

# SALINAS POLICE DEPARTMENT

## Administrative Review of Parking Violation

Please provide the following information regarding your citation:

Citation No.: \_\_\_\_\_ Citation Date: \_\_\_\_\_

Vehicle License No: \_\_\_\_\_

Violation(s): \_\_\_\_\_

Officer ID No.: \_\_\_\_\_

Briefly describe circumstances surrounding the issuance of the citation and why you are seeking administrative review of the violation(s) charged. Attach any relevant documents or other evidence that may support your claim.

Your Name (*First, M.I., Last*):

\_\_\_\_\_

Address (*Street Number, Street Name, City, State, Zip code*):

\_\_\_\_\_

\_\_\_\_\_

Telephone numbers:

Home No.: \_\_\_\_\_ Work No.: \_\_\_\_\_

**You will be notified by mail of the results of the Administrative Review.**

# **NOTICE OF PARKING VIOLATION ADMINISTRATIVE HEARING PROCESS INFORMATION SHEET**

What is an Administrative Hearing?

An Administrative Hearing provides the opportunity for individuals to contest a Notice of Parking Violation (*herein after referred to as NPV*) directly with the issuing agency through the Administrative Hearing Officer, after an Administrative Review. When a motorist receives a NPV it can be contested either by mail or in person at the Administrative Hearing Office. (40200.7 CV)

## **ADMINISTRATIVE HEARING:**

### Hearing by Mail:

Please read the following instructions carefully if requesting Administrative Review by mail.

1. Mail Administrative Hearing requests must be submitted by the 15<sup>th</sup> day following the mailing to that person the results of the processing agency's administrative review.
2. Send the original citation and a check for the amount of penalty deposit, along with a written explanation as to why you feel the NPV is unwarranted.
  - If you "admit with an explanation" to the NPV describe the circumstances when you received the NPV.
  - If you "deny" the NPV, you must enclose factual evidence to support you position.

Send to: City of Salinas, Finance Department, 200 Lincoln Ave. Salinas, CA 93901

### Hearing in Person:

1. You will need to mail in your Administrative Hearing request for a personal appearance within fifteen (15) days of the date of the mail date of the Administrative Review Officer's findings or within 15 days of the date it was hand delivered to you. You must include a check for the full amount of penalty due. You will be notified of the appearance date by return mail.
2. At you personal appearance you may:
  - "Admit with an explanation" to the NPV describe the circumstances when you received the NPV.
  - "Deny" the NPV, you must provide factual evidence to support you position.

If you prevail, and the NPV is suspended, you money deposit is refunded by the issuing agency. If you are found liable for the NPV the penalty is paid. However, you may request a review through the court system. To request a court review you must, within 20 days of mailing of the Hearing Officer's decision, file a request for review with the civil court having jurisdiction over the agency who issued the NPV. (40230(b) CVC) For questions regarding the Administrative Hearing, contact the City of Salinas, Finance Department at 758-7376.

## **What is a Court Review?**

A court review involves filing with the court for a \$25.00 fee a request for Court Review of the NPV. This is a "de novo" review. This means the court will review the NPV and either sustains it and fees remain due or suspends the NPV and the parking penalty and the \$25.00 fee is refunded by the issuing agency.

The court receives the file of the Administrative Review and Administrative Hearing and reviews the information in the files. The reviewer then renders a decision and notifies the parking authority and the appellant (*you*).

**A FINAL NOTE:** There are no provisions in the Vehicle Code, nor is the issuing agency required to conduct an Administrative Review or schedule and Administrative Hearing if the mandated time limits are not followed by the violator.