



## COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

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### Lax Fleet Management Practices Enable Government Employees to Ignore Local Parking Laws and Evade Fines

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*Prepared for*

*The Honorable James L. Oberstar  
Chairman*

*By the Committee on Transportation and Infrastructure  
Oversight and Investigations Majority Staff*

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## EXECUTIVE SUMMARY

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According to the Texas Transportation Institute, traffic congestion continues to worsen in American cities, creating a \$78 billion annual drain on the U.S. economy. One method cities have used to mitigate congestion is instituting parking restrictions to improve traffic flow; for example, banning curbside parking during rush hour. However, these mechanisms only work if drivers obey the parking rules—a result that most local governments achieve through assessment and enforcement of fines and penalties.

Federal employees in the District of Columbia (“DC”) and New York City (“NYC”) incurred thousands of dollars in tickets assessed on illegally-parked U.S. Government vehicles. Federal regulations and agency policies clearly state that parking fines are the responsibility of employees. In 2007, 477 parking tickets valued at \$63,150 issued to U.S. Government-tagged vehicles in DC were never paid. Nearly one-half of the tickets were for violations of morning or evening rush-hour restrictions, violations that increase congestion by reducing available road capacity. One Federally-funded study found that temporary capacity reduction of one lane on a two-lane freeway can reduce capacity by as much as 68 percent. A blocked lane also jeopardizes safety by forcing traffic approaching the illegally parked vehicle to merge into the adjacent lane.

Other Federal employees and contractors incurred violations for parking on sidewalks, parking in handicapped zones, parking in front of fire hydrants, obstructing an intersection, and parking in a bus stop. Only six percent were for expired meters.<sup>1</sup> These types of violations impact pedestrian and bicycle safety as well as impede the efficient flow of commerce. In 2006, New York State reported 457 pedestrian accidents and 212 bicycle accidents where a contributing factor was “view obstructed/limited.”

Federal employees in NYC also neglected to pay at least 670 parking tickets valued at \$112,456 accumulated through December 9, 2007.<sup>2</sup> The largest Federal Government offenders in NYC were the Federal Bureau of Investigation (\$34,908), the U.S. Department of State (\$28,333), and the 1<sup>st</sup> Marine Corps District (\$19,552).

In DC, the Army, Navy, and Air Force, combined, were issued—and did not pay—158 tickets totaling \$27,840. The majority of these tickets were incurred by military recruiters who share space at the downtown Armed Forces Recruiting Center. Recruiters said they did not pay the tickets because they believed their cars were ticketed in error.

Federal employees were able to accumulate large balances of unpaid parking tickets because DC enforces a double standard for government agencies. The DC Department of Public Works (“DPW”) does not boot or tow government-tagged vehicles, “as a matter of long-standing policy.” Federal law requires employees to pay parking tickets received on U.S. Government vehicles, but because there are no consequences for ignoring parking tickets, Federal employees have no incentives to pay up *or* to comply with local parking laws.

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<sup>1</sup> In the District of Columbia, vehicles with Federal Government or District of Columbia license plates being used on official business are allowed to park in a metered zone and the operator is not required to deposit payment. 18 DC 2404.11; DC Municipal Regulations.

<sup>2</sup> NYC’s fleet tracking system is not able to produce data for a defined time period; thus, all outstanding NYC ticket data is reported cumulatively each time a report is run.

In part, local governments may give Federal Government vehicles a break because they have their own parking woes. In DC, vehicles belonging to DC government agencies were assessed 329 tickets which had an outstanding value of \$33,360 at the end of calendar year 2007. In NYC, state and city government agencies owed a cumulative balance of \$490,939 on 2,562 outstanding tickets incurred through December 9, 2007. In both DC and NYC, the local agencies charged with enforcing parking laws were the biggest city Government perpetrators of parking violations. In DC, DPW employees, whose mission is to enforce parking laws to “improve public safety, [...] and spur economic competitiveness,” accumulated and ignored more than \$10,000 in tickets in 2007. Likewise, the New York Police Department (“NYPD”), charged with providing for “the free and orderly flow of traffic”, had a cumulative balance in unpaid parking fines of more than \$192,000.

Serious concerns are raised by the inability of the General Services Administration (“GSA”) to identify its own employees responsible for 34 unpaid tickets valued at \$4,150. GSA has been tasked by Congress as the Federal property manager, and should be setting an example for property management throughout the Federal Government. Instead, GSA was unable to identify which employees were using the vehicles on the days they were ticketed. GSA admitted that “proper vehicle check-out procedures were not followed,” and vehicle use logs were “not kept or incomplete”.

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## **PURPOSE**

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The 2007 Urban Mobility Report prepared by the Texas Transportation Institute found that traffic congestion is worsening in cities of all sizes, causing a \$78 billion drain on the U.S. economy in the form of 4.2 billion lost hours and 2.9 billion gallons of wasted fuel. Congestion occurs when traffic demand exceeds available capacity – a factor that can change significantly in response to events including adverse weather, crashes, road construction, and illegal parking.

Illegal parking impedes the safe and efficient flow of traffic by preventing other vehicles, cyclists, and pedestrians from legal uses. As public servants, Federal employees should have a heightened sense of responsibility for preserving, protecting, and promoting public safety. Federal employees who use government property, including government vehicles, to break the law are not only abusing their positions but are abusing the public trust.

## **BACKGROUND**

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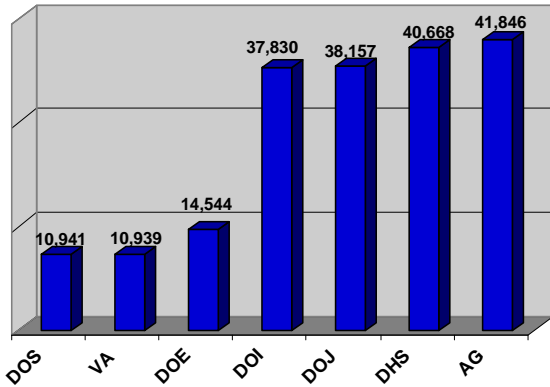
In 1949, Congress passed the Federal Property and Administrative Services Act establishing the General Services Administration as the central organization to provide an economic and efficient system for the procurement, supply, and disposal of surplus property, and performance of related functions.<sup>3</sup> The Act provided a foundation for fleet management through property management law. Under this legislative authority, GSA prescribes and issues the Federal Management Regulation (“FMR”) which prescribes policies concerning property management and related administrative activities. FMR interim and final rules are codified annually in the Code of Federal Regulations (“CFR”).

The United States Federal vehicle fleet (“Federal Fleet”) consists of approximately 642,000 vehicles. While a large percentage of the fleet is located in the Washington, D.C. metropolitan area, Federal Fleet vehicles are located in all 50 States and throughout the world. As a single Federal agency, the U.S. Postal Service has the most Federal Fleet vehicles (217,775). The other civilian agencies with large Federal Fleets are the Department of State (“DOS”); the Department of Veterans Affairs (“VA”), the Department of Energy (“DOE”), the Department of Interior (“DOI”), the Department of Justice (“DOJ”), the Department of Homeland Security (“DHS”), and the Department of Agriculture (“AG”). Figure 2 identifies non-tactical fleet size by military agency.

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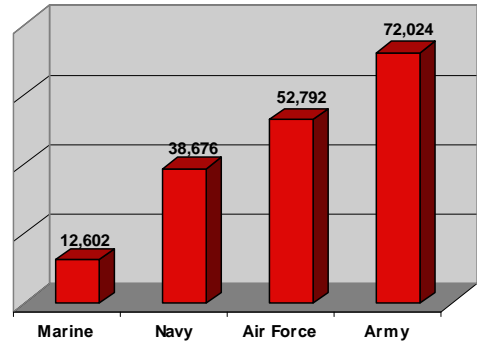
<sup>3</sup> 40 USC 471-535, as amended.

**Figure 1. Federal Civilian Agencies with Largest Federal Fleets**



Source: GSA FY 2007 Federal Fleet Report (excludes Postal Service)

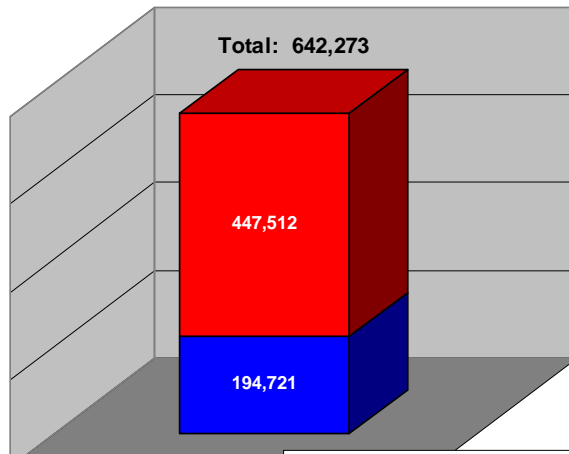
**Figure 2. Military Federal Fleet Vehicles (Non-Tactical)**



Source: GSA FY 2007 Federal Fleet Report

The Federal Fleet consists of vehicles that are either purchased or commercially leased by the agency, or leased through GSA. About 70 percent of the Federal Fleet (447,512) is directly procured by individual agencies. The remaining vehicles are leased through GSA’s Fleet program. Many agencies have a combination of owned and GSA-leased vehicles. For example, the Department of Interior owns 22,938 vehicles and leases 14,746 vehicles from GSA.

**Figure 3. Distribution of Federal Fleet: Agency Owned/Leased v. GSA Fleet Program**



Source: GSA FY 2007 Fleet Report

Official U.S. Government license plates must be used on all Federal Government-owned or leased motor vehicles unless exempted.<sup>4</sup> For vehicles leased commercially or procured directly by

<sup>4</sup> 41CFR §102-34.180, 195, and 200 exempt vehicles operating in a security-sensitive or undercover operation from displaying plates identifying the vehicle as a Federal Government vehicle. Exemptions may be authorized by the agency head or designee upon written certification to GSA that conspicuous identification will interfere with the purpose for which the vehicle is used.

the agency (i.e., not through GSA), the agency obtains official license plates directly from UNICOR (also known as Federal Prison Industries, Inc.) which manufactures the plates. These license plates are numbered serially for each agency and are preceded by a letter code designating the Federal agency accountable for the vehicle.<sup>5</sup> For example, a U.S. Government license plate numbered CP001 would designate a Capitol Police vehicle. A U.S. Government plate with the number E001 would designate a Department of Energy vehicle. Appendix I contains GSA Bulletin FMR B-11 which identifies all Federal agency license plate prefixes. GSA obtains plates for all 194,721 vehicles in the GSA Fleet Program, including its own vehicles and those which are leased to other agencies. GSA tags are identified by the alphabetic precedent “G”. A “G-tagged” vehicle could be assigned to any agency.

Government motor vehicles are not registered in the States, territories, or possessions in which they are used, except those that are exempted from displaying U.S. Government license plates.

### **Federal Employees are Responsible for Parking Tickets Incurred on U.S. Government Vehicles**

Federal law requires all employees and contractors who use Federal Fleet vehicles to obey state and local traffic laws, including parking ordinances. According to 41 CFR §102-34.256, “[i]f you are fined for a parking violation while operating a motor vehicle owned or leased by the Government, you are responsible for paying the fine and will not be reimbursed.”

In addition, the Comptroller General of the United States has determined that agencies may not pay an employee’s parking ticket from appropriated funds. Specifically, the Comptroller General concluded that:

A fine imposed by a court upon an employee for a parking violation while driving a Government vehicle in the performance of his official duties is a personal responsibility of the employee and there is not authority for the payment thereof from appropriated monies.<sup>6</sup>

When a parking ticket is issued to a Federal Fleet vehicle, the operator of the vehicle *at that time* is responsible for paying or adjudicating the ticket. In some cases, local jurisdictions will forgive or reduce a ticket if the operator can prove that job-related responsibilities prohibited legal parking.<sup>7</sup> In the District of Columbia, vehicles with Federal Government or District of Columbia license plates being used on official business are allowed to park in a metered zone and the operator is not required to deposit payment.<sup>8</sup>

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<sup>5</sup> FMR 102-34.160 identifies the official alphabetic precedents by agency.

<sup>6</sup> 31 Comp. Gen. 246 (1952).

<sup>7</sup> The ticket will not be dismissed if the violation endangered public safety (e.g., parking in front of a fire hydrant or in a crosswalk).

<sup>8</sup> 18 DC 2404.11; DC Municipal Regulations.

## **Agency Operating Procedures and Policies Advise Employees of Their Responsibility for Paying All Parking Tickets**

Each Federal agency that we queried provided the Committee on Transportation and Infrastructure with the agency's policies and rules regarding responsibility for parking or other vehicle violations. Every policy indicated that all traffic violations, including parking citations, were the financial responsibility of the individual. The Drug Enforcement Agency and the Federal Bureau of Investigation are the only agencies with a policy requiring tickets to be reported to employees' supervisors within 48 hours. The Department of State's Diplomatic Security Standard Operating Procedure states, "Failure to pay for violations or tickets will result in suspension of driving privileges and may result in disciplinary actions."

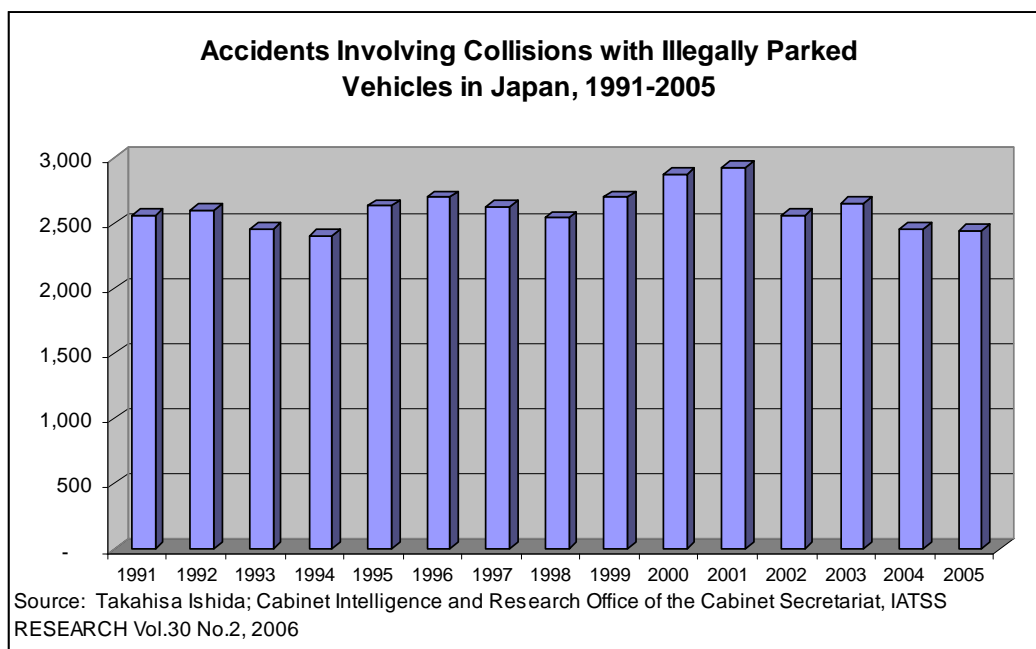


## FINDINGS

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### Finding: Illegal Parking Compromises Public Safety and Contributes to Congestion

Illegal parking impedes the safe and efficient flow of traffic by preventing other vehicles, cyclists, and pedestrians from legal uses. In 2006, researchers found that illegally parked cars were the cause of, on average, about 2,500 of vehicle collisions in Japan each year since 1991.



Illegal parking also endangers pedestrians by obstructing lines of sight. In 2006, New York State reported 15,702 total accidents involving pedestrians and moving vehicles; 312 of which were fatal. In 457 accidents, a contributing factor was “view obstructed/limited.” Likewise, 5,565 bicycle accidents were reported in New York State; 45 of which were fatal. In 212 bicycle accidents, a contributing factor was “view obstructed/limited”.

Two of the most common parking infractions – parking during morning or evening rush-hour – have a direct and detrimental effect on traffic congestion. Rush hour restrictions are imposed to promote maximum road capacity during peak demand periods; usually by converting the curb lane used for parking during off-peak hours to a second traffic lane. One Federally-funded research study, focused on determining the impact on congestion caused by temporary losses of capacity, found that a single lane blocked on a two-lane freeway reduced capacity by as much as 68 percent.<sup>9</sup> A blocked lane also jeopardizes safety by causing traffic approaching the illegally parked vehicle to merge into the adjacent lane.

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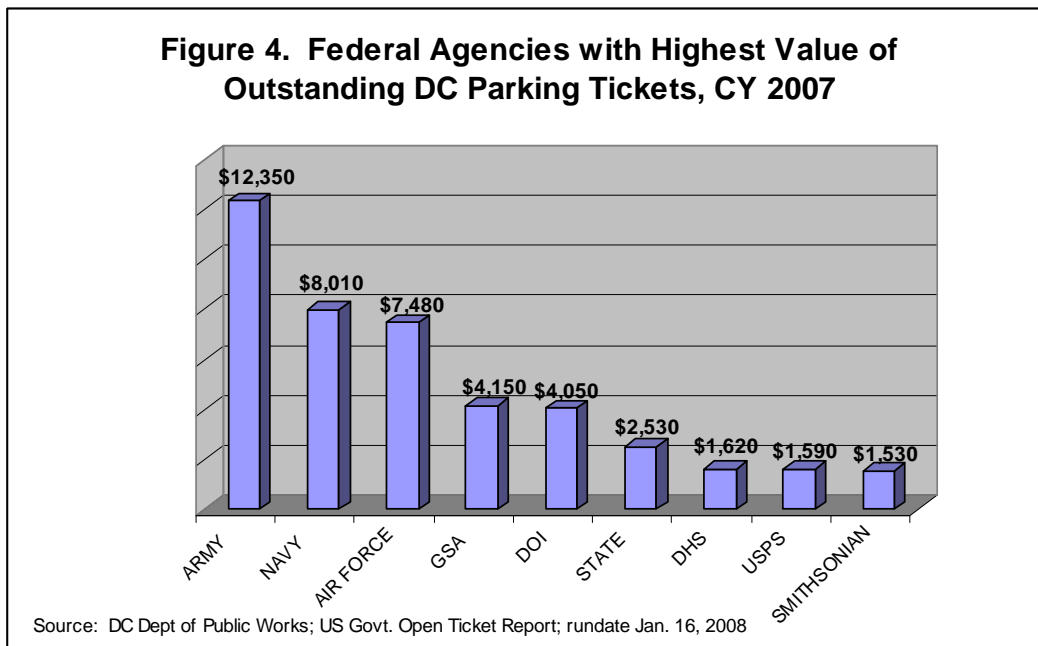
<sup>9</sup> Temporary losses of Highway Capacity and Impacts on Performance: Phase 2; Chin, S.M. et. al; November 2004.

**Finding: Government Employees in DC and NYC Owe Hundreds of Thousands of Dollars in Parking Tickets Assessed on Illegally Parked U.S. Government Vehicles**

At the close of calendar year 2007, government employees in DC and NYC, combined, owed at least \$700,000 in outstanding fines assessed on illegally parked government vehicles, representing more than 4,000 individual parking tickets. In calendar year 2007, Federal and local Government employees in the DC area, combined, incurred 806 tickets with an unpaid balance of \$96,150. NYC was not able to provide segregated numbers for calendar year 2007, but cumulative outstanding penalties on vehicles assigned to city, state, and Federal agencies had 3232 outstanding tickets totaling \$603,395.<sup>10</sup>

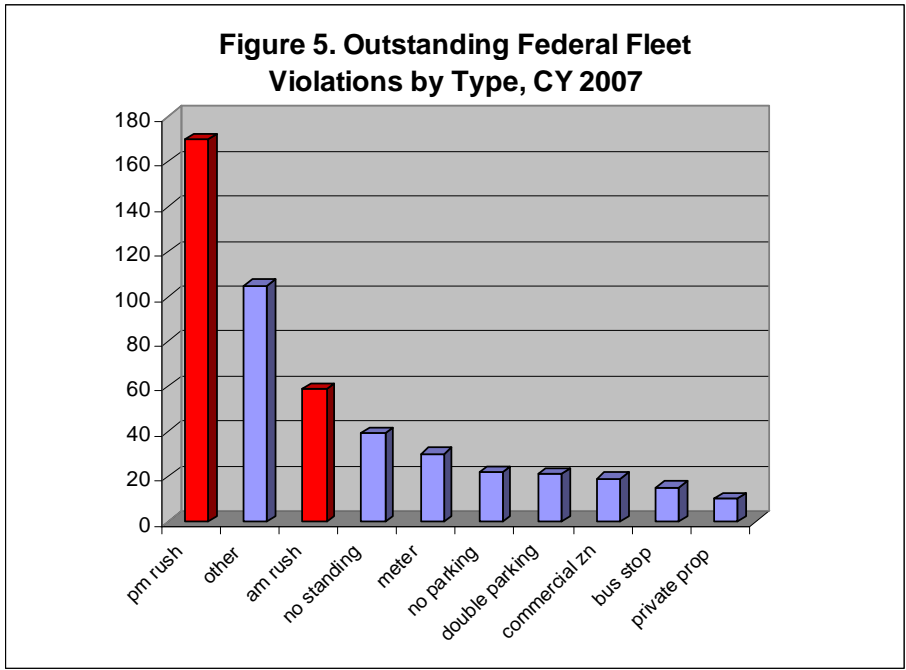
**Federal Employees Failed to Pay Fines on 477 Tickets Assessed for Illegal Parking in DC.**

During 2007, 477 parking tickets valued at \$63,150 issued to Federal Fleet vehicles by the DC Department of Public Works were never paid. The agency with the most outstanding DC tickets was the Army, whose 68 delinquent tickets totaled \$12,250. Figure 4 identifies the nine agencies with the highest total of outstanding tickets in the District of Columbia during 2007. Together, these agencies represent 69 percent of all tickets assessed in calendar year 2007 to Federal Fleet vehicles in DC.



Nearly one-half (47 percent) of the tickets were for violations of morning or evening rush-hour restrictions, which significantly impair mobility by reducing available road capacity. Other violations included parking in handicapped spaces, parking on sidewalks, obstructing intersections, parking in “no parking or standing anytime” zones, and blocking fire hydrants.

<sup>10</sup> NYC has an antiquated fleet tracking system and was unable to segregate individual years of data or provide information on when they began tracking outstanding tickets for each of the agencies enrolled in its fleet program.



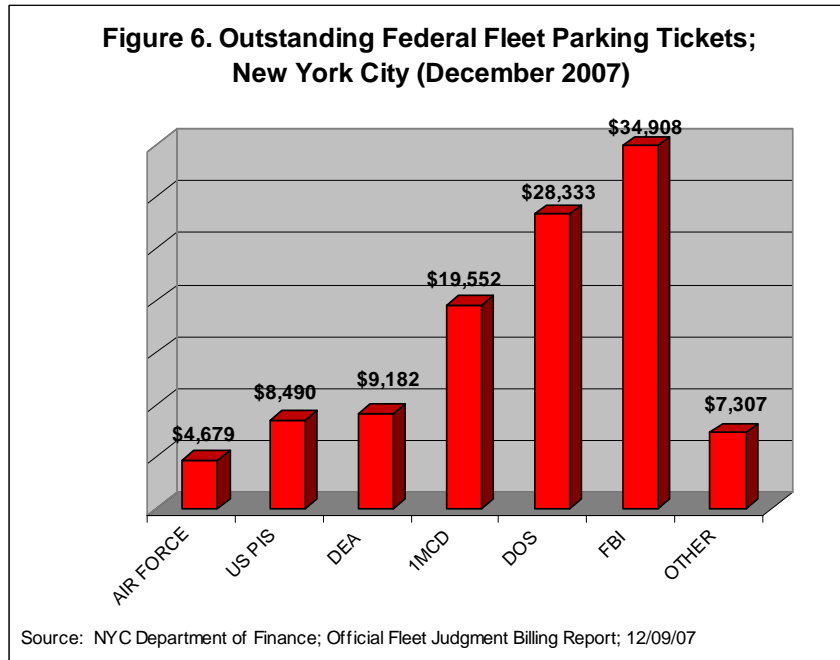
**Federal Employees Failed to Pay Fines on 669 Tickets Assessed for Illegal Parking in NYC, Cumulative through December 9, 2007.**

Federal employees in New York City accumulated and also neglected to pay at least 670 tickets valued at \$112,456 through December 9, 2007. This amount is likely understated because the New York City Department of Finance claims that tickets assessed on Federal Fleet vehicles not enrolled in the Fleet Program cannot be traced.<sup>11</sup> The following photo depicts recruiters’ cars parked on a pedestrian island in front of the Armed Forces recruiting center in Manhattan’s Times Square.



<sup>11</sup> New York City’s Department of Finance allows commercial firms and government agencies to enroll one or more vehicles in its “Fleet Program”. Firms and agencies in the Fleet Program receive weekly reports listing tickets issued to enrolled plates. They are provided a penalty-free period to address those tickets.

Figure 6 identifies the largest balance of outstanding parking tickets for five Federal Agencies enrolled in New York City’s Fleet Program; US Postal Inspection Service (“US PIS”); Drug Enforcement Agency (“DEA”); 1<sup>st</sup> Marine Corps District (“1MCD”); the Department of State (“DOS”), and the Federal Bureau of Investigation (“FBI”).



**Finding: Military Recruiters Ignored More than 300 DC Parking Tickets in 2007**

The Army, Navy, and Air Force, combined, were issued – and did not pay – a total of 158 DC tickets valued at \$27,840 in 2007. In New York, the 1<sup>st</sup> Marine Corps District failed to pay 151 tickets valued at \$19,552, cumulatively through December 9, 2007. The majority of unpaid parking tickets were assessed on military recruiters operating in the DC and New York City areas. In DC, the Army, Navy, and Air Force share space at the Armed Forces Recruiting Center in the 1300 Block of L Street, NW.



One Air Force recruiter received 38 tickets on two separate vehicles in 2007, incurring an unpaid balance due of \$7,120. The recruiter has subsequently adjudicated and/or paid most of the outstanding fines from 2007. We did note, however, that this individual has received (and not paid) two subsequent tickets for violations of evening rush hour restrictions.

We limited the scope of our review to tickets issued during Calendar Year 2007; however, many of these recruiters' vehicles have ticket balances from prior years that far exceed those reflected above. For example, this Dodge Stratus leased from GSA to the Department of the Navy has \$5,180 in outstanding fines and penalties at the writing of this report, \$3,080 of which were assessed in Calendar Year 2007.



### **Recruiters Say Tickets Were a Mistake or Do Not Remember Receiving A Ticket.**

Of the 68 tickets assessed on the Army in DC during 2007, 58 of the 68 tickets belonged to the United States Army Recruiting Command. In every instance, recruiters reported that they did not pay the tickets because he or she, “believed government vehicles would not be cited.”

According to the Air Force recruiter, he was told by the previous recruiter that, “You could park GSA vehicles anywhere in DC and not get a ticket because of the Government Plates.” He also reported that two different parking meter agents told him that, “He should not be getting tickets in that area because of his government plates.” The Air Force explained, “That was enough for the recruiter to believe that was [sic] parking on the street was OK.” And thus, “Not believing the tickets were valid, the recruiter began throwing away the tickets.”

During the course of this investigation, the Air Force discovered a total of 77 outstanding New York City tickets valued at \$15,806 dating back to 2003. Of the most recent tickets, the Commander of the 314<sup>th</sup> RCS stated that, “Most of his recruiters did not ‘remember ever receiving a ticket on their vehicle.’”

According to one Navy recruiter, “there was an agreement between all the armed forces recruiters and the DC Parking Authority that when the vehicles were parked in front of the Recruiting Office they would not be issued parking citations.” When asked about this agreement, the Associate Director of the DC Department of Motor Vehicles responded as follows:

There is no record in our files of an agreement between the DC Department of Motor Vehicles (DMV) and Armed Forces recruiting offices that would allow a recruiter to park in front of his or her respective recruiting office without being issued a parking citation. The DMV is not authorized to enter into such an agreement and if the agency did, it most likely would be void.

When asked why Navy recruiters did not try to adjudicate the tickets they believed were received in error, the Navy responded, “Tickets have not been challenged due to the demanding work schedule Navy Recruiters have had.”

**Finding: Nearly Five Months After Learning of Outstanding Tickets, Few Have Been Paid**

The Committee on Transportation and Infrastructure notified nine agencies whose employees had unpaid DC ticket balances greater than \$1,000 on April 11, 2008. Nearly five months later, most tickets still appeared on the DC DMV website as “unpaid”. Only the Air Force, the Department of Homeland Security, and the Postal Service appear to be making a concerted effort to ensure that their employees satisfy their outstanding debts. Table 2 identifies the number of tickets outstanding as of April 11, 2008, and September 3, 2008.

<b>Table 2. Outstanding 2007 DC Tickets on Federal Fleet Vehicles by Agency, April 11, 2008 vs. September 3, 2008</b>		
<b>AGENCY</b>	<b>April 11, 2008</b>	<b>September 3, 2008</b>
<b>Air Force</b>	<b>41</b>	<b>15</b>
<b>Army</b>	<b>63</b>	<b>58</b>
<b>Homeland Security</b>	<b>11</b>	<b>3</b>
<b>Interior</b>	<b>34</b>	<b>30</b>
<b>General Services Administration</b>	<b>34</b>	<b>33</b>
<b>Navy</b>	<b>48</b>	<b>48</b>
<b>Smithsonian</b>	<b>16</b>	<b>15</b>
<b>Department of State</b>	<b>17</b>	<b>14</b>
<b>U.S. Postal Service</b>	<b>13</b>	<b>7</b>

*Appendix II summarizes all Federal Agency explanations for unpaid tickets where balances exceeded \$1,000 in 2007.*

**Finding: Lack of Enforcement on Illegally Parked Government Vehicles Removes Incentive to Obey Parking Laws**

According to a spokesperson for the DC Department of Motor Vehicles, the Department of Public Works does not boot or tow government vehicles, “as a matter of long-standing policy,” and government agencies that do not pay their tickets are not reported to collections. Although the

DMV spokesperson stated that “[n]otice of all unpaid violations are mailed to the registered owner of the vehicle,” the fact is that many Federal Fleet vehicles are not registered in any locality and the DMV would have no information on where to send the notices. None of the Federal agencies we contacted regarding outstanding tickets claimed to have ever received a notice from the DMV.

Although Federal employees are required by law to pay or adjudicate their tickets, there are no consequences for failing to do so. Thus, there are no incentives for employees operating Federal Fleet vehicles to comply with local parking restrictions.

In contrast, when parking tickets are issued to vehicles belonging to a private citizen, the vehicle’s owner is responsible for paying or challenging the ticket within 30 days, after which time the fine doubles. The Metropolitan Police Department and the DC Department of Public Works boot or tow vehicles with two or more delinquent tickets. To have a boot removed or retrieve a towed vehicle, the owner must pay all outstanding fines and penalties and pay a boot removal fee of \$75 or a towing fee of between \$100 and \$275.

### **Finding: State and Local Government Employees Also Collect and Ignore Tickets Issued for Illegal Parking**

In calendar year 2007, vehicles assigned to DC Government employees had 329 outstanding parking tickets valued at \$33,360. In NYC, state government vehicles had a cumulative 1,276 tickets with an outstanding balance of \$248,697. City agencies owed \$242,243, cumulatively, on 1,286 outstanding tickets. In both DC and NYC, the agencies with the most citations were those tasked with enforcing local parking laws.

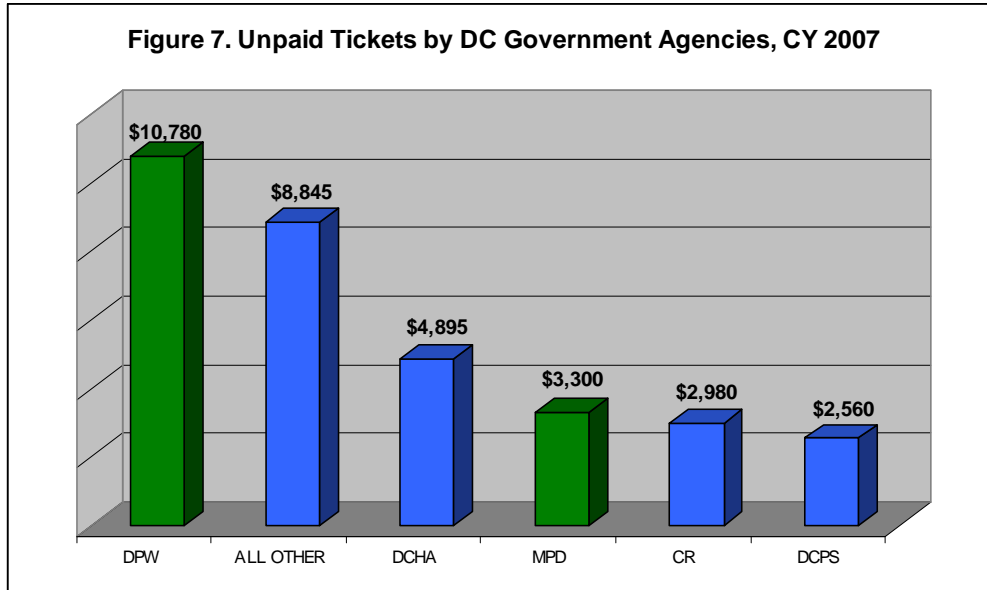
### **DC Local Parking Enforcement Agency Is Chief Violator of Parking Laws.**

According to the Director of the DC Department of Motor Vehicles, one of the primary reasons the District does not enforce tickets on U.S. Government-tagged vehicles is because the DMV would have to establish the same policy for all government vehicles, including those operated by DC government employees. The Director stated, “politically, that’s not a feasible thing to do.”

Committee staff obtained data on unpaid tickets assessed in 2007 on DC Government-tagged vehicles and found a disturbing trend. The very agency whose mission is, “on-street enforcement services in the District to improve public safety, enhance quality of life, and spur economic competitiveness” was the chief perpetrator of parking violations.<sup>12</sup> In 2007, vehicles operated by employees in the DC Department of Public Works (“DPW”) were issued more than \$10,000 in parking tickets which have not been paid. The Metropolitan Police Department (“MPD”), also charged with maintaining public safety, was the agency with the third highest amount of unpaid parking tickets (\$3,150). Other agencies with balances exceeding \$2,000 were the DC Housing Authority (“DCHA”), Community Relations (“CR”), and DC Public Schools (“DCPS”).

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<sup>12</sup> Department of Public Works website; <http://dpw.dc.gov/dpw/cwp/view,a,1202,q,517989,dpwNav,%7C31202%7C.asp>.



**Local Law Enforcement Agencies are Primary Violators of NYC Parking Laws.**

According to New York City Police Department (NYPD) Commissioner Raymond Kelly,

The NYPD Traffic Control Division plays a crucial role in our overall mission of keeping New York safe. Its agents ...[provide] for the free and orderly flow of traffic for more than 8 million residents and visitors. Without their presence, the city would be at a literal stand-still.

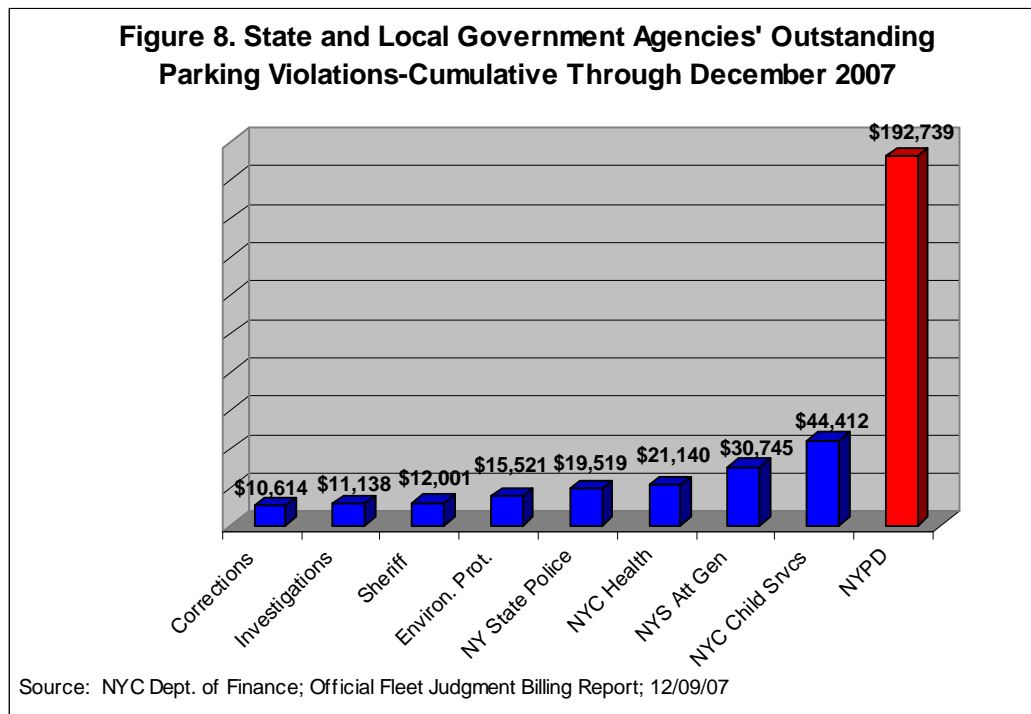


Police Cars Parked in Bike Lane on DeKalb Ave., Brooklyn, New York

Despite this claim, we found that employees of the NYPD were the most likely to illegally park their city vehicles in a manner that obstructed “the free and orderly flow of traffic”. With



nearly \$200,000 in unpaid fines, the NYPD had more outstanding tickets than all other agencies combined.



**Finding: Local Fleet Management Programs Could be Effective Agency Enforcement Tools but are Underutilized**

Both New York City and the District of Columbia have established fleet management programs that enable commercial entities and government agencies to obtain periodic information on outstanding fines on vehicles they have enrolled in the program. The programs provide an efficient way for commercial entities, such as the United Parcel Service and Federal Express, which receive frequent citations to pay fines before they become delinquent.

Some Federal agencies have enrolled their vehicles in these programs, but it does not appear that many agencies have been utilizing the programs effectively to oversee parking violations by their employees. In fact, the December 9, 2007 fleet management report provided by the New York City Department of Finance identified 2,539 outstanding parking tickets valued at \$496,818 for the 1<sup>st</sup> Marine Corps District (“1MCD”). When the Committee made its inquiry in April 2008 regarding the nature of the tickets and their non-payment, 1MCD researched the violations and found that most of the tickets were associated with vehicles that had erroneously been identified as belonging to the 1MCD fleet. Ultimately, only 151 tickets valued at \$19,551 were 1MCD’s responsibility, but the Committee is perplexed as to how that magnitude of error had gone unnoticed for at least four months,<sup>13</sup> given that these citations appeared repeatedly in weekly fleet reports.

<sup>13</sup> The fleet management report was dated December 9, 2007, and Committee’s inquiry was sent on April 11, 2008, a period of 4 months, 2 days. We did not attempt to determine how long before the December 2007 report the balance of 1MCD outstanding tickets was overstated.

## **Finding: Agency Charged With Managing Federal Property Could Not Account For Use of Its Own Vehicles**

Committee staff is particularly troubled by GSA's inability to provide detail on tickets incurred by vehicles in its own fleet. In 2007, GSA employees operating Federal Fleet vehicles accumulated \$4,150 in parking tickets in the District of Columbia which were never paid. These unpaid fines represented 34 tickets assessed on 30 unique vehicles. Although the Committee provided GSA with a detailed list of violations, including plate number, location, date, and ticket number, GSA responded, "Regretfully, GSA is unable to provide the information requested." Subsequent discussions with GSA staff verified that the "proper vehicle check-out procedures were not followed" and vehicle use logs were either "not kept or incomplete". Thus, no records exist to document which employees were using the vehicles on the dates when the 34 tickets were issued.

GSA has been tasked by Congress as the Federal property manager, and should be setting an example for property management throughout the Federal Government. In GSA's own *Guide to Federal Fleet Management*, a 165-page manual that instructs Government-wide Federal Fleet managers how to perform in that role, GSA emphasizes that "the Fleet Manager must maintain assignment and dispatch records to ensure necessary control and to provide for utilization review."

Serious concerns are raised regarding GSA's oversight and control of its Federal Fleet assets. A system which allows employees to borrow and use government vehicles at will with little or no record-keeping provides substantial opportunity for abuse.

GSA advised the Committee that the agency is implementing policies and practices to establish "tighter vehicle controls", including requiring requests to use an official Government vehicle to be submitted electronically. They will also require the vehicle custodian to retain all vehicle keys until the online reservation has been completed, as well as reconcile vehicle reservations, vehicle logs, and actual mileage on a monthly basis. These are appropriate controls that should have been instituted years ago.

## CONCLUSIONS AND RECOMMENDATIONS

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Lack of agency oversight and local government policies that prohibit enforcement of parking violations committed by government employees is allowing government employees to disregard local parking laws without consequence. By ignoring parking laws, these government employees and contractors are compromising mobility and adding to what is already a serious congestion problem. Furthermore, safety is compromised as illegally parked cars hinder sight lines and force bicycles and pedestrians to swerve into traffic to navigate obstacles. Illegal parking also obstructs emergency vehicles such as ambulances and fire trucks.

As public servants, Federal employees should have a heightened sense of responsibility for preserving, protecting, and promoting public safety. Federal employees who use government property, including government vehicles, to break the law are not only abusing their positions but are abusing the public trust.

NYPD officers park on the sidewalk in Chinatown while they pick up lunch.



Committee staff make several recommendations regarding actions to be taken by Federal agencies and local governments.

### FEDERAL AGENCIES:

**Encourage use of transit or other public transportation.** Over one-half of all workers in the southernmost section of Manhattan are government employees. Forty-six percent of the area's 24,780 workers commute to work by car, whereas the average total drive-to-work commuting in Manhattan's Central Business District is just 16 percent. This area is home to New York City's city, state, and Federal courts and many other local, state, and Federal government agencies. The New York City Department of Transportation issues on-street parking permits that allow government employees to park for free at any legal metered spot while conducting official business; and

enforcement of tickets on government vehicles is non-existent for illegal parking in this area. Essentially, all of lower Manhattan is a free parking lot for government vehicles. According to Transportation Alternatives, a Manhattan-based nonprofit devoted to improving mobility for cyclists and pedestrians, “free parking, coupled with the convenience, comfort, status, and autonomy of private door-to-door travel, is simply too attractive to resist for many motorists...” New York City recently reduced by 20 percent the number of parking placards agencies can issue to its employees to designate vehicles on official business. However, fraudulent parking permits have been a longstanding problem in Manhattan and this issue will need to be addressed before significant progress can be made in preventing illegal parking. Employees must accept the true cost of driving – including the cost of illegal parking – for employees to appropriately weigh the costs and benefits of transportation alternatives, including public transit.

**Ensure that adequate off-street parking is available for employees at assigned duty stations.**

For employees who need to use a Government vehicle to perform their jobs, agencies should ensure that parking facilities are sufficient to accommodate all vehicles. For example, the Armed Forces Recruiting Center in downtown Washington, D.C., does not have designated parking spaces for recruiters in the garage attached to the facility. Once a recruiter drives out of the parking garage, that spot is freed up for daily paid parking. Street parking is available until 3:30 p.m. when cars must be moved to accommodate rush hour traffic demand. Vehicles that are not moved are ticketed and fined \$100. In this case, the Armed Forces should attempt to negotiate dedicated parking spaces with “in and out” privileges for recruiters or investigate other more accommodating parking facilities.

**Enroll in local fleet management programs.** Both DC and NYC operate fleet management programs that allow commercial entities and government agencies to enroll their vehicles and monitor violations and fines. Agencies should take advantage of these programs and register all vehicles in all locations that they routinely operate. An individual should be designated to review the monthly reports and ensure that tickets are adjudicated or paid in a timely manner.

**Establish policy and process for requiring individuals to report tickets to supervisors within 48 hours.** The DEA and FBI have policies which requires employees to submit a notarized sworn statement on a standard form when an individual receives a ticket while official business required or caused the violation to occur. The policy also states, “Field office management will establish liaison with appropriate area officials to handle citations arising out of official activities. In each instance, the circumstances causing the citation will be reviewed. Any indication that an employee is abusing his authority will be cause for him to assume personal responsibility for the citation.” All agency employees and contractors should be required to notify their supervisors or fleet managers when a government vehicle in their custody is ticketed. Failure to notify supervisors in a timely manner should result in disciplinary action.

**LOCAL GOVERNMENTS:**

**Uniformly issue tickets to Government vehicles parked illegally.** Even if local governments maintain their decision to not enforce violations incurred by Government vehicles, Government employers can play an enforcement role when they are aware of infractions. If agencies discipline employees who ignore tickets, or force them to pay them, their will be a significant incentive for employees to regulate their parking behaviors. Parking enforcement personnel should be advised

that government tagged vehicles, except for non-rush hour parking meter violations, should be treated no differently than civilian vehicles for ticketing purposes.

**Establish capability to search U.S. Government-issued license plates in online ticket search engines.** Many State DMVs have an online search capability where drivers can search for outstanding tickets by entering their license plate numbers. DC has such a system, but it does not recognize U.S. Government plates. DC should modify its search software to enable Government plates to be searched. Fleet managers should periodically query vehicle plate numbers in all jurisdictions where the fleet operates to assess employee compliance with local parking laws; and whether fines were paid timely and supervisor reporting requirements met.

**APPENDIX I. GSA BULLETIN FMR B-11 CONCERNING AGENCY LICENSE PLATE PREFIXES**

GENERAL SERVICES ADMINISTRATION  
Washington, DC 20405

January 18, 2006

GSA BULLETIN FMR B-11  
MOTOR VEHICLE MANAGEMENT

TO: Heads of Federal agencies

SUBJECT: U.S. Government License Plate Codes

1. What is the purpose of this bulletin? This bulletin provides in the attachment the approved license plate codes for Executive Branch agencies and other Federal entities. This bulletin will be updated when additional license plate codes are assigned or changed.
2. What is the effective date of this bulletin? This bulletin is effective May 25, 2006.
3. When does this bulletin expire? This bulletin will remain in effect until specifically superseded or cancelled.
4. What is the background? The list of U. S. Government license plate codes was formerly published in section 102-34.160 of the Federal Management Regulation. However, for ease of updating, the list is moved to bulletin format.
5. What should I do as a result of this bulletin? This is an informational bulletin. No additional actions are required by a Federal agency unless there is an error in the license plate code or the agency name. If you find errors in the list of license plate codes, please contact the General Services Administration using the contact information provided in paragraph 6 of this bulletin. However, agencies that need to obtain U.S. Government license plates should follow the procedures in section 102-34.140 (Where may we obtain U.S. Government license plates?) in the Federal Management Regulation.
6. Who should we contact for further information and/or to direct comments regarding U.S. Government license plate codes?

General Services Administration  
Office of Governmentwide Policy  
Office of Travel, Transportation, and Asset Management (MT)  
Washington, DC 20405  
Telephone Number: 202-501-1777  
E-mail Address: [vehicle.policy@gsa.gov](mailto:vehicle.policy@gsa.gov)

John G. Sindelar  
Acting Associate Administrator  
Office of Governmentwide Policy

**APPENDIX I. GSA BULLETIN FMR B-11 CONCERNING AGENCY LICENSE PLATE PREFIXES**

ATTACHMENT TO BULLETIN FMR B-11

(Alphabetic) License Plate Prefix Codes for vehicles owned or leased by Federal Departments or Agencies.

<b>License Plate Prefix Code</b>	<b>Name of Federal Entity</b>
A	Department of Agriculture
AF	Department of the Air Force
AFIS	American Forces Information Service
AOC	Architect of the Capitol
ARC	Appalachian Regional Commission
C	Department of Commerce
CE	Corps of Engineers, Civil Works
CF	U.S. Commodity Futures Trading Commission
CM	Defense Information Systems Agency
CP	U.S. Capitol Police
CPSC	Consumer Product Safety Commission
CS	Court Services & Offender Supervision Agency for the District of Columbia
D	Department of Defense
DA	Defense Contract Audit Agency
DECA	Defense Commissary Agency
DHS	Department of Homeland Security
DIA	Defense Intelligence Agency
DISA	Defense Information Systems Agency
DLA	Defense Logistics Agency
DOT	Department of Transportation
E	Department of Energy
EEOC	U.S. Equal Employment Opportunity Commission
EC	U.S. Enrichment Corporation
EO	Executive Office of the President Council of Economic Advisors National Security Council Office of Management and Budget
EPA	Environmental Protection Agency
FC	Commission
FCA	Farm Credit Administration

<b>License Plate Prefix Code</b>	<b>Name of Federal Entity</b>
FD	Federal Deposit Insurance Corporation
FM	Federal Mediation & Conciliation Service
FRB	The Federal Reserve Board
FTC	Federal Trade Commission
G	GSA Fleet
GAO	Governmental Accountability Office
GP	Government Printing Office
GS	General Services Administration
HHS	Services
HUD	U.S. Department of Housing and Urban Development
I	Interior
IA	U.S. Information Agency
IBB	International Broadcasting Bureau
J	Department of Justice
JB	Judicial Branch
L	Department of Labor
LA	District of Columbia Redevelopment Land Agency
LB	Legislative Branch
LC	The Library of Congress
MC	U.S. Marine Corps
MSPB	U.S. Merit Systems Protection Board
N	Department of the Navy
NA	National Aeronautics and Space Administration
NEA	National Endowment for the Arts
NG	National Guard Bureau
NGA	National Gallery of Art
NG	National Guard Bureau
NL	National Labor Relations Board
NP	National Capital Planning Commission
NRC	Nuclear Regulatory Commission

APPENDIX I. GSA BULLETIN FMR B-11 CONCERNING AGENCY LICENSE PLATE PREFIXES

<b>License Plate Prefix Code</b>	<b>Name of Federal Entity</b>
NS	National Science Foundation
OPM	Office of Personnel Management
P	United States Postal Service
PBG	Pension Benefit Guaranty Corporation
PSA	Pretrial Services Agency
PT	Presidio Trust
RR	Railroad Retirement Board
S	Department of State
SAA	United States Senate
SB	Small Business Administration
SC	Defense Security Cooperation Agency
SE	U. S. Securities and Exchange Commission
SH	U.S. Soldiers' and Airmen's Home
SI	Smithsonian Institution
SS	Selective Service System
T	Department of the Treasury
TV	Tennessee Valley Authority
UPC	Peace Corps
VA	Department of Veterans Affairs
W	Army



**APPENDIX II. SUMMARY OF AGENCY EXPLANATIONS OF UNPAID PARKING TICKETS**

Agency	Number	Amount	Explanation
Federal Bureau of Investigation	218 NYC	\$34,908	<ul style="list-style-type: none"> <li>• Agents have need for “ready access to the vehicle[s] for emergency response purposes,” which limits parking options.</li> <li>• Cannot identify the agents responsible for any of the 218 violations.</li> <li>• New York Division is working with the New York City Parking Violations Bureau to “ensure any outstanding violations have been addressed.”</li> </ul>
U.S. General Services Administration	34 DC	\$4,150	<ul style="list-style-type: none"> <li>• At Committee’s request to explain parking violations, GSA responded, “Regretfully, GSA is unable to provide the information requested.”</li> <li>• GSA representative explained that they could not trace who had vehicle at time of ticket. Vehicle use logs “did not exist or were incomplete.”</li> <li>• As a result of this investigation, GSA is establishing an online “reservation” system, and the vehicle custodian will retain all vehicle keys and will only provide them to an individual who has completed the reservation.</li> <li>• Only one of the outstanding parking tickets from 2007 has been paid or adjudicated.</li> </ul>
Drug Enforcement Administration	51 NYC	\$ 9,182.37	<ul style="list-style-type: none"> <li>• DEA policy on operation of Official Government Vehicle emphasizes public safety over enforcement activity: <i>“In certain enforcement situations agents may have to violate traffic or parking laws. However, safety of the public and the agent have higher priority than any enforcement activity. Traffic and parking laws will not be violated to the detriment of public and personal safety.”</i></li> <li>• Policy requires traffic and parking citations to be reported to the employee’s supervisor within 48 hours. Sworn and notarized statements citing justification for violation are submitted to the parking violations bureau for adjudication.</li> <li>• DEA is working with the Inspector General for the NYC Department of Finance to attempt to identify and trace specific violations.</li> </ul>

Agency	Number	Amount	Explanation
Department of the Air Force	22 NYC 41 DC	\$4,679 \$7,480	<ul style="list-style-type: none"> <li>• Violations and fines were accrued by personnel assigned to local recruiting squadrons.</li> <li>• Commander stated that most of his recruiters did not “remember ever receiving a ticket on their vehicle.”</li> <li>• All DC tickets, except one, were attributed to an individual recruiter. This individual believed that parking violations were not processed on government vehicles and began “throwing the tickets away.”</li> <li>• DC Recruiter has adjudicated and/or paid most outstanding fines through 2007, although a recent check indicated that the vehicle assigned to this recruiter has two current outstanding tickets, one of which is delinquent.</li> </ul>
U.S. Postal Service	13 DC	\$1,590	<ul style="list-style-type: none"> <li>• “Because of the age of these violations [...] we cannot reliably determine who was driving each vehicle on the date of the violation, the purpose for which the vehicle was being utilized, or the circumstances of the citation.”</li> <li>• Area office has contacted the DMV to arrange for payments of the tickets (USPS does not operate with appropriated funds, which cannot be used to pay fines)</li> </ul>
Department of State	17 DC 145 NYC	\$2,380 \$28,033	<ul style="list-style-type: none"> <li>• Diplomatic Security Standard Operation Procedure states, “Failure to pay for violations or tickets will result in suspension of driving privileges and may result in disciplinary actions.”</li> <li>• No explanation for 145 Dept. of State New York City violations</li> <li>• Three DC vehicles are general use vehicles that may have multiple users in a given day.</li> <li>• Five DC tickets were issued on vehicles used by employees in the Special Issuance Agency of the Passport Services Division. None of the drivers expressed knowledge of the summonses.</li> <li>• The drivers of two vehicles assigned to the Bureau of Diplomatic Security did not have knowledge of receiving any parking summonses.</li> </ul>

Agency	Number	Amount	Explanation
Smithsonian Institution	16	\$1,530	<ul style="list-style-type: none"> <li>• "...the city is notorious for insufficient parking, making the fact that only 16 parking tickets (\$1530) are outstanding quite remarkable."</li> <li>• "...we have not followed our own procedures as carefully as we should have. There were many instances where the vehicle logs were incomplete or could not be located, making it difficult or impossible to identify who was driving the vehicle when a ticket was issued."</li> <li>• SI is implementing a new fleet management information system that will provide more detailed information on vehicle use.</li> </ul>
United States Marine Corps	151 NYC	\$19,551	<ul style="list-style-type: none"> <li>• Tickets were incurred by Marines assigned to the Marine Corps Recruiting Command.</li> <li>• A civilian employee with 1<sup>st</sup> Marine Corps District has been formally designated as the official liaison with the City of New York, Department of Finance, Fleet/Rental unit. This individual will screen bimonthly reports to ensure there are no unpaid tickets.</li> <li>• Individual Marines have either paid or adjudicated all outstanding tickets, or are in the process of doing so.</li> </ul>
Department of the Army	68 DC	\$12,250	<ul style="list-style-type: none"> <li>• 58 of 68 unpaid tickets were assessed on vehicles belonging to the United States Army Recruiting Command (USAREC).</li> <li>• For each of these 58 tickets, the ticket was not paid because, "Recruiter believed government vehicles would not be cited."</li> <li>• The USAREC claims she has a "Zero Tolerance" policy for parking violations and that all the citations will be paid by the drivers who incurred the citations.</li> </ul>

Agency	Number	Amount	Explanation
Department of the Navy	48 DC	\$8,010	<ul style="list-style-type: none"> <li>• All vehicles are assigned to Navy Recruiters at the office located at 1300 L St., NW in Washington, DC.</li> <li>• One recruiter stated that there was an agreement between all the armed forces recruiters and the DC Parking Authority that when the vehicles were parked in front of the Recruiting Office they would not be issued citations. (DC DMV denies, cites illegality of such agreement)</li> <li>• Tickets have not been challenged due to “the demanding work schedule Navy Recruiters have had.”</li> </ul>
U.S. Department of the Interior	34 DC	\$4,050	<ul style="list-style-type: none"> <li>• Response states that vehicles bearing government plates can park at a meter and are not required to pay.</li> <li>• Only 1 of the DOI’s 34 citations was for a meter violation.</li> <li>• 8 citations for morning rush hour violations, 6 citations for “no standing anytime,” 5 “disobey official sign” violations, 3 loading zone citations, and 2 “no parking anytime” violations.</li> </ul>
U.S. Department of Homeland Security	11 DC	\$1,460	<ul style="list-style-type: none"> <li>• 6 tickets assessed on mail couriers who claimed that they were “unable to find a parking space and too expensive to have a second operator in vehicle.”</li> <li>• DHS is strengthening its Motor Vehicle Fleet Management Directive to emphasize operator responsibility for parking violations.</li> <li>• Issue was raised at the Federal Fleet Symposium in June 2008.</li> </ul>