



## Response to Questions on the FY 2010 County's Line of Business & Schools Program Review Processes Fall 2008

**Request By:** Supervisor McKay

**Question:** Is the County charging the maximum allowed for parking tickets? Is the Department of Tax Administration (DTA) considering this in lieu of, or in concert with, outsourcing?

**Response:** Except for accessible parking violation that are \$500 for each violation, the County Code currently imposes fines for parking violations that range from \$20 for parking meter violations to \$40 for all other parking violations. A proposal to raise all parking violations to \$50 will be presented to the Board on March 9, 2009. If approved, the proposed fee increase is projected to generate an additional \$590,000. This proposed fee increase is in concert with DTA's proposal to outsource collections of some personal property and BPOL taxes.

All parking offenses are classified by state law as traffic infractions and the maximum penalty is set by Virginia Code §§46.0-100 and 46.2-113. That maximum penalty for traffic infractions is \$250 per violation. However, while in theory the County could impose fines of up to \$250 per parking violations there is a lower practical limit, because Virginia law gives persons the option of going to court to contest a parking offense. The court is allowed to follow a payment schedule of fines established by the Virginia Supreme Court that could lower the parking violation fee to \$20 with a court processing fee of \$51 for a total amount of \$71. The proposed increase to \$50 would remain low enough to encourage most violators to prepay parking tickets in lieu of pursuing a court appeal that would consume additional staff time and potentially result in a lower fine.

In addition to the parking violation fee, the Department of Tax Administration charges other legally permissible fees, when applicable, in the collection of parking tickets which may include a \$25 penalty if the violation is not paid within 15 days; a \$30 administrative collection fee; a \$20 DMV Registration Hold fee; plus private collection agent fees of 20 percent.