

Date of Hearing: March 19, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 2130 (Santiago) – As Introduced February 6, 2024

SUBJECT: Parking violations

SUMMARY: Authorizes a person seeking an administrative hearing to contest a parking ticket to have a choice of a hearing by mail, in person, by telephone, or by electronic means.

EXISTING LAW:

- 1) Provides that any violation of any regulation that is not a misdemeanor governing the standing or parking of a vehicle is subject to a civil penalty and the enforcement of those civil penalties are governed by civil administrative procedures. (Vehicle Code Section (VEH) 40200)
- 2) Authorizes a person to request an initial review of their parking ticket by telephone, in writing, or in person and not be charged for the initial review.
- 3) Authorizes a person unsatisfied by the results of the initial review to appeal the parking ticket to an administrative hearing by mail or in person. (VEH 40215)
- 4) Requires a person seeking the appeal of the initial review to pay the price of the parking ticket unless the person is indigent. (VEH 40215)

FISCAL EFFECT: Unknown

COMMENTS:

On May 7, 2020, Governor Gavin Newsom issued executive order N-63-20 in response to the COVID-19 Pandemic. This executive order authorized administrative hearings to be conducted remotely. This was similar to an April 6, 2020, Judicial Council order that temporarily permitted court hearings to occur remotely so long as the defendant consented. The executive orders expired, however, the Legislature has repeatedly extended the ability for civil court hearings to be conducted remotely with the passage of SB 241 (Umberg), Chapter 214, Statutes of 2021, and SB 133 (Budget), Chapter 34, Statutes of 2023 which extended the ability to conduct remote civil hearings until January 1, 2026.

AB 1578 (Judiciary), Chapter 401, Statutes of 2021 also extended the ability for most administrative hearings involving state agencies to hold hearings virtually by telephone, videoconference, or other electronic means.

Existing law only permits hearings to contest parking tickets to be done either in person or by mail. Other local civil violations, like toll violations or automated speed enforcement, allow hearings to be held virtually.

According to the author, “During the pandemic, we saw many aspects of our lives go digital and some of these changes have had positive impacts. Virtual hearings for parking violations were one of those positive changes that helped folks by providing flexibility and convenience to resolve disputes. Unfortunately, Executive Order N-63-20 which allowed for virtual hearings has expired. AB 2130 will restore the virtual option, ensuring Californians have the opportunity to resolve disputes in an efficient and flexible matter.”

This bill aligns the ability to contest other civil or administrative hearings virtually by extending the ability for parking tickets to be contested virtually.

Previous Legislation:

SB 133 (Budget), Chapter 34, Statutes of 2023 extended the sunset for allowing virtual hearings for certain civil and juvenile matters from July 1, 2023 to January 1, 2026.

SB 241 (Umberg), Chapter 214, Statutes of 2021 authorized virtual hearings for certain civil and juvenile matters until July 1, 2023.

AB 1578 (Judiciary), Chapter 401, Statutes of 2021 extended the ability for most administrative hearings involving state agencies to hold hearings virtually by telephone, videoconference, or other electronic means.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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