

2011 - 2012 Seattle City Council Green Sheet

Ready for Notebook

Tab	Action	Option	Version
125	1	A	1

Budget Action Title: C. B. 117025: Parking scofflaw program (Transportation, Municipal Court, Police, General Subfund revenue)

Councilmembers: Budget Committee

Staff Analyst: Peter Harris

Council Bill or Resolution: C. B. 117025 (tab #37 in gray notebook)

Date		Total	SB	BH	SC	TR	JG	NL	RC	TB	MO
	Yes										
	No										
	Abstain										
	Absent										

Budget Action description:

Do pass C. B. 117025 (tab #37 in gray notebook).

This ordinance would create a new booting program for vehicles in parking scofflaw status. Scofflaws are vehicle owners with four or more outstanding parking infractions. The ordinance would allow a scofflaw’s vehicle to be immobilized with a boot. If past-due infractions and the booting fee are not paid within 48 hours, the vehicle will be towed. Full payment must be made or a time-payment arrangement agreed upon before the vehicle will be released. Overall, the scofflaw booting program is intended to increase parking availability, promote personal responsibility of citizens in scofflaw status, and increase parking payment compliance.

Currently over 25,000 vehicles are in scofflaw status. About 85% of scofflaw vehicles owe less than \$1,000 in fines and penalties to the City. Vehicle owners are given multiple opportunities to contest tickets’ validity, mitigate fine amounts, or be placed on a time payment plan at Seattle Municipal Court. Current code allows SPD to tow for scofflaw if the vehicle is found in violation of another parking rule. SPD research has found that nine out of ten vehicles, when found in scofflaw status, are not violating another parking rule. With the few that can be towed for scofflaw, owners often remove the required impound notice before the tow can be completed. If impounded, scofflaw violators are not required to pay any citations prior to vehicle release. Consequently, parking citations are often ignored and accumulate because there is little incentive for payment, resulting in reduced opportunities for effective parking management. Vehicles in scofflaw often are found parked in dense business and residential areas including downtown, Capitol Hill, and the University District, contributing to parking shortfalls for law-abiding residents.

The new parking scofflaw program would include time payment options at several points: first when the scofflaw receives the notification of scofflaw status and the vehicle's vulnerability to boot and impound; then if and when the vehicle is booted; and then, if the boot is not released, after the vehicle is impounded.

The program includes expenditures in the Department of Transportation, the Police Department and the Municipal Court. The proposed budget assumes total expenses of \$738,000 in 2011 and \$582,000 in 2012. It assumes revenue of \$1.9 million in 2011 and \$2.4 million in 2012. These combined for a net General Subfund balance increase of \$1.1 million in 2011 and \$1.8 million in 2012.

October 27, 2010

To: Budget Committee

From: Peter Harris, Central Staff

Re: Responses to questions about the parking scofflaw booting program
(Green Sheet 125-1-A-1, Tab #37 in gray notebook)

C. B. 117025 would create a new booting program for the vehicles of parking scofflaws. The Budget Committee asked several questions about this program in its October 15 meeting. Below are the responses from the Executive.

1. What would be the effects of defining parking scofflaws as those with three outstanding parking tickets rather than four?

Changing the threshold to three, rather than four, would add approximately 11,000 additional vehicles to the scofflaw list. Enacting this change would affect the revenue estimates in two distinct ways. First, with 11,000 additional cars added to the list, it is more likely that Parking Enforcement officers will come upon a scofflaw vehicle. Holding all else aside, that would lead to greater revenue as more booted vehicles would bring in more revenue. Secondly, these vehicles would be the ones with the lowest outstanding debt load, meaning the average balance owed on scofflaw vehicles is reduced from \$546 to \$466. Holding all else aside, that would lead to reduced revenues as each car booted would be bringing less revenue to the City than previously projected.

The question we need to address is how many additional cars would be booted, and would this amount offset the likely decrease in revenue on an average basis. We believe that the proposed budget assumes a reasonable rate of booting cars. While booting a few more cars each day would likely occur, that would be offset by a reduction in the average amount owed by each car. Our best estimate is that no incremental revenue would be recognized by lowering the threshold to 3 outstanding tickets.

2. What do we know about the economic, racial and ethnic distributions of parking scofflaws?

The race and ethnicity of scofflaw vehicle owners are not known to the City. Neither is the financial status of the vehicle owner. However, SDO'T staff have mapped (attached) the address locations for vehicle owners in scofflaw, from a representative sample set of the over 27,000 vehicles on the scofflaw list. Those vehicles are owned throughout the city and region as well, with higher proportions in downtown Seattle and Capitol Hill areas.

To address Race and Social Justice (RSJ) issues, a concerted effort has been made in planning the educational outreach planned to begin January 1, 2011. Such efforts include:

- Brochures and other materials translated into the City's Tier 1 languages
- Public service notices in ethnic newspapers and other media outlets
- Media coverage sought for ethnic news media

In addition to these specific RSJ compliant communications, the Seattle Municipal Court will send a notice to all registered owners on the scofflaw list about the change in City policy. Any new scofflaw will receive a notice when their fourth unpaid citation is in default. The Court already provides information in multiple languages.

3. If a person whose vehicle is booted does not have a credit card or debit card, what are his or her options for paying to remove the boot or remove the vehicle from impound?

There are a variety of options available. You can use an electronic check if you have a checking account. Also, you can use a friend or family member to provide the funding. You can even use multiple people to contribute a small portion each. If none of these are an option, you can go to the Court and pay in cash, cashier's check or money order.

4. How can we help people get the boot off quickly?

Once payment is made, the vehicle owner will be provided with a release code that will allow the boot to be disabled immediately. For those who are unable to physically remove the boot, which weighs approximately 16 lbs, Parking Enforcement will remove the boot.

5. When will we see the contract with the boot contractor? How will the contract cover the process for those who don't have credit cards?

Should Council include the scofflaw legislation in the 2011-2012 Adopted Budget, an RFP will be issued. Our belief is that the vendor will be able to accept payment via credit/debit cards and electronic checks. These are the payment forms that will be able to be processed over the phone. Without having issued an RFP yet, these are details that cannot be confirmed. However, regardless of the vendor contract, people will be able to make payment at the Court in a variety of forms such as cash, cashier's check and money order.

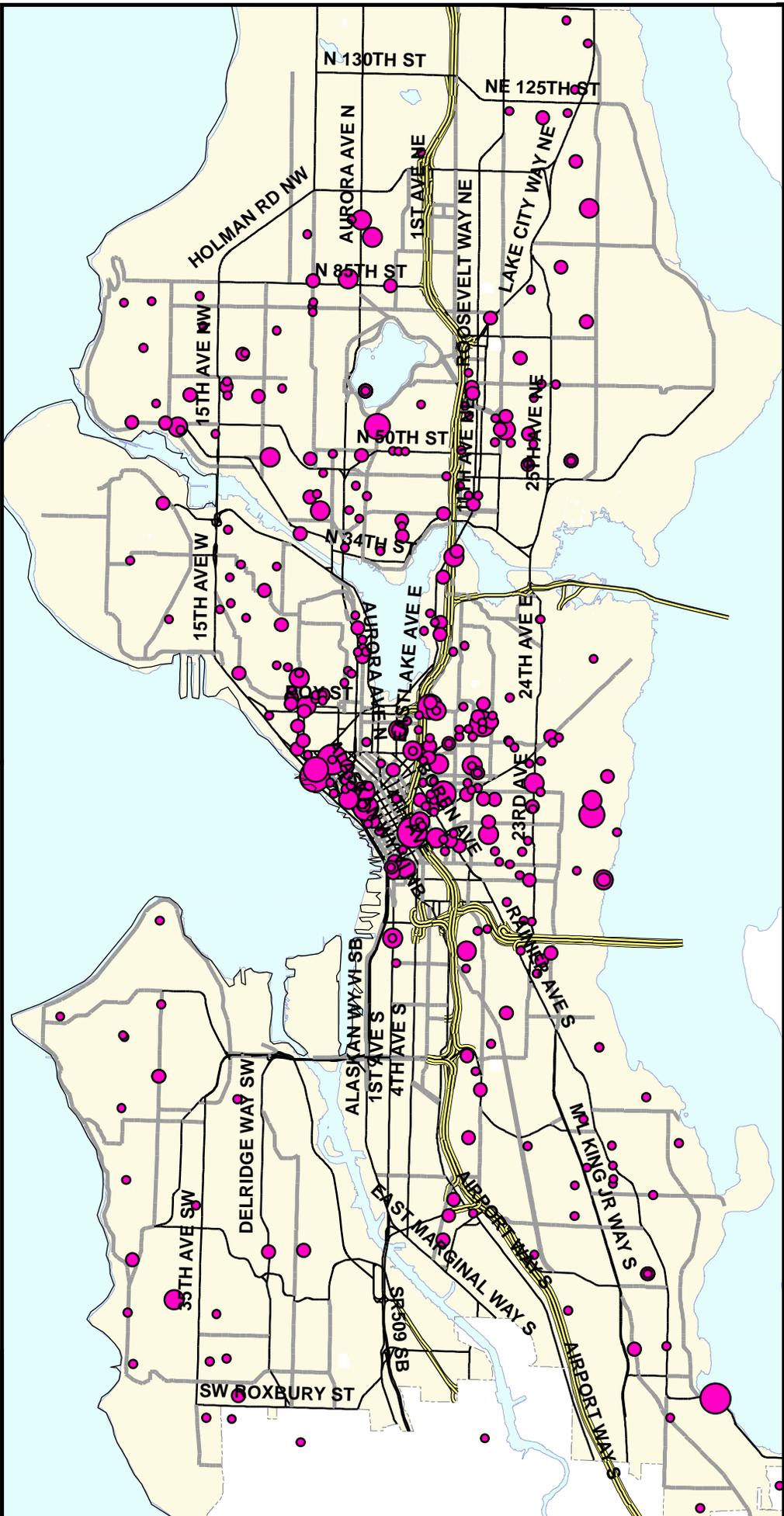
6. What are the options for time payments?

Time payment options would be available to the Scofflaw at all points in the Scofflaw "timeline" – when they receive the 30 day "warning" notification letter, upon being booted, or after being impounded. So far as we know, Seattle would be the only jurisdiction to offer a time payment plan throughout the process. Please keep in mind that, due to non-payment of initial tickets, all of these Scofflaw matters are in the hands of the Court-contracted collections agency.

The Court envisions that the collections agency would administer these time payment plans for Scofflaws (be aware that this needs to be negotiated with the current collections agency or as part of a new collections RFP). The Court would lay down some basic guidelines for the collections agency time-payment option (again – this would need to be negotiated). The guidelines being discussed are 10% or \$200 down (whichever is greater) with the remainder of the balance being spread out over a period of time. These guidelines are necessary to ensure that someone is not given an option that would allow for a minimal amount of money to be put down and then the remainder of payments ignored.

Remember that for each parking ticket that was issued, a defendant can contest the ticket, request mitigation (reduction of fine) on the ticket, and/or request a time payment plan/community service. Therefore, a Scofflaw has chosen to ignore these options at least four times in the past.

If you have any additional questions, please let me know.



Legend

Multiple Scofflaw Offender
4 or more

- 4 - 5
- 6 - 10
- 11 - 20
- 21 - 25
- 26 - 47



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Coordinate System:
State Plane, NAD83-91,
Washington, North Zone
Orthophoto Source:
Pictometry 2007

PLOT DATE : April 16, 2010
AUTHOR : Policy and Planning
Map location : J:\GIS\GIS projects\Scofflaw



Multiple Scofflaw Offender (4 or more) Vehicle Registration Address Location