



CIRCULAR

STATE OF NEW JERSEY

DEPARTMENT OF THE TREASURY

NO.: 10-07-ADM	ORIGINATING AGENCY: DIVISION OF ADMINISTRATION	PAGE 1 OF 2
EFFECTIVE DATE: 07-23-09	EXPIRATION DATE: INDEFINITE	SUPERSEDES: 91-30-GSA
SUBJECT: STATE VEHICLE PARKING AND VIOLATION CONTROL POLICY		
ATTENTION: ALL DEPARTMENTS AND AGENCIES		
FOR INFORMATION CONTACT: TRANSPORTATION SERVICES – GEORGE KRUMENACKER	PHONE: (609) 292-0734	

BACKGROUND

Under N.J.S.A. 39:4-139.5a, vehicle owners and drivers are jointly responsible for parking violations. The State of New Jersey and its employees who drive State vehicles are liable for all parking tickets issued against State vehicles. Failure to pay or successfully contest a ticket results in revocation of the vehicle registration by the motor vehicle commission. The amendment of Public Law 39:4-139.10 allows the courts to suspend the registration of a vehicle on an outstanding summons.

I. PURPOSE

The purpose of this Circular is to clearly delineate the obligation of State vehicle drivers to contest or pay all parking tickets issued against vehicles assigned to them, and to establish policies and procedures for the consistent, timely resolution of all parking violations issued against State vehicles to avoid the costly process of registration reinstatement.

II. POLICY

It shall be the policy of the State to resolve (i.e., contest or pay fines against) all parking violations issued by any Federal, State, County or municipal court against any State-owned or leased vehicle so as to avoid the costly process of registration reinstatement.

Drivers of State vehicles shall be responsible for resolving with the appropriate court all parking violations issued against vehicles assigned to them. Drivers who fail to resolve such violations shall be subject to progressive disciplinary action.

Agency heads shall be responsible for ensuring timely resolution of all violations issued against vehicles assigned to their agencies or employees. This responsibility includes but is not limited to identifying the driver and ensuring payment of fines. If the agency must pay a fine on a driver's behalf, the agency shall attempt to collect the full amount of the fine from the driver responsible for the violation.

Treasury will process payment to the municipality for unresolved violations, as reported by the Administrative Office of the Courts or a failure to appear notification.

Treasury will pay the fine and bill the agency for the full cost of the fine, plus a 20% administrative fee on the monthly Transportation Services billing report.

If Treasury pays fines for two unresolved violations against the same car, assigned to the same agency within a three-year period, the agency head shall be required to surrender the cited vehicle to the Central Motor Pool without reimbursement and satisfy all fines, administrative costs and reinstatement fees.

Agencies shall be required to maintain current accurate records regarding the assignment and use of all individual and pool vehicles and to document parking violation resolution efforts.

III. PROCEDURE

- A. The Administrative Office of the Courts will notify the Treasury Department periodically of all "Failure to Appear" violations against State vehicles.
- B. Upon receipt of the "Failure to Appear" notice, Treasury will make payment to the issuing jurisdiction; notify the appropriate agency that the fine has been paid, then bill the agency on the monthly Transportation Services Billing Report for the full value of the fine plus a 20% administrative charge. Agencies shall seek reimbursement from individual employees for all fines and fees.
 1. Agency payment of parking violations shall be made from object account 38.
 2. Drivers whose fines have been paid by the State shall reimburse the State for the full amount of the fine, by check payable to Treasurer, State of New Jersey.
 3. Monies received from an employee must be deposited to the General State Fund and credited to the agency's 38 object account as a refund of disbursement.
- C. In the event that a notice of violation was issued in error and paid by Treasury, agencies bear the burden of proof that the violation was resolved. If such proof is available, Treasury will credit the agency's monthly transportation services bill for the fine plus the penalty charge. Treasury will seek reimbursement from the issuing jurisdiction.
- D. If an agency has a vehicle that receives two "Second Notice" violations within a three year period that require Treasury to pay the fine, the agency head will be required to surrender the cited vehicle to the Central Motor Pool without reimbursement and satisfy all fines, administrative costs and reinstatement fees.
- E. Treasury will be responsible for the proper debiting and crediting of agency accounts and for the processing of State payments to the courts, as well as resolution and processing for reinstatement of a vehicle registration.



David Ridolfino
Director