

21 May 2018

[REDACTED]

Dear [REDACTED]

Local Government Official Information and Meetings Act Request.

I refer to your e-mail requesting copies of all policies, guidelines and similar DCC information that sets out the basis upon which decisions are made in relation to disputed infringement notices.

In response to your request I advise that when assessing whether or not to waive an infringement notice, the Council will first look to see if the circumstances meet an exemption provided for in legislation (relating to registration and warrant of fitness), as per the link below:

<http://www.legislation.govt.nz/regulation/public/2011/0079/latest/DLM2938433.html>

If the legislation is applicable, staff will undertake an assessment to determine whether or not the conditions of the DCC issued 14 Day Compliance Notice has been met. A copy of the 14 Day Compliance Notice and procedure is attached.

If the legislation does not apply, Council will look to see if there was any technical error which resulted in a ticket being issued. Supporting documentation is required to be provided by the person seeking a waiver.

The final consideration is if there are any extenuating circumstances (i.e. a serious medical event, supporting documentation is required).

All requests for a waiver of an infringement notice are considered on a case-by-case basis.

Yours sincerely



Jennifer Lapham
Governance Support Officer

14 Compliance Notice procedure

Commencement date: 7 December 2017

	Licence label or WOF expired MORE THAN 28 days:	Licence label or WOF expired LESS THAN 28 days:
Suburban Areas (suburbs)	The officer is to issue a live ticket along with a 14 day compliance notice. <i>If the vehicle is on the road or grass verge or footpath outside the registered owners address a calling card can be left in the letter box.</i>	The officer is to issue a live ticket along with a 14 day compliance notice. <i>If the vehicle is on the road or grass verge or footpath outside the registered owners address, a calling card can be left in the letter box.</i>
Central City Area	The vehicle is to be issued a ticket without compliance being given as an option. <i>If a vehicle is found and it is clearly:</i> <ul style="list-style-type: none"> ✓ <i>being used as a daily driver AND;</i> ✓ <i>its licence label or WOF are expired OR;</i> ✓ <i>it has a licence label exemption in place AND;</i> ✓ <i>checks show the expiry is over 28 days</i> THEN, a live ticket can be issued without a 14 day compliance notice.	Vehicles located with their licence label or WOF expired OR being used where an exemption is in place: The vehicle is to be issued a live ticket for the offence(s) along with a 14 day compliance notice.

Compliance Notice procedure once issued:

1. Customer must apply **within 14 calendar days** of the infringement date
2. Applies to licence label (registration), Warrant of Fitness or Certificate of Fitness stationary vehicle offences only
3. Applications must be in writing (as per existing explanation procedure)
4. Customer must provide proof – DCC will not request evidence from a third party (such as a mechanic)
5. If the customer has removed the vehicle from the public road or public reserve to gain compliance:
 - i. CSO to place the infringement **on hold** AND;
 - ii. CSO to complete a Parking Enforcement (PNF) Pathway request for service (**RFS**)
 - ✓ MUST have name and contact phone number
 - ✓ MUST have location of vehicle
 - ✓ MUST have full details of vehicle (plate number; make/model; colour)
6. Parking Services to physically check location of vehicle
7. Parking Services to advise CSA via email parkingexplanations@contactcentre.dcc.govt.nz if compliance has been met or not
8. CSA to advise customer if compliance given in writing (as per existing explanation procedure)

14 Day Compliance Notice

How to have your ticket waived

You have been issued with a ticket, but if you address the issue/s and advise the DCC within 14 days, your fine may be waived. If you do not take action or provide proof, you will need to pay a fine.

Your ticket relates to one of the following:

- Your vehicle doesn't have an up-to-date warrant of fitness or Certificate of Fitness (*Failing to display evidence of having a current WOF or COF*)
- Your licence label (registration) is out of date or is not displayed (*Failing to display a current licence label; operating a vehicle that is unregistered; operating a vehicle on the road while it is exempt from continuous licensing*)

Your fine may be waived if you have addressed the issue/s and provide evidence of this to the DCC within 14 days of the date on your ticket. It is your responsibility to let us know.

Depending on the type of infringement, you will need to provide documentation showing your vehicle now has a current WOF, COF or Licence Label (registration), or you will need to move the vehicle from the road onto private property.

Please note this offer of compliance relates only to the offences listed above, and to the ticket number given.

It is illegal to drive a vehicle that does not have a valid WOF, COF or registration, and you may get further infringements until the issue is resolved. Your vehicle's insurance may also be compromised.

For your infringement to be waived, you will need to visit a DCC Service Centre or apply online at www.dunedin.govt.nz within 14 days of this notice. You will need to provide your licence details and proof that you have addressed the issue/s.

If you have any questions, please call the DCC on 03 477 4000 or go to www.dunedin.govt.nz.

This notice relates to Ticket number: _____

03 477 4000

www.dunedin.govt.nz

