§ 241-a. Complaint procedure for satisfied or wrongfully imposed fine or penalty. 1. (a) Every city with a population of more than one million inhabitants that has established a parking violations bureau shall establish, within such bureau, a properly staffed complaint unit of public service representatives to respond to complaints from any person who, after having satisfied, by payment, adjudication, or administrative action, any fine or penalty for a parking violation or after having proven that a fine or penalty was wrongfully imposed on this person, receives a demand for payment of the fine or penalty previously satisfied or wrongfully imposed, or is denied any registration or renewal application by the department of motor vehicles upon a certification from such parking violations bureau based upon lack of payment of any fine or penalty previously satisfied or wrongfully imposed. The complaint unit established under this section shall accept complaints either in person or by certified mail, return receipt requested. Each written demand for payment, other than the first demand following issuance of the notice of violation, shall advise the addressee of the existence of the complaint unit and the procedure for submitting a complaint. Upon receipt of a complaint, if in person, or within ten work days after receipt of a complaint if by mail, the complaint unit shall acknowledge receipt in writing and notify the complainant of the procedure for further review. The complaint unit shall, within thirty days after receiving a complaint in person or by certified mail supported by the proof prescribed by this section, notify the complainant that the payment has been credited to his or her record; that the wrongful imposition has been removed from the complainant's record; or that the information sent to the bureau fails to prove that the fine or penalty was satisfied or that the imposition was wrongful, in which case the reason or reasons shall be set forth.

(b) If, after this thirty day period, the bureau continues to demand payment from this person of the fine or penalty previously satisfied or wrongfully imposed, or if the bureau does not render a determination, the person within six months from the date of his or her complaint shall have the right to an expedited review before a panel of three administrative law judges. Such panel shall be empowered to compel the bureau to produce records and other evidence relevant and material to the complaint. The complainant shall be required to submit, together

with his or her request for a review, a copy of all the materials submitted with the original complaint. The panel of administrative law judges shall be empowered to direct that the bureau's records be changed, as appropriate, to insure that no further demand is made for the fine or penalty previously satisfied or wrongfully imposed, and the bureau shall comply with such directive. Further, the panel of administrative law judges, upon petition by the complainant, may at its sole discretion, direct the parking violations bureau to pay the complainant who receives a wrongfully imposed fine or has previously satisfied an outstanding fine such out-of-pocket expenses as the panel deems reasonable only in such cases where the complainant sufficiently demonstrates that he or she has notified the bureau of his or her complaint under this section and the bureau has failed, in the panel's opinion, to remove the wrongfully imposed fine or the previously satisfied fine; however, payment of such expenses shall not exceed the amount of the original fine.

(c) Any other city authorized to establish a parking violations bureau may create a panel to resolve complaints relating to satisfied penalties and wrongfully imposed penalties. The composition of such a panel shall be determined by local option.

2. This section shall not apply to parking violation fines or penalties relating to commercial, taxi, common or contract carriers or livery vehicles.

3. In cities required to create a review panel under this section, the parking violations bureau shall keep a record of all complaints submitted under this section for a minimum of three years, and shall issue a public report every year containing the number of complaints heard each year according to category, the number of dispositions favorable to complainants, the average compensation awarded in such favorable dispositions, and any other appropriate information. Such information shall also be published annually and placed in the municipal reference library, in such cities where applicable.

4. The proof that must be submitted in connection with a complaint made under this section is, as appropriate, a copy of the receipt, money

order or front and back of cancelled check; a copy of a police report of stolen vehicle or stolen or lost plates or proof of an insurance company payment for a stolen vehicle, or a department of motor vehicles receipt for surrendered plates. As used in this section, a "wrongfully imposed" fine or penalty shall mean a fine or penalty which is imposed after the respective vehicle has been stolen or after the license plates were stolen, lost or surrendered to the department of motor vehicles.

5. Every such parking violations bureau shall adopt and promulgate rules and regulations not inconsistent with any applicable provision of law, to carry out the purposes of this section.