



93-555

The Secretary of State presents his compliments to their Excellencies and Messieurs and Mesdames the Chiefs of Mission and wishes to advise that the Department, in response to concerns of the United States Congress and, in cooperation with the Government of the District of Columbia, is initiating a new policy with respect to payment of parking tickets issued in the District of Columbia to vehicles of foreign missions and their staffs registered by the Department.

The streets in many parts of the District of Columbia suffer from significant congestion. In order to minimize such congestion, promote public safety, and ensure fair access to parking for all, it is essential that all persons operating motor vehicles in the city obey not only the laws and regulations pertaining to vehicle operation, but also those pertaining to parking.

The new parking policy is based on these considerations, and on the principle that persons enjoying privileges and immunities in the United States are nevertheless obliged to respect United States laws and regulations. The policy further rests on the principle that the operation of a motor vehicle in the United States by such persons is not a right but a privilege that may be

withdrawn in cases of abuse. Finally, the policy is promulgated in the expectation that increased compliance by members of the Diplomatic Corps with parking laws to which the general public is subject, and greater accountability when those laws are disregarded, will remove a longstanding irritant that has tended to erode the goodwill and respect traditionally enjoyed by Diplomatic Corps. The policy announced herein will become effective on January 1, 1994. Thereafter, the Department will withhold registration renewal of vehicles with unpaid or unadjudicated parking tickets issued on or after that date that are more than one year old. For example, if a vehicle receives a ticket in January 1994, and its normal registration renewal date is in March, that ticket must be paid or adjudicated by March of 1995. If it is not, the vehicle will not receive new decals or any registration documents, and it can no longer be operated legally in the United States.

Vehicles which have expired registrations are subject to being stopped by police. Depending upon the laws of the local jurisdiction, such a vehicle may not be allowed to proceed. While the inviolability of diplomatic personnel and vehicles must be strictly respected in those circumstances, this does not mean that local authorities are obliged to permit an unregistered vehicle to operate on local streets. In such cases, the owner may be required either to park the vehicle nearby, if legally permissible,

or to arrange at the owner's expense for the vehicle to be towed to the mission or to the owner's residence or other place of safekeeping.

In addition, parked vehicles creating a public hazard may be towed to a place of safekeeping until arrangements for release are made through the Diplomatic Motor Vehicle Office. The District of Columbia has notified the Department that a vehicle is deemed to create a safety hazard when parked in the following circumstances: in a morning or afternoon rush-hour no-parking zone; in a loading zone; in an emergency no-parking zone; in front of a fire hydrant; on a sidewalk; in a bus zone; in a handicapped zone; obstructing an intersection; or blocking a crosswalk. If it is believed that a vehicle has been towed, the owner should contact the Office of Foreign Missions at telephone number (202) 895-3679 for assistance.

In the case of inviolable vehicles of missions or mission members, the Department will arrange for prompt release. However, vehicles with expired registration or inadequate liability insurance may not be operated legally on public streets. Accordingly, unless a vehicle is properly registered, displays current decals on the rear license plate, and is properly insured, the owner will have to make arrangements for removal of the vehicle at his or her own expense by a tow truck.

The policy announced herein applies only to parking tickets issued on or after the effective date of January 1, 1994. However, missions and their staffs are still expected to pay all fines assessed prior to the implementation of

this program. Instructions for either payment or adjudication of tickets, whenever issued, are attached. The Department has no authority to adjudicate or otherwise intercede with the District of Columbia government in these matters. Therefore, all inquiries must be directed to the appropriate District of Columbia authorities. The Department encourages mission members who believe that a ticket has been issued improperly, or who wish to assert an emergency or other defense, to avail themselves of the appeal process described in the attachments. Inquiries by telephone may be made to Leon LaRue, Examiner, Bureau of Traffic Adjudication, telephone number (202) 727-3470. Correspondence may be addressed to him at 65 K Street, N.E., Washington, D.C. 20002.

The Department will no longer issue reports to embassies regarding outstanding tickets. The District of Columbia will use its existing procedures applicable to the general public for notification of fines. Normally, tickets are affixed to the windshields of vehicles. On occasion, notices are dislodged, but the owner can expect to receive a follow-up notification sent to the Mission address.

Questions regarding this policy should be addressed to the Office of Foreign Missions at telephone number (202) 895-3679.

Enclosures:

As stated.

Department of State,

Washington, DEC 22 1993



PUBLIC WORKS: INFORMATION at-a-Glance

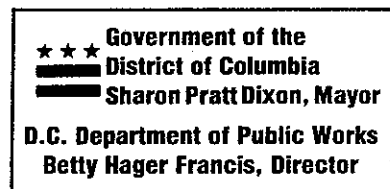
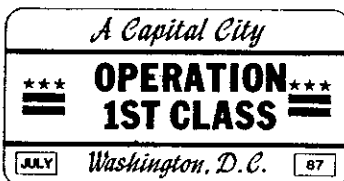
TICKET PAYMENT

PARKING TICKET PAYMENT

To Pay One or More Parking Tickets:

- 1) Proceed to the **Regular Service Window**, with your ticket or Notice of Delinquent Parking Infraction, for payment.
- 2) Present the actual ticket or "Notice of Delinquent Parking Infraction".
- 3) If you do not have the ticket or notice of Delinquent Parking Infraction, proceed to the **Regular Service Window** to obtain a printout.
- 4) Proceed to the **Cashier Window** for payment.

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MAIL-IN HEARING

WHAT IS MAIL ADJUDICATION?

When a motorist receives a **parking** ticket and wishes to argue against it or to describe the circumstances, it is best to come to the Bureau of Adjudication and to request an unscheduled hearing.

However, sometimes it may be impossible for a motorist to come to the Bureau of Adjudication in person. In that event, mail adjudication may be used.

Please read the instructions below carefully to ensure that each step is followed correctly.

1. You must respond in writing within 15 days from the date on the ticket.
2. Send the original ticket along with your written explanation.
 - If you "admit" to the infraction with an explanation, describe the circumstances when you received the ticket.
 - If you "deny" the infraction, you need to enclose factual information or evidence to support your position. Your letter will take the place of a personal hearing.
3. You will be notified of the decision within **4-6 weeks**. **Note:** A mail adjudication is considered a hearing. Decisions are final.
4. If you wish to **appeal** the decision, you must first pay any fines and/or penalties.

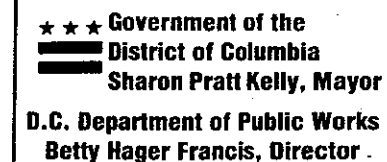
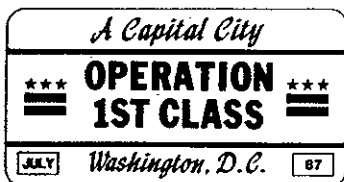
You will also be charged an appeal fee of \$10.00 per ticket which is not refundable.

Please send mail adjudication requests to:

Bureau of Adjudication
65 K Street, N.E.
Washington, D.C. 20002
Attention: Mail Adjudication

Reminder: Only **parking tickets** may be adjudicated by mail.

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DEFAULT JUDGEMENT

HOW TO FILE A MOTION TO VACATE A DEFAULT JUDGEMENT

If you have received a delinquent notice for a parking ticket that is more than 30 days old and have failed to respond by either paying the ticket, scheduling a hearing or attending a hearing, your ticket is in **default status**. You must submit a written motion to vacate default judgement.

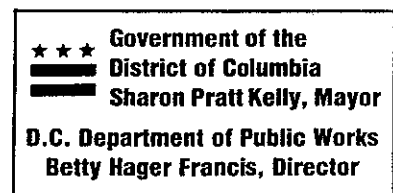
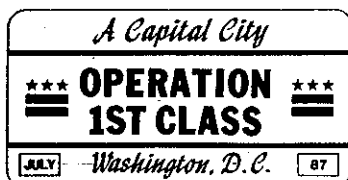
You must send your MOTION TO VACATE JUDGEMENT to:

Coordinator, Default Judgements
Bureau of Adjudication
65 K Street, N.E.
Washington, D.C. 20002

Your motion must include:

- (1) a sufficient defense to each charge (ticket); and
- (2) an excusable reason as to why you failed to respond to the delinquent notice within the required time period.

If you fail to satisfy either (1) or (2) above, you are liable for the infraction(s) and must pay the fine and penalty. Please enclose a copy of the Delinquent Notice with your motion. If neither the ticket nor notice is available, include your tag number and state of vehicle registration. Be sure to include your name and return address.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS
BUREAU OF TRAFFIC ADJUDICATION
65 K STREET, N.E.,
WASHINGTON, D.C. 20002-4216



TO ALL RESPONDENTS

BY ORDER OF THE CHIEF HEARING EXAMINER

RESPONDENTS WHO HAVE TICKETS IN DEFAULT STATUS ARE REQUIRED TO SUBMIT A WRITTEN STATEMENT (MOTION TO VACATE DEFAULT JUDGEMENT), THAT PROVIDES A LEGAL EXPLANATION FOR FAILURE TO RESPOND TO OUTSTANDING TICKETS IN A TIMELY MANNER. LEGAL GROUNDS INCLUDE HOSPITALIZATION, INCARCERATION, TICKETS ISSUED WHILE VEHICLE WAS STOLEN, TICKETS ISSUED WHILE TAGS WERE STOLEN, ETC. LEGAL REASONS DO NOT INCLUDE BEING UNEMPLOYED, UNAWARE THAT SOMEONE ELSE HAD GOTTEN TICKETS ON YOUR VEHICLE OR PERSONAL PROBLEMS. IN THOSE CASES WHERE LEGAL REASONS DO EXIST, THEY MUST, IN ALL CASES BE SUPPORTED BY DOCUMENTATION. IN THOSE CASES WHERE THERE IS NO LEGAL EXPLANATION OR DOCUMENTATION FOR THE REMOVAL OF DEFAULT JUDGEMENT, DO NOT REPORT TO THE OFFICE OF THE CHIEF HEARING EXAMINER. PLEASE PROCEED TO THE CASHIER'S WINDOW.


LEROY BENNETT, JR.
CHIEF HEARING EXAMINER