

September 22, 2011

Background Information: Fixed Fine System for Parking Tickets

General Information:

- A fixed fine system for parking tickets will help to streamline the court process and allow for faster resolution of parking ticket disputes by making more efficient use of available court capacity and court resources to hear legitimate parking ticket disputes.
- A fixed fine system will also help to promote the early resolution of parking tickets.
- The court process can no longer be used to obtain a reduced fine amount for a parking ticket offence.
- In 2010, the City of Toronto issued 2,787,071 parking tickets. Of the parking tickets issued, 306,651 Requests for Trial were filed – roughly 11% of all tickets issued in 2010.
- A parking ticket recipient appeared in court in less than 40% of the trials scheduled in 2010. For trials where the defendant did not appear (roughly 45% of all scheduled trials), 11.4% paid after receipt of a trial notice but prior to the scheduled trial, and 33.4% failed to attend their scheduled trial date, resulting in an automatic conviction. (See Table 1 below)
- In approximately 62% of trials scheduled in 2010 where the ticket recipient appeared in court and was convicted, the fine imposed by the court was less than the set fine amount indicated on the face of the ticket. On average, the fine assessed in court was approximately 50% of the original fine amount.

Key Points:

- In 2010, 306,651 or approximately 11% of parking ticket recipients requested a trial. Of the 268,170 tickets that went to trial in 2010, only 4.2 per cent were dismissed or withdrawn at trial.
- The total number of parking ticket recipients requesting a trial has risen from approximately 2.5% in 2004 to 11% in 2010. This increase may be due to a number of factors including:
 - changes in fine levels, including the removal of the lower voluntary payment amount;
 - a perception by the public that, by requesting a trial, a parking ticket may be dismissed, may never come to court, or that the fine amount may be reduced in court; and
 - as a result of the above, an increase in the number of parking ticket recipients that submit multiple trial requests, or routinely submit trial requests for all tickets received..
- A fixed fine system for parking tickets will help ensure quicker resolution of parking tickets, a reduction in the number of trial requests, and improved court capacity and resources available for parking ticket trials..
- Under the fixed fine system, where a trial has been requested for a parking ticket, and the ticket recipient is found guilty or pleads guilty in court, the fixed fine will apply for that offence. The fixed fine amount for an offence is the set fine for that offence (the amount that appears on the face of the ticket).
- Where a parking ticket recipient is found not guilty at trial, no fine is imposed.

- As at present, where a trial is requested and a defendant fails to appear in court, a conviction is entered and a regulated fee of \$12.75 for court costs will be added to the fine amount that appears on the ticket, as set out in the *Provincial Offences Act* (POA).
- In cases where no action is taken in relation to a ticket (i.e., no trial is requested, and no payment is made), and a conviction results, the POA allows costs of \$16.00 to be added to the fine amount that appears on a ticket.

Table 1: Results on Tickets Scheduled for Trial in 2010

Category	Trial Result	# of Tickets	% of total
Court Cases where defendant appeared	Convictions with assessed fine <i>equal to or greater</i> than set fine amount	36,015	13.4%
	Convictions with assessed fine <i>less than</i> set fine amount	59,530	22.2%
	Dismissals/withdrawals	11,156	4.2%
	Total	106,701	39.8%
Court cases where defendant did not appear	Tickets paid after receipt of notification of trial date	30,577	11.4%
	Tickets convicted where respondent failed to appear at trial	89,532	33.4%
	Total	120,109	44.8%
Other disposition	Extensions of time or appeals	41,360	15.4%
Total # Parking Tickets Scheduled for Trial in 2010		268,170	100.0%

- Approximately 32% of trial requests were made for vehicles owned by companies or other entities, and 68% were made for vehicles owned by individuals. Of all the trial requests made for vehicles owned by companies, 67.3% of these requests were made by just 20 individual companies (including major delivery/courier services, car and truck rental agencies, mobile shredding companies, and food and drink delivery services).
- Collectively, over 76% of ticket recipients requesting a trial initiate more than one request in a year, suggesting that many ticket recipients submit multiple trial requests in a single year, or that they may routinely request a trial for all parking tickets they receive.

Resources

- Item GM7.9: *Implementation of a Fixed Fine System for Parking Tickets*
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.GM7.9>

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