

27 November 2019

James Scott

[fyi-request-11717-63fc0084@requests.fyi.org.nz](mailto:fyi-request-11717-63fc0084@requests.fyi.org.nz)

Kia ora James

### **The information you requested – CAS-38405-B5R9S7**

Thank you for your email dated 25 November 2019, requesting information about towing policy and procedures.

### **Please explain how your current procedure of having a tow company representative had me the infringement notice (on collection of the vehicle) complied with Section 139 (2) (a) – (d)**

The warranted Parking Officer attaches (serves) the infringement notice to the vehicle before it is lifted and relocated by the tow company.

The tow company may remove the infringement notice when the vehicle is in transit. This is to stop it flying off and causing a safety issue. The tow company give the infringement notice to the owner when they collect their vehicle.

### **In anticipation of you being unable to answer above. What gives Auckland Transport the right to ignore legislation?**

Auckland Transport (AT) complies fully with legislation. A warranted Parking Officer can either:

- hand the infringement notice to the driver;
- attach the infringement notice to the vehicle; or
- post the infringement notice via mail.

### **How does an individual who has had four infringement notices served illegally deal with this issue? We are unable to pay or request a court hearing with respect to an infringement notice which technically (and illegally) has not been served.**

As each infringement notice is attached (served) to the vehicle before it is lifted and relocated, it has been issued legally. If an owner ignores the infringement notice, a reminder notice is also sent to the registered address of the vehicle at the legislated intervals of time. As the Parking Officer attached the infringement notice to the vehicle in the first instance, it was legally served.

The reminder notice is always forwarded by post which complies fully with legislation.



Should you believe that we have not dealt with your request appropriately, you are able to make a complaint to the Office of the Ombudsman in accordance with section 27(3) of the LGOIMA Act, and seek an investigation and review in regard to this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Strawbridge'. The signature is fluid and cursive, with a large initial 'J' and 'S'.

John Strawbridge

**Group Manager, Parking Services & Compliance**