may include pictures, notarized statements from witnesses, and/or written facts from the contestant.

#### **Valid or Invalid?**

After the issuing agency reviews the citation, **the agency will mail the Administrative Review** results to the contestant. The issuing agency's response will include the words **valid** or **invalid**. If the result is invalid, the citation is dismissed and no more action is required. If the result is valid, the contestant will be given the number of days, or deadline, for payment. If you disagree with the results of the **Administrative Review**, you may appeal further, by requesting an **Administrative Hearing**.

(2)

### **Step #2 - The Administrative Hearing**

In order to have an **Administrative Hearing**, the contestant is required to deposit the original amount of the parking penalty with the processing agency by the 21st day following the mailing of the **Administrative Review** results, along with a request to have a hearing either by mail, or in-person.

The **Administrative Hearing** gives the contestant an opportunity to present evidence to an independent examiner. The information, which may be photos, notarized statements from witnesses, and/or written documentation, assists the examiner in deciding whether the citation is valid or invalid.

The contestant may have their parking penalty deposit waived if they have a Financial Evaluation Form approved for their citation. The registered owner will be notified in all cases. If the contestant fails to appear at the in-person hearing, the written information which the contestant has submitted to the hearing examiner will be reviewed during the scheduled hearing to determine whether the citation is valid or invalid. If no supporting information is attached to the contest form, and the contestant fails to appear, (FTA), at the hearing the contestant will not be able to proceed any further and loses the opportunity to appeal at the Sacramento Municipal Court, known as the Carol Miller Justice Center.

If a valid decision is given to the contestant on the citation, the contestant has the right to continue with the appeal process at the municipal court level.

(3)