

## Parking Citation Information

### *The Appeal Process*

**Did you receive a parking citation that you disagree with? It is your right to contest the citation in the following ways:**

The process for contesting a parking citation is set by California Vehicle Code sections 40215 and 40230. It includes three (3) progressive steps to contest a citation (**each step must be completed prior to moving to the next step**).

The first step is the **Administrative Review**, the second step is the **Hearing before the Hearing Examiner**, and the final step is the **Appeal to the San Benito County Superior Court**.

**\*IMPORTANT -- If any of these steps are not completed within the designated time period, you may be forfeiting your right to contest your citation**

### **How do I contest my citation?**

#### **Step 1 - How do I apply for an Administrative Review?**

Submit a completed **Request for Administrative Review Form** within 21 days from citation issuance or within 14 days of the mailing of the notice of delinquent parking violation. State in detail the reasons you contest the citation, include any documentation you may have to support your request (these items will **NOT** be returned to you). Please include a copy of your citation or notice. This process takes approximately 4 - 8 weeks, during which time your citation is on hold. Forms may be obtained by calling (831) 636-4330, or at the Hollister Police Department.

You will be notified by mail of the results of the Administrative Review of your citation. **If you have not received a response after 6 weeks, it is your responsibility to follow up on the citation.**

**\*IMPORTANT** - If you fail to submit your request within the required time, you may forfeit your rights of appeal. If you have missed the deadline for filing, please include an explanation and documentation as to why the late Administrative Review Request should be considered, (e.g. proof of change of address).

\*If you are not happy with the Administration Review results, see Steps 2 & 3.

#### **Step 2 - I disagree with the Administrative Review and want a Hearing before the Hearing Examiner. How do I do that?**

An Administrative Hearing must be requested within 21 days of the mailing of the results of the Administrative Review. You may pick up a **Request for Administrative Hearing Form** at the Hollister Police Department or request that a form be mailed to you by calling (831) 636-4330.

The request for an Administrative Hearing must be accompanied by a deposit of the full amount due on the citation or verifiable and substantial proof of the inability to deposit the full amount of the citation. You may request a mail-in or in-person hearing before a hearing examiner. A date will be scheduled for the hearing, and you will be notified as to the exact date and time. If you do not receive notification of your hearing date and time within 6 weeks of submitting your request, please call (831) 636-4330.

Mail or bring your **request** to:  
City of Hollister Police Department  
Parking Enforcement  
395 Apollo Court  
Hollister, CA 95023

Mail your **payment** to:  
City of Hollister  
Parking Enforcement Center  
P.O. Box 11923  
Santa Ana, CA 92711

The hearing will be conducted by a hearing examiner, appointed by the City, who has a background and knowledge of the judicial system. If you choose to appear in person, you may offer testimony, under oath, as to the reasons the parking citation is being contested and any other evidence which you believe to be relevant. The officer who issued the citation is not required to be present at the hearing. You will be notified by mail within 10 days of the hearing examiner's decision in the case.

If your citation is dismissed by the hearing examiner, your payment will be refunded, which will take up to 90 days. If your citation is not dismissed and you wish to continue the contest process go to Step 3.

**Step 3 -- What if I still disagree with the results from the Hearing Examiner and I want to appeal my case to the Superior Court?**

To appeal the decision to the San Benito County Superior Court you must file a civil case within 30 days of the mail date of the written decision of the hearing examiner. You must pay applicable filing fees unless you receive a waiver from the court. However, if you are successful in your appeal, your citation fee and the filing fee may be refunded. The determination made by the court is final.

**\*IMPORTANT** - File your appeal with the Superior Court, not the Small Claims Court.

## IMPORTANT NOTICE

**PAYMENT INFORMATION:** Mail check or money order within 21 days of the citation date in the attached envelope to:

City of Hollister  
Parking Enforcement Center  
P.O. Box 11923  
Santa Ana, CA 92711

Please write the citation number on your check.

DO NOT SEND CASH. A service charge will be assessed for checks not honored by your bank.

You may also log onto [www.paymycite.com](http://www.paymycite.com) to pay online by credit card or call 800-535-2421 or 888-282-0784 to pay by credit card over the phone. There will be a \$3.95 processing fee per transaction.

NOTE: State and County Laws require that a surcharge be included per parking citation for County Court and Criminal Justice Construction Funds. This surcharge is included in the penalty amount shown.

### **ADMINISTRATIVE REVIEW:**

If you wish to contest a parking citation, you may do so by telephone, in writing, or in person within 21 days of the citation issue date or within 14 days of the notice of delinquent parking violation mailing date. You may request an Administrative Review Form, or write a letter that contains the following information:

Name, address, and daytime phone number  
Citation number, the date of the citation and citation location  
Vehicle License Number  
Issuing Officer

State your reason for contesting the citation, including any supporting documentation such as photographs, pictures, or drawings.

**Note:** Failure to adhere to the time frames stated above will result in the forfeiture of your rights to an appeal, and all fines must be paid.

For Further information on How to Contest a Parking Citation please call the Hollister Police Department at the number below to request an Information Sheet and forms.

Send the form and/or letter to:  
City of Hollister Police Department  
395 Apollo Court  
Hollister, CA 95023  
831-636 - 4330  
Business hours: Weekdays 8am-5pm.

**IMPORTANT:** Failure to adhere to the required time frames may result in the imposition of additional Fines and Penalties and may also include withholding of Vehicle Registration

**WARNING:** Five or more unpaid violations may result in impoundment and/ or booting of your vehicle.

**CITY OF HOLLISTER  
POLICE DEPARTMENT**  
395 Apollo Court, Hollister, CA 95023  
(831) 636-4330

**REQUEST FOR ADMINISTRATIVE REVIEW OF NOTICE  
OF PARKING VIOLATION**

This request must be submitted to the Police Department within 21 days of issuance of a Notice of Parking Violation or 14 days of the mailing of a Notice of Delinquent Parking Violation per California Vehicle Code 40215(a).

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Request Date: \_\_\_\_\_  
Citation Number: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Violation Date: \_\_\_\_\_  
Issuing Officer: \_\_\_\_\_  
Vehicle License: \_\_\_\_\_  
\_\_\_\_\_

Daytime Phone: \_\_\_\_\_

**Registered owner's information if different from above:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Daytime Phone: \_\_\_\_\_

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Briefly state below (attach additional sheets if necessary) the reason(s) why you believe this parking violation should be dismissed. Personal reasons, inconvenience, lack of funds, failure to observe signs, lack of available parking elsewhere, lack of knowledge of the applicable restrictions, and similar or related matters are not under any circumstances a defense to liability for the parking penalty. Please attach a copy of your citation and all other supporting documents to this form. Materials submitted for review will not be returned.

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I \_\_\_\_\_ hereby affirm and certify under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Contestant's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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**FOR OFFICIAL USE ONLY**

Parking Violation:             UPHELD                             DISMISSED

\_\_\_ Error in Vehicle Identity    \_\_\_ Imperfect Citation            \_\_\_ Improper Application of Law

\_\_\_ Stolen Vehicle            \_\_\_ Other: \_\_\_\_\_

\_\_\_ Upheld -- No Grounds for Dismissal                            Penalty Amount: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Date Mailed: \_\_\_\_\_