

Response to Questions on the FY 2013 Budget

Request By: Supervisor McKay

Question: Is the County charging the maximum allowed for parking tickets?

Response: With three exceptions, the County Code currently imposes a fine of \$50 for parking violations. Handicapped accessible parking violations are at the maximum allowed at \$500 for each violation, the fine for parking a commercial vehicle in a residential area is \$100 and the fine for parking in a residential parking district without the required decal is \$75.

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 \$61 for a total amount of \$81. Any proposed increase in the fine should 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 21 days; a \$30 administrative collection fee; \$20 DMV Registration Hold fee; plus private collection agent fees of 20 percent. As shown in the table below, Fairfax County's current rates are at or above the rates of surrounding jurisdictions.

Parking Violation Fines

Jurisdiction	Parking in Handicapped Reserved Space	Meter Violations	Fire Code Violations*	Residential Area Violations	Wrong Way	Stopping of the Highway	Late Fee
Fairfax County	\$500	\$50	\$50	\$75 (\$100 for commercial vehicles)	\$50	\$50	\$25
Alexandria	\$201	\$35	\$48	\$40	\$40	\$40	\$25
Arlington	\$500	\$35	\$50	\$50	\$50	\$50	\$25
Loudoun	\$100	none	\$40	\$50	\$50	\$50	\$25

*For example, parking too close to a fire hydrant.

The County currently imposes the maximum tax of \$100 on certain vehicles that do not display current Virginia license plates. The House and the Senate have approved an increase in this tax to \$250. If signed by the Governor, the maximum tax of \$250 would be effective July 1, 2012. At the \$250 maximum, an additional \$0.3 million in revenue is projected.