

# REQUEST FOR ADMINISTRATIVE REVIEW

ISSUING AGENCY: **CARMEL-BY-THE-SEA POLICE DEPARTMENT**  
**POST OFFICE BOX 600**  
**CARMEL-BY-THE-SEA, CA 93921-0600**

THE ADMINISTRATIVE INVESTIGATION PROCESS IS PROVIDED PURSUANT TO AB408 EFFECTIVE JULY 1, 1993. IT IS THE RESPONSIBILITY OF THE PERSON REQUESTING THIS INVESTIGATION TO COMPLY WITH THE PROCEDURES AND TIME LIMITS SPECIFIED BELOW. SEE *IMPORTANT NOTICE* BELOW.

THE PURPOSE OF THIS INVESTIGATION IS TO DETERMINE IF THE ALLEGED VIOLATION OCCURRED OR IF THE REGISTERED OWNER IS NOT RESPONSIBLE.

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Date	_____	Date Issued	_____
Name	_____	Citation Number	_____
Address	_____	Officer ID#	_____
City	_____ State _____ Zip _____	License Plate	_____
E-Mail Address	_____	Cell Phone #	_____

**Reason for requesting review:**

Please explain your reason for believing this citation was issued in error or why you are not responsible for the alleged violation. Be as detailed as possible in your explanation.

***IMPORTANT NOTICE: This review must be requested within 21 days of the issuance of the citation or your option for review will expire.***

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**SIGNATURE**

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**DO NOT WRITE BELOW THIS LINE.....FOR OFFICE USE ONLY**

**ISSUING OFFICER:**  
**ADMINISTRATIVE COMMENTS:**

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**ADMINISTRATIVE RECOMMENDATION:**      **CITATION VALID (    )**      **CITATION DISMISSED (    )**

# NOTICE OF PARKING VIOLATION ADMINISTRATIVE HEARING PROCESS INFORMATION SHEET

## What is an Administrative Hearing?

An Administrative Hearing provides the opportunity for individuals to contest a Notice of Parking Violation (herein after referred to as NPV) directly with the issuing agency through the Administrative Hearing Officer, after and Administrative Review. When a motorist receives a NPV it can be either by mail or in person at the Administrative Hearing Office. (40200.7 CVC)

## Administrative Hearing:

### Hearing by Mail

*PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY IF REQUESTING ADMINISTRATIVE REVIEW BY MAIL.*

1. Mail in Administrative Hearing requests **must be submitted by the 21<sup>st</sup> day** following the mailing to that person the results of the processing agency's administrative review.
2. Send the original citation **and a check for the amount of penalty deposit**, along with a written explanation as to why you feel the NPV is unwarranted
  - If you "admit with an explanation" to the NPV describe the circumstances when you received the NPV.
  - If you "deny" the NPV, you must enclose factual evidence to support your position.

### Hearing in Person

1. You will need to mail in your Administrative Hearing Request for a personal appearance **within 21 days** of the mail date of the Administrative Review Officer's findings or **within 21 days** of the date it was hand delivered to you. **You must include a check for the full amount of the penalty due.** You will be notified of the appearance date by return mail.
2. At your personal appearance you may:
  - "admit with explanation" to the NPV describe the circumstances when you received the NPV.
  - "deny" the NPV, you must provide factual evidence to support your position.

If you prevail and the NPV is suspended, your deposit money is refunded by the issuing agency. If you are found liable for the NPV, the penalty is paid. However, you may request for a review through the court system. To request a court review you must, within 20 days of mailing of the Hearing Officer's decision, file a request for review with the civil court having jurisdiction over the agency issuing the NPV. (40230(b) CVC)

## What is a court review?

A court review involves filing with the court for a \$25.00 fee request for a Court Review of a NPV. This is a "*de novo*" review. This means the court will review the NPV and either sustains it and fees remain due or suspends the NPV and the parking penalty and the \$25.00 is refunded by the issuing agency.

The court receives the file of Administrative Review and Administrative Hearing and review the information in your files. The reviewer then renders a decision and notifies the parking authority and the appellant (you).

**A FINAL NOTE:** *There are no provisions in the Vehicle Code nor is the issuing agency required to conduct an Administrative or schedule an Administrative Hearing if the mandated time limits are not followed by the violator.*

**AFTER COMPLETION OF THIS FORM, PLEASE FORWARD TO:**

**CARMEL-BY-THE-SEA POLICE DEPARTMENT**

**POST OFFICE BOX 600**

**CARMEL-BY-THE-SEA, CA 93921-0600**