

15 December 2022

Kia ora

### **Parking tickets process and statistics**

Thank you for your request made under the Local Government Official Information and Meetings Act 1987 (the Act), received on 23 November 2022. You requested the following information:

1. Can you please confirm how many tickets this specific car has received in the past 3 months? Can you confirm how many times it has been towed? (I realise there will likely be privacy issues though it is not our intent to publish the rego or identify the driver of this vehicle)
2. More generally, can you please provide information relating to WCC's parking infringement policy?
3. What is the threshold for a car being towed? Is there a maximum number of tickets, or repeat offences?
4. What powers does the council have to tow a car, and what are the limitations around this?
5. How much does it cost to retrieve a car that has been towed?
6. What are the next steps the council can take against repeat offenders? E.g., court action, can WCC impound or destroy a repeat offending vehicle
7. Which Wellington Street has received the most parking tickets this year? Can you please state the number and value of these tickets?
8. What is the greatest number of parking tickets received by an individual this year? Can you please state the number and value of these tickets?
9. Which make/model of car (not including identifying features such as individual regos) has received the most parking tickets this year? E.g., Mazda Demio's the most common car to get ticketed in Wellington
10. How many cars have been towed by WCC this year in relation to parking infringements?
11. How many court proceedings have been brought forward by WCC in relation to parking infringements?

Wellington City Council has partially **granted** your request for information.

As question one relates to a specific vehicle with the number plate you have provided, we are unable to confirm how many tickets this car has as it is a breach of privacy of the owner. We are therefore refusing this part of your request under section 7(2)(a) of the Act.

## **2. More generally, can you please provide information relating to WCC's parking infringement policy?**

Offences are controlled by the following pieces of legislation:

- Land Transport Act 1998
- Land Transport (Road User) Rule 2004
- Traffic and Parking Bylaw 2021
- Maximum fees a council can charge are set out in the Land Transport (Offences and Penalties) Regulations 1999.

We can issue a parking ticket if someone:

- doesn't pay for parking
- overstays the time limit
- parks unsafely – for example, on broken yellow lines or on the footpath
- parks a vehicle on a road with an expired warrant of fitness or licence label.

If someone doesn't pay for parking in a metered space, they are liable to receive a \$40 parking ticket. If they stay too long in a metered space or in a time restricted space, they will receive a parking ticket with a fee depending on the time overstayed.

If someone parks in a way that's unsafe for pedestrians or other vehicles, they will receive a \$60 fee. This includes parking:

- on or within six metres of an intersection
- on or too close to a pedestrian crossing
- on a broken yellow line
- alongside a car that is parked on the side of the road (double parking)
- inconsiderately
- on a clearway
- in an active bus lane
- in a marked bus stop.

Most other parking infringements incur a \$40 fee. This includes parking on footpaths.

Some offences incur a \$150 fee, such as parking in an area reserved for disabled people.

We allow a one calendar month grace period for vehicle owners to renew their Warrant of Fitness and vehicle licence after the date of expiry. After this period, if the vehicle is unwarranted or unlicensed, a \$200 fee will be issued.

## **3. What is the threshold for a car being towed? Is there a maximum number of tickets, or repeat offences?**

A vehicle is towed by Wellington City Council:

- If a vehicle is obstructing any road
- If a vehicle is obstructing a vehicle entrance
- If a vehicle requires removal in the interests of road safety or for the convenience of the public

There is not a maximum number of tickets that meets a threshold to tow a vehicle. If the vehicle remains in the offending position, the vehicle remains liable to be towed.

#### **4. What powers does the council have to tow a car, and what are the limitations around this?**

Warranted Parking Officers employed by Wellington City Council have powers of enforcement under The Land Transport Act 1998 Sections 128 D and E, which includes:

128 E Powers of parking wardens:

- (1) A parking warden in uniform or in possession of a warrant or other evidence of authority as a parking warden—
  - (d) may, if the parking warden believes on reasonable grounds that a vehicle on a road causes an obstruction in the road or to any vehicle entrance to any property or that the removal of the vehicle is desirable in the interests of road safety or for the convenience or in the interests of the public

#### **5. How much does it cost to retrieve a car that has been towed?**

A towage fee ranges from \$53.67 to \$71.67 and applies whether the vehicle is moved or not as it relates to the proposed movement of the vehicle.

The Land Transport (Offences and Penalties) Regulations 1999 state:

*(7) If expenses are incurred by an enforcement authority in respect of the movement or proposed movement under section 113(d)(c) of the Land Transport Act 1998 of the vehicle involved in the offence (whether or not the vehicle is in fact moved) the infringement fee is the total of -*

- (a) the amount specified in Schedule 1 or Schedule 1B in respect of the offence and*
- (b) the amount of the appropriate towage fee (including any goods and services tax payable in respect of the towage fee)*

Unless the vehicle presents a safety or security threat by being on a public road, vehicles that are towed by Wellington City Council will be moved to a prescribed location on public road. The owner or driver of that vehicle can retrieve it without paying a fee to specifically do so.

This is a separate process to abandoned vehicles that are towed to a yard, a fee is required by the towing company to retrieve the vehicle.

#### **6. What are the next steps the council can take against repeat offenders? E.g., court action, can WCC impound or destroy a repeat offending vehicle**

Enforcement practises remain fair and consistent regardless of the number of infringements any vehicle may or may not have received.

In the rare instance where vehicles are not retrieved from their tow location, they can be taken to a yard similar to the abandoned vehicle process. A fee is required by the towing yard to retrieve the vehicle.

**7. Which Wellington Street has received the most parking tickets this year? Can you please state the number and value of these tickets?**

From 01 January 22 to 30 November 2022, Featherston Street has received the most parking tickets this year with 5135 issued, totalling \$211,199.00

This number excludes warnings and tickets that have been waived, cancelled, or superseded.

Please note that this also includes those ticketed during the Parliament occupation, the details of infringements relating to this can be found on our website [Protest Related Infringement Data \(wellington.govt.nz\)](https://www.wellington.govt.nz)

**8. What is the greatest number of parking tickets received by an individual this year? Can you please state the number and value of these tickets?**

The greatest number of tickets issued to one vehicle from 01 January 2022 to 30 November 2022 is 195 with a total value of \$7,434.00

This number excludes warnings and tickets that have been waived, cancelled, or superseded.

**9. Which make/model of car (not including identifying features such as individual regos) has received the most parking tickets this year? E.g., Mazda Demio's the most common car to get ticketed in Wellington**

The make or model of a car is not always inputted when a parking officer issues a ticket. This is a manual step, rather than an automatic entry. As such, we are unable to guarantee the accuracy of this answer. Given what we have available, where it has been inputted, the model which has received the most tickets is Toyota which received 29,726. Unfortunately, we are unable to narrow this down to exact model.

**10. How many cars have been towed by WCC this year in relation to parking infringements?**

From 01 January to 30 November 2022, we towed 2,419 vehicles in relation to parking infringements. This number reflects infringements with a towage fee attached to it. In some instances, the car is moved by the owner before it is towed, so this number may not reflect the actual number towed. This does not include vehicles that have been towed under the Abandoned/Derelict process.

**11. How many court proceedings have been brought forward by WCC in relation to parking infringements?**

WCC does not initiate court proceedings in relation to infringements, but the recipient of the infringement may wish to do so.

Appeals for an infringement must be made in writing either online or by post – this is a legal requirement and is outlined on the back of the parking infringement notice and reminder notice. If the appeal is declined and the complainant believes they have grounds to appeal, or they wish to admit liability but want the court to consider mitigating circumstances, they can choose to have the appeal heard by the Courts. This process is outlined on our website [Parking - Have your appeal heard by the Courts - Wellington City Council](#)

From the period January 2022 to November 2022, there have been 82 Court hearings where WCC have defended parking infringements. Note that this number reflects the number of hearings which have been adjourned and heard by the Court again. Therefore, this number does not reflect 82 parking infringements.

Please note we have taken your question to apply to the year 2022 only.

**Right of review**

If you are not satisfied with the Council's response, you may request the Office of the Ombudsman to investigate the Council's decision. Further information is available on the Ombudsman website, [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note, we may proactively release our response to your request with your personal information removed.

Thank you again for your request, if you have any questions, please feel free to contact me.

Kind regards

Claudia Holgate  
**Senior Advisor, Official Information**