

Parking Meter -- Missing, Inoperative, or Faulty

If a dismissal request is based on a claim of missing, inoperative or faulty meter then a field investigation is required.

VERIFICATION FROM CONTESTEE

1. A statement from the driver that describes in detail how the parking meter was missing, inoperative or faulty and how the problem caused the citation to be issued
2. Copies of photos or signed witness statements supporting the statement

VERIFICATION BY INVESTIGATION

1. Request a field investigation from the issuing agency to determine the status and maintenance history for the meter
 - a. For City of San Diego issued citations, requests for investigation should be sent to the Parking Meter Operations Section
 - b. For citations issued by other agencies, then request the issuing agency conduct the investigation
2. Log the citation number and field investigation request date
 - a. Assign a 20-day due date and 30-day follow-up date
(When possible, field investigation requests should be sent via email or fax)
3. If the field investigation report is not received by the follow-up date, forward a copy of the request to the appeals supervisor and continue processing the review
4. Compare the investigation report with the contestee provided statement/documentation and the citation/officer information. Identify discrepancies.

DECISION

It is important that the information used to support your decision be reliable and convincing. The reviewer must evaluate and judge which information is the most credible.

The citation should be dismissed if, based on your review of the documentation provided, you determine that any of the following are true:

- Meter No. and location are not consistent
- Officer notes or documentation are not specific
- Mechanical equipment was missing, inoperative or malfunctioning

If no field investigation report is received by the processing agency, the citation should be dismissed.

If there is evidence submitted that supports the claim, but is contradicted by the field investigation, then review the case with the appeals supervisor for before making a decision.

All other citations should be upheld.

DISMISSAL AUTHORITY: California Vehicle Code §40215 (a)(1)

Comments: The Administrative Review in these cases must include a field investigation report.