

A New Recruit in the Parking Ticket Wars

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Tracey Austin got frustrated and angry the morning last summer when a D.C. meter attendant tucked a \$50 parking ticket under her windshield wiper before a roadside service truck pulled up to jump-start her car.

"It was a street-cleaning day and I was parked on the wrong side of the street," says Austin, 29, a District marketing consultant. "I would have moved the car but it was immovable."

That's how Austin, like many ticketed drivers in Washington, has always thought of the city's parking authority -- immovable, unbeatable. "I figured you pay the ticket or you get the boot," she says.

By chance, Austin had seen a TV report days earlier about ParkingTicket.com, the first Internet company to help drivers contest parking tickets online. She checked it out and found that the company does handle D.C. tickets. She tried it.

"It's such a unique concept -- fighting tickets for you," says Austin, for whom the service was a godsend, given that she averages 5 to 10 parking tickets a year. "Some of these tickets are unfounded and you start getting a little mad every time you write a check to the city."

On the ParkingTicket.com Web site, clients who get tickets in the District, New York or San Francisco are guided through 30 to 50 questions about the circumstances of their tickets -- whether the meter was broken, what the parking sign said, did they have a medical emergency, etc. They transfer details from the ticket to a look-alike online version. Then they key in their credit-card data to pay for the service -- if the ticket is dismissed. No dismissal, no charge.

ParkingTicket.com's computers analyze the data in search of grounds for dismissal. If there are none, clients get an e-mail recommending that they pay the ticket promptly. It's free advice. But if the computer finds a loophole, technicality or error, or a compelling reason to contest, the client is e-mailed a customized dismissal-request letter, with instructions on what proof to attach and where to mail it.

Because her car was disabled, Austin's ticket was dismissed. ParkingTicket.com charged her half of what the ticket would've cost her -- \$25. Case closed.

"After a while, giving money to the city for ludicrous parking tickets doesn't make any sense," says Austin, who has since had another ticket dismissed -- due to ticket-writer error -- with ParkingTicket.com's assistance.

Glen Bolofsky, founder and president of ParkingTicket.com, says drivers increasingly are turning to his Web site for help. When his site launched its toll-free phone service two weeks ago in New York, 1,000 calls came in the first day. Phone service for the District and San Francisco will be up soon, he says.

Determined to beat City Hall, practically obsessed, Bolofsky says people are fed up with unfair parking tickets and ever-increasing fines.

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"People here in New York City and in major cities throughout the country, like in Washington, D.C., have very limited places to park," says Bolofsky, whose corporate headquarters is in Paramus, N.J. "But instead of fixing the real problem, the cities found a whole new way to print money by issuing parking tickets."

The particular ticket that morphed into ParkingTicket.com was issued one morning in the early '80s in Forest Hills, N.Y., a few minutes before the street-cleaning deadline took effect. Bolofsky swears he got to his car in time but the meter reader had already issued a ticket.

"They were wrong," he says. "I go out of my way to be a good citizen and do things right, and I get a ticket. People are being penalized by a system that is wholly unfair."

Bolofsky, 48, a certified public accountant, began publishing books -- "Cheap Parking in New York City" and "Secrets of the Parking Violations Bureau: Confessions of an Ex-Judge" -- and calendars themed to the urban parking dilemma. In the early '90s he began analyzing tickets on behalf of corporate fleets -- Nestle, Pillsbury, Disney. By 2001, he launched ParkingTicket.com in the three major cities.

He has become an activist, accusing big cities of "practically guaranteeing widespread illegal parking to bring in millions in parking fines to the city coffers."

The District issued 1.7 million parking tickets in 2002 (the latest statistics available), the value of which was nearly \$104.9 million. Statistics for 2003 are expected to exceed those because the District has instituted a computerized ticketing system and increased most parking fines. Tickets now range from \$25 for parking at an expired meter and \$30 for disobeying an official sign or parking in a no-parking zone, to \$100 for rush-hour violations and \$250 for snow-emergency-route violations.

Anyone can dispute a parking ticket, of course, without paying ParkingTicket.com. The District's Department of Motor Vehicles Web site (dmv.washingtondc.gov/main.shtm) provides instruction on how to contest a ticket. But it doesn't provide guidance on identifying grounds for dismissing tickets or providing evidence that can make a difference.

"It doesn't surprise me that this would be a business someone would be in because people don't want to deal with it themselves," says Regina Williams, spokeswoman for the District DMV. "It's time-consuming. What do you have more of -- time or money? We don't frown on it as long as you do it legally."

As for Bolofsky's charge that cities are just fattening their coffers, Williams says Washington, like all big cities, tries to control its parking challenges by issuing fines for violations.

Over a decade, Bolofsky's company has gotten millions of dollars in fines dismissed, he says.

"What percentage of tickets are simply paid without fighting? The answer is 80 percent," says Bolofsky. "Out of every 100 parking tickets issued, 70 to 80 should be dismissed because the law says you are able to park there, or the agent made a mistake writing it, or there are other compelling reasons."

Bolofsky says ParkingTicket.com, whose brain trust includes a former judge, traffic agents and police officers, gets 75 percent of the tickets submitted dismissed or reduced. "The real reason why most tickets are dismissed is because the law allows it," says Bolofsky. "But people don't know the rules. They don't know technically if they are guilty or not."

Take the standard "No Parking at Any Time" sign. He says the actual law behind the sign states there's no parking there -- "except for you or me dropping off somebody or picking up somebody expeditiously. You are allowed to drop somebody off at the curb. People don't know that."

Anthony Cade, a D.C. lawyer and former DMV hearing examiner who now represents clients tagged for moving violations and criminal vehicular cases, says that's an oversimplification. "The law does provide for

you to make a temporary stop at a 'No Parking' sign, but I mean a very, very, brief stop," says Cade. Drivers expecting to beat that no-parking ticket better have proof that they stopped only momentarily.

Cade also suspects that dismissals due to errors or omissions by the ticket writer -- such as incorrectly identifying the car make, erring on the violation, or noting the wrong side of the street -- have declined in the year or so since District ticket writers started using hand-held computers to write tickets. "Most people just pay their tickets out of convenience anyway," he says. "It's more of a pain in the butt to fight a \$25 ticket."

But Bolofsky says fighting tickets is the only way to change an unfair system. "My goal ultimately is to have so many parking tickets dismissed that the cities are forced to recognize what they are doing now isn't prudent business," he says. "We want to get the city off people's backs."

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