

2011 - 2012 Seattle City Council Green Sheet

Ready for Notebook

Tab	Action	Option	Version
125	1	C	1

Budget Action Title: C. B. 117025: Parking scofflaw program (Transportation, Municipal Court, Police, General Subfund revenue). Amend in several ways, and then pass as amended.

Councilmembers: Bagshaw; Burgess; Godden

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:

Amend C. B. 117025 (tab #37 in gray notebook) as described below, and then pass as amended.

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.

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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.

This green sheet would amend the proposed ordinance as follows:

Page 1, lines 15-17:

WHEREAS, although the great majority of those receiving parking citations respond appropriately, some vehicles are repeatedly ticketed for parking violations (~~and~~) that are then not paid, thereby, negatively impacting traffic flow, access to curbspace, and parking turnover; and

Page 3, lines 1-3:

D. When a time payment plan is created, the subject vehicle shall be temporarily removed from the scofflaw list and the payment amounts shall be applied on a pro rata basis until all penalties, fines or fees owed relating to all parking citations are satisfied.

Page 3, lines 17-18:

B. Any vehicle that remains booted for 48 hours or more, not including any of the 48 hours from the beginning of Saturday until the end of Sunday, or which becomes illegally parked while booted, shall be subject to towing and impoundment pursuant to Section 11.30.040.

Page 5, lines 24-25:

I. A person who fails to return the booting device within the time frame required by subsection F of this section may be (~~prosecuted for the crime of theft under section 12A.08.060~~) charged a late fee as determined by the Director of Finance and Administrative Services.

Page 6, lines 1-2:

J. A person who intentionally damages the booting device may be charged a replacement fee as determined by the Director of Finance and Administrative Services and also may be prosecuted for the crime of property destruction under section 12A.08.020.

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K. The Director of Finance and Administrative Services shall adopt rules governing the imposition of fees under this Section 11.35.020.