

Date of Hearing: April 27, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1151 (Santiago) – As Amended March 26, 2015

**SUBJECT:** Parking violations: penalties

**SUMMARY:** Authorizes local agencies to allow payment of parking penalties in installments if the violator provides evidence of an inability to pay the penalty in full. Specifically, **this bill:**

- 1) Authorizes an issuing agency, consistent with written guidelines established by the agency, to allow payment of a parking penalty in installments if the violator provides evidence satisfactory to the issuing agency of an inability to pay the penalty in full.
- 2) Authorizes an examiner in an administrative hearing process to authorize payment of a parking penalty in installments at any stage of the initial review or administrative hearing process.

**EXISTING LAW:**

- 1) Establishes the procedures that local agencies must follow when issuing and processing parking citations.
- 2) Establishes procedures for contesting parking citations, including procedures for an administrative hearing process.
- 3) Provides that if the examiner in an administrative hearing process determines that a person committed the parking violation as cited, the examiner may, consistent with written guidelines established by the issuing agency, allow payment of the parking penalty in installments or allow for deferred payment.
- 4) Authorizes the examiner in an administrative hearing process to permit the performance of community service in lieu of payment of a parking penalty if authorized by the governing board of the issuing agency.
- 5) Authorizes the penalty for specified violations, including illegally parking in a space designated for disabled persons and misuse of a disabled parking placard, to be paid in installments if the issuing agency determines that the violator is unable to pay the entire amount in one payment.

**FISCAL EFFECT:** None

**COMMENTS:** Current law generally establishes the procedures that local agencies must follow when issuing and processing parking citations. The law allows for people to contest parking citations and provides for an administrative hearing process. At the end of the administrative hearing process, if the examiner finds that the person committed the violation as cited, the examiner can allow the person to pay their penalty in installments, or offer deferred payments if authorized by the issuing agency. The examiner may also allow the violator to perform community service in lieu of paying the penalty. The law does not allow local agencies to offer installments payments or deferred payments for parking penalties to violators who do not go

through the administrative hearing process, except in the case of tickets for misusing a disabled placard or illegally parking in a space designated for disabled persons.

AB 1151 allows local agencies to offer installment payments to violators who provide evidence of an inability to pay their parking penalty in full, regardless of whether the violator contests the citation. The sponsor of this bill, the City of Los Angeles, would like to offer installment payments for parking penalties but finds that the law stands in its way.

It makes little sense that someone would be forced to contest a parking citation in order to access the ability to ask for a payment plan. If cities and counties want to offer payment plans for parking citations, they should have the ability to do so at any point in the process. Offering payment plans up front may serve to cut down on the number of contested citations, saving public money in the long run.

**REGISTERED SUPPORT / OPPOSITION:****Support**

City of Los Angeles (Sponsor)

**Opposition**

None on file

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