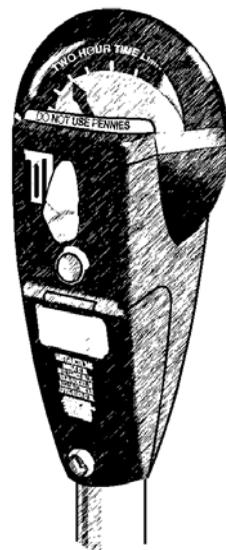


# Your Rights



When New York City's  
Parking Violations  
Operations  
(PVO) of the  
Department of Finance  
is wrong



*a message from...*

**Assemblyman  
Edward C.  
Braunstein**  
[www.assembly.state.ny.us](http://www.assembly.state.ny.us)

Dear Motorist:

Dealing with the New York City Department of Finance's Parking Violations Operations (PVO) unit can be confusing and frustrating.

That is one of the reasons the state Legislature passed a law making it easier for motorists to dispute defective parking tickets. As a result of this law, motorists can have a parking ticket dismissed if it is incomplete, illegible, incorrectly described or missing information.

Internet access is also available. Motorists can look up a parking ticket, fight a summons, pay a parking violation or request a hearing and submit their defense at Finance's website: [www.nyc.gov/finance](http://www.nyc.gov/finance). If I can be of additional assistance in this or any other matter, please contact me.

Sincerely,

Edward C. Braunstein  
Member of Assembly

**District Office**  
213-33 39<sup>th</sup> Avenue, Suite 238  
Bayside, NY 11361  
718-357-3588

**Albany Office**  
Room 528, Legislative Office Building  
Albany, NY 12248  
518-455-5425

**E-mail**  
[braunsteine@assembly.state.ny.us](mailto:braunsteine@assembly.state.ny.us)

## The summons

When you receive a summons for a parking violation, the ticket instructs you how to respond. You have three options:

1. **Plead Guilty** (admitting liability to the charges) and pay the fine
2. **Plead Not Guilty** and accept a settlement offer of a fine reduction
3. **Plead Not Guilty** and request a hearing

Whichever option you choose, you should photocopy the original summons (front and back) and any supporting documentation or payments made. The city is required to send a second notice of violation if you fail to respond within 30 days of the issuance of the first summons. You have 20 days from the date of issuance of the second notice to respond.

## Parking violations offices

**NYC Dept. of Finance, Parking Violations**  
**Mailing address:** P.O. Box 2127, Peck Slip Station  
New York, NY 10272-2127

**Helpline:** 212-504-4041 or 311(212-New York)

**Finance Business Center hours:**  
8:30 a.m-4:30 p.m, Monday-Friday

Bronx: 3030 Third Ave., 2nd Fl.

Brooklyn: 210 Joralemon St.

Queens: 144-06 94th Ave.

Staten Island: 350 St. Marks Place, 1st Fl.

Manhattan: 66 John St.

**To request a hearing-by-mail:**

NYC Dept. of Finance,  
Hearings-by-Mail Unit  
P.O. Box 29021, Cadman Plaza Station  
Brooklyn, NY 11202-9021

**Internet access:**

[www.nyc.gov/finance](http://www.nyc.gov/finance)

**Appeals Board Address:**

If ticket has been paid: NYC, Dept. of Finance,  
Adjudication Div., 66 John St., 3<sup>rd</sup> Fl.  
New York, NY 10038-3772

If ticket hasn't been paid: NYC Dept. of Finance,  
Adjudication Division, P.O. Box 2030, Peck Slip  
Station, New York, NY 10272-2030

# Your defense to parking tickets

The Department of Finance does not issue parking tickets. Finance's job is to make sure that the agencies responsible for issuing tickets did so correctly or hear your explanation of why a ticket should not have been issued.

The following information can help you decide if you should challenge your ticket or not. State law requires a parking ticket be dismissed if it is incomplete, illegible, incorrectly described or missing information. When conducting a hearing, Finance will review recently issued summonses for these defects and if any exist, the ticket will be dismissed.

**General defenses:** Using these defenses does not guarantee a dismissal of any violation.

◆ **Medical emergency** – When you are involved in an unexpected medical emergency affecting a human being. You may submit: hospital or clinic emergency admission paperwork; a statement from medical personnel; a statement from school personnel that a parent or guardian was called to school for a medical emergency (planned medical appointments or procedures cannot be used for a general defense).

◆ **Location does not exist** – Submissions may include a copy of a street map and/or verification from the post office and/or New York City tax information that verify a location does not exist.

◆ **Disabled vehicle** – A vehicle that is disabled must be pushed to the side of the road so that it obstructs traffic as little as possible; it must be removed as soon as possible. You may submit documentation indicating the unexpectedly disabled vehicle was quickly removed and the bills/receipts showing the nature of the repairs to the vehicle.

◆ **Authorized vehicle** – For a defense, you may submit: a copy of the front and back of a permit with a brief explanation of the circumstances that caused the violation to be issued.

◆ **Lost or stolen plates and/or registration items** – If you claim your license plates or registration items were lost or stolen, you may submit a copy of the police report stating that the item has been lost

or stolen and evidence of the prompt replacement of the items from the NYS Department of Motor Vehicles (DMV) or other issuing authority. If you are claiming the vehicle that received the summons is not your vehicle, but another car with your stolen plates attached, submit this information with an explanation.

◆ **Stolen vehicle** – With this defense, you may submit a copy of the police report and a statement from your insurance company saying the vehicle was deleted from your insurance policy.

◆ **Sold/transferred vehicle** – With this defense, you may submit a copy of any transfer paperwork and a statement from your insurance company saying the vehicle was deleted from your insurance policy; and NYS DMV receipt for plates or transfer of plates.

## Paying the parking ticket

You can pay your parking ticket in several ways:

◆ **Pay online** using your credit or debit card (there is a \$2 per ticket service fee)

◆ **Pay by mail** with a check or money order by following the instructions on the back of the ticket. **Remember to make payment out to “NYC Department of Finance.” Put the ticket number, your license plate number and the state of the vehicle registration on the front of your payment.**

◆ **Pay by phone** by calling 212-504-4041. There is a \$2 per ticket service fee.

◆ **Pay in person** by visiting any Finance Business Center (listed on front of this brochure) and pay by cash, check, money order, credit card or your debit card. (U.S. currency and U.S. banks only). There is a \$2 fee when paying with a credit or debit card.

## Consequences of failing to respond

Failing to respond to the first and second notice of violation may subject you to the suspension and non-renewal of the owner's registration, additional penalties, and a default judgment.

◆ **Additional penalties:** You must enter a plea within 30 days of the issuance of the summons to avoid an additional \$10 penalty. Entry of a plea more than 45 days, but less than 76 days from the date of the summons, subjects you to another \$20 penalty, raising the total additional penalties to \$30. An additional \$30 penalty is imposed upon persons entering a plea more than 75 days from the date of the summons, raising the total in additional penalties to \$60.

◆ **Default judgments:** Failure to enter a plea, to appear at a hearing, or to comply with a determination is deemed an admission of liability, which is grounds for a default judgment. Before a default judgment can be entered, Parking Violations is required to notify you of the violation charged, of the impending default judgment, that the judgment shall be entered in the Civil Court and that a default may be avoided by entering a plea or making an appearance within 30 days of the sending of the notice.

**An entry of default judgment against you could result in:**

◆ assignment of your account to a collections attorney or agency

◆ booting, towing and sale of your motor vehicle

◆ seizure of other non-exempt personal property

◆ restraining of your bank accounts

◆ garnishment of your non-exempt wages

◆ non-renewal of your motor vehicle registration, if you have unsatisfied judgments on three or more summonses within an 18-month period

◆ placement of a lien against your real property

◆ **Satisfaction of default judgment:** If a judgment was filed against you, you should secure a “Satisfaction of Judgment” when you pay. You can get this form at any help center upon presentation of proof of payment. The satisfaction must be filed with the Office of the County Clerk to show the lien has been fulfilled. The county clerk will then issue a “Certificate of Disposition.” Once again, it is a good idea to keep all your records.

## Appeals

If you plead “Not Guilty” and Parking Violations renders a “Guilty” verdict, you may appeal it to the Parking Violations Appeals Board within 30 days of the decision. To file an appeal, you should serve a notice of appeal on the PVO in writing, either personally or by certified or registered mail, within 30 days of the entry of the final determination. The appeal notice must state the reasons why the final determination should be reversed or modified. No new evidence can be presented in appeal.

Filing a notice of appeal does not necessarily stop enforcement of the final determination and you may still have to pay the fine. However, the Appeals Board could direct a stay or you could post a bond in the full amount on/before filing the appeal notice.

### Requesting a Hearing-By-Mail

- ◆ Return the ticket, with the top box completed and the “Not Guilty” box checked
- ◆ Attach a letter explaining why you should be found not guilty of the violations
- ◆ Attach copies of any evidence you wish to present

*Evidence can include, but is not limited to: testimonies, photos, repair bills, police reports, DMV or insurance company reports and towing bills. Keep copies of everything that you send to the Department of Finance for your records.*

*Mail to: NYC Dept. of Finance, Hearings-by-Mail Unit, P.O. Box 29021, Cadman Plaza Station, Brooklyn, NY 11202-9021*

*To appeal on the web, log on to [www.nyc.gov/finance](http://www.nyc.gov/finance), click on Parking and Vehicles, then Parking Tickets.*

*Note: Effective March 21, 2010, drivers will have a five-minute grace period past the expired time on Muni-Meter receipts, Alternate Side Parking signs and any other parking spaces with specific times listed (e.g. 8:30 a.m.-9:30 a.m.). Parking tickets cannot be issued during the five-minute grace period.*