
Parking Citation Appeals Process

505.1 PURPOSE AND SCOPE

This policy outlines the responsibility for parking citations, more specifically the procedure for appeal, time requirements and cost.

505.2 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.2.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

- (a) First Level Administrative reviews are conducted by the Parking Services Department who will review written/documentary data. Request to Waive (Appeal) Parking Citation forms for administrative reviews are available and may be submitted at the front desk of the San Diego Community College District Campus Police Offices, the main offices at all Continuing Education Campuses, or the front desk of the Parking Services Department. Requests to waive (Appeal) citations may also be submitted online at the SDCCD processing agency website listed on the back of the citation. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency, submitted online through the citation processing vendor, or placed into the Appeals Dropboxes. Dropbox locations are in the front lobbies of each campus police station, CE campus main offices, or in front of the College Police Headquarters building.
- (b) If the appellant is unsatisfied with the results of the First Level Review and wishes to pursue the matter further a Second Level Review Administrative Hearing may be conducted in person or by written application, at the election of the appellant. The Hearing Examiner will review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own. Hearing Examiners are independent third-parties and not employees of the SDCCD Parking Services or Police Departments.
- (c) If the appellant wishes to pursue the matter beyond the second level administrative hearing, a Third Level Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the Superior Court of California.

505.2.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

- (a) Pursuant to State Law, requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14

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calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).

- (b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).
- (c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).
- (d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209; Vehicle Code § 40210).

505.2.3 COSTS

- (a) There is no cost for the first level administrative review.
- (b) Appellants must deposit the full amount due for the citation at the time the hearing request is made and before receiving the second level administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215). If the Hearing Examiner finds in favor of the appellant, the deposit amount is returned.
- (c) The Third Level appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.