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Friday, May 12, 2006

By **JOHN CICCI**
THE ROAD W

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In the morning mist, my wife and I had begun our prowl for a parking space on Manhattan's Upper East Side a few weeks ago when Susan spotted a vacant meter on York Avenue.

"You can't get in there, can you?" she said, pointing to a curbside stall partly blocked by a double-parked truck.

What a question! Jersey boys don't go to New York for theater, restaurants or medical care -- all mere sideshows. The Yanks, Mets, Rangers and Knicks? Passive entertainments! We need a real challenge, like pouncing on a cheap parking space.

Why pay \$18 for a few hours in a garage instead of \$1.50 for an hour in coins? But it takes skill to track such prey, predatory instinct to land it, and cunning to avoid turning into prey yourself.

So, as horns honked and Susan held her breath, I backed adroitly into the stall, narrowly avoiding the double-parked truck, two nimble pedestrians and the car parked in front of the prize I proudly seized for a whole hour. Then, barely controlling the urge to beat my chest, I smugly pumped the first of six quarters

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into the meter. But I stopped at three as an uncontrollable smile overcame me.

"What happened?" asked the voice from the passenger side.

"The coins aren't registering," I answered. "Give me some tape."

If there's anything a Jersey boy loves better than lucking into a Manhattan parking meter, it's lucking into a free Manhattan parking meter. I wrote "Out of Order" on a scrap of paper and taped it to the meter.

"Let's go," I said.

"A free hour?" Susan asked.

"We're free all day," said the Jersey boy who's paid to know these things.

Susan shook her head. "You're gonna get a ticket," she said.

Such a ticket costs \$65. I know this because an hour later, when I returned to the meter in the bright sun, city employee R. Paniagua had carefully affixed a Notice of Parking Violation to my windshield explaining that my Honda was violating Sec. 4-08 (h) (2) of city traffic rules by overstaying at an expired meter.

My clever note was torn. Apparently, R. Paniagua rejected my broken-meter excuse. Yet, somehow, that bothered me less than hearing four words that I would surely have to endure. But surprisingly, Susan resisted "I told you so." Nine other words cut even deeper: "See if the meter will take a quarter now," she said.

One coin brought it to life.

"Magic," I said glumly.

"A lesson," Susan added.

Yes. First, let's define terms: A city that earns \$111 million annually in coins from meters and employs 2,600 parking agents to generate another \$77 million in fines -- 10 percent of it from cars with New Jersey plates -- is the real predator. Those of us who take chances with these metered traps are no more than prey.

Second: Never mind that this predator is too old and frail to remember its policies and too blind to read. These infirmities make it as unpredictable as a wounded elephant. So, don't leave notes and don't bag meters. Agents can ticket baggers and note-writers for defacing city property.

Don't even call the 800 number listed on some meters for reporting a broken meter, as I did a week later when I again parked at a broken meter. I was shifted to the voice mail of a vendor in Arkansas. No one called back.

"I didn't know we had an 800 number," said Chris Chin, a spokesman for the city Department of Transportation. "Callers should report broken meters to 311, our non-emergency number, to be shifted to the right department." If calling from outside the city, use (212) NEW YORK or (212) 639-9675.

(Why not clearly post this information for out-of-towners? There are 77 million answers.)

*This summer
give yourself
a change
of scenery*



Third: If you get a ticket you think you don't deserve, fight it. Thirty percent of last year's 9.1 million tickets were contested, 44 percent of which were dismissed. Just follow the directions on the back of the summons. But be sure to include copies of all evidence.

What evidence?

In my case, there are (1) two affidavits saying what happened -- one from me, one from a witness (to whom I happen to be married); and (2) the summons, which may be faulty. It also would have helped to take a time-dated photo of the meter instead of relying on a scrawled, undated note.

Actually, I'm lucky I don't get more tickets since I often re-feed meters for a second hour while waiting for my wife's physical therapy treatments to end. "You should move your car after the time elapses," said Chin.

As for the potentially faulty ticket, Glen Bolofsky of Paramus-based parkingticket.com said his company wins dismissals for clients because parking agents fail to include appropriate information on summonses. After reviewing my ticket, Bolofsky noted these technical discrepancies: The color of my vehicle was misstated, my registration information wasn't entered and the time my overtime meter was first observed was not itemized.

"You say the meter wasn't working when you parked, yet the time that the parking agent first observed it is listed as Not Available," said Bolofsky. "It sounds like you have a case."

Chin confirmed that "first observation" must be entered on a ticket with a broken meter. So, my strategy is to fight it on that basis. I'll let you know how I do.

A better strategy, though, might have been to let my wife go to her appointment alone while I stayed with the car. That's what I did eight days later when my meter registered the letters F-A-I-L instead of time elapsed.

But parking agents walked right past without blinking -- which makes me appreciate the real folly of posting a makeshift Out of Order sign on a meter: It's a sign of weakness, something like a bleeding deer begging sympathy from a hungry lion.

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