



CITY OF CAMBRIDGE
Traffic and Parking
57 Inman Street,
Cambridge, Massachusetts 02139

George Teso
Director

RECEIVED
92 FEB -7 PM 12:12
OFFICE OF THE CITY MANAGER
Administration 349-4700
Parking Violations 349-4705
Resident Parking 349-4701

February 6, 1992

Robert Healy
City Manager

Dear Mr. Manager:

SUBJECT: Council Order #1, dated 2/3/92, RE: Past due parking tickets received by Mr. Shaw of Linnaean Street.

Since first reading the letter sent to the Chronicle from Chuck Shaw of Linnaean Street, my staff has been trying to contact Mr. Shaw. As the result of my being sent a copy of his original letter with his telephone number, we made contact with him today. Mr. Shaw owns and operates Shaw Properties, with offices on Linnaean Street. Mr. Shaw resides at 13 Union Street, Natick, MA.

The Parking Violation records of this department indicate that in 1981 Charles Shaw of 225 Walden Street, had five (5) unpaid parking tickets totaling \$105.00. These tickets were issued to registration 124FDX. Our records indicate that Mr. Shaw was mailed three notifications for each unpaid ticket. The notice received in December of 1991 is the fourth notice he received. Mr. Shaw subsequently allowed this registration to expire in 1982 or 1983. The date of expiration is important because during those years the Registry of Motor Vehicles was not accepting requests from the City to not renew an operator's license and/or registration for unpaid parking tickets.

When asked by Mr. Flynn about "other notices he received totaling in excess of \$500.00", Mr. Shaw stated he was also speaking cut on behalf of his sister, Sheila Shaw Horton of 120 Columbia St. Ms. Horton received the fourth in a series of notices for seven (7) tickets totaling \$270.00. She initially received these tickets in 1985 on registration 494851. That registration was marked at the Registry for non-renewal, she allowed the registration to expire in January, 1987. In March of 1987, she registered another vehicle and was issued registration number 676872. That registration expired in February of 1989. The vehicle was reported to the Registry as being junked and the plates returned in September, 1989. Ms. Horton received a fourth notice in December, 1990 for two outstanding parking tickets totaling \$70.00.

COUNCIL ORDER #1, dated 2/3/92

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February 6, 1992

On March 6, 1989, Ms. Horton registered a third vehicle and was issued registration 399SKM. This vehicle has four (4) outstanding parking tickets totaling \$170.00. She received her fourth notice in December. The vehicle was marked at the Registry for non-renewal, and the registration expired in September, 1991. Mr. Shaw's outstanding tickets of \$105.00, and Ms. Horton's outstanding tickets of \$510.00 combined is the amount in excess of \$500.00 that Mr. Shaw referred to in his letter.

In both cases, the Shaws did not "fall through the cracks of the system", but in the case of Ms. Horton, she was able to use loopholes in the law to enable her to allow her registration to expire and then register new vehicles. Ms. Horton may have been allowed to renew her license due to her having a license number assigned to her by the Registry, and not using her Social Security Number. She is presently under non-renewal for her driver's license and will not be issued a new license until her outstanding tickets are paid. Her license expires on November 21, 1993.

Mr. Shaw was marked at the Registry for vehicle registration 774LPR, which expired in April of 1987. All parking tickets on that registrations were paid. In March of 1990, he received a release form from this department. His wife, Judith Allen-Shaw, has a vehicle registered to her, plate no. 186MGF. That vehicle has a history of parking tickets. Ms. Allen-Shaw was marked at the Registry for non-renewal. She paid her fines on September 16, 1991, and was given a release by this department. She has since received additional tickets, none of which have met the criteria to mark her license and/or registration.

Based upon the detailed information we have compiled, there is no justification to comply with Councillor Walsh's request that we expunge the alleged debt due and issue a release to Mr. Shaw and Ms. Horton.

As you are aware, the statute would have to be amended by the Legislature to insert a statute of limitations on the collection of parking tickets. Presently, vehicle registrations are effective for two years and driver's licenses for five years.

Very truly yours,



George Teso
Traffic Director

GT/bgm



City of Cambridge

Teso.

1.

IN CITY COUNCIL

February 3, 1992

COUNCILLOR WALSH

WHEREAS: The attached letter from Mr. Shaw of Linnaean Street indicates he has received notice from the City's Department of Traffic and parking that he owes in excess of \$500 for past due parking tickets dating back to 1981, even though he had obtained a release from Traffic and Parking verifying that all fines were paid in full which, as we know, is required by the Registry of Motor Vehicle prior to its renewing an operator's license and/or registration and, in the instant case, the renewal has been provided to Mr. Shaw previously; and

WHEREAS: The apparent response to this problem from Traffic and Parking is that there was a computer problem and verification of Mr. Shaw's having made full payment of fines had fallen through the cracks in the system, but, nonetheless, he must pay the full amount otherwise a release will not be issued and he will not be able to renew his vehicle's registration; now therefore be it

ORDERED: That the City Manager meet with the Director of Traffic and Parking regarding this incident and made every effort to resolve it in a just, equitable and accountable manner by expunging the alleged debt due and issue a release confirming same to Mr. Shaw; and be it further

ORDERED: That the City Manager direct Mr. Teso to draft a proposal for a definite time period for payment of fines which will be fiscally sound for the city as well as fully accountable to vehicle operators with a stated period of limitation on reaching back over an unreasonable period as is evident in this case; and be it further

ORDERED: That the City Manager report back to the City Council on the first Order within one week and on the second Order by February 24, 1992.

In City Council February 3, 1992.

Adopted by the affirmative vote of eight members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy; *Joseph E. Connarton*

ATTEST:-

Joseph E. Connarton
City Clerk

Dear Councilor,

After reading the article on parking meters in the Cambridge Chronicle, I am compelled to voice my outrage at the latest attempt by the Traffic Dept. to raise revenue. I am one of those who received notice of past due parking tickets dating back to 1981 totalling over \$500.00. Anyone knows that in Massachusetts unless all parking fines are paid in full one can not obtain a new license nor register a car. In the past 11 years I have done so twice and each time obtained a release from the Cambridge Traffic Dept. indicating that all fines were paid and that nothing was owed. Now, out of the blue, the City has 'discovered' decade old fines which must be paid along with penalties.

On contacting the Traffic Dept. I was met with a bureaucratic shrug and told there had been a computer problem and that I had apparently fallen through the "cracks" in the system. The amount owed would have to be paid otherwise no release would be issued and my registration would not be renewed. More than 10 years have passed and I, like most people, have no receipts nor cancelled checks to prove these fines were paid. It is my word against that of the Traffic Dept.'s computer system with its costly "cracks" through which I and many others have fallen.

I believe it is time for the Traffic Department to be held accountable to the public for errors and that a statute of limitations should be applied to parking fines so that in another ten or twelve years drivers won't receive notices of indefensible phantom fines from the Cambridge Traffic Department.


Chuck Shaw

Linnaen Street

354-5033



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 24, 1992

To The Honorable, The City Council:

With reference to Awaiting Report Item No. 31, regarding past due parking tickets received by Mr. Shaw of Linnaean Street, please find attached a response from George Teso, Director of Traffic & Parking, concerning this issue.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
attachment

Consent Agenda # 5

S-155

Awaiting Report Item No. 31, regarding
past due parking tickets received by Mr.
Shaw of Linnaean Street.

In City Council,

February 24, 1992

Placed on file