

FINES AMENDMENT (PARKING FINES) BILL 2024

STATEMENT OF PUBLIC INTEREST

Need: Why is the policy needed based on factual evidence and stakeholder input?

The *Fines Amendment (Parking Fines) Bill 2024* (the Bill) amends the *Fines Act 1996* (NSW). The amendments are designed to set higher standards for parking fines (both ticketed and ticketless parking fines).

In a single year, the number of ticketless parking fines issued by councils increased by 49% on the previous year, from 551,441 issued in 2022/23, to 822,310 ticketless parking fines in 2023/24. This resulted in a 54% increase in the dollar value of ticketless parking fines collected by councils in NSW.

In March 2024, the Minister for Finance wrote to all 128 councils in NSW, urging all councils to uplift their parking fine practices. Of note, the Minister urged that the 50 councils that use the ticketless system address the shortcomings of their parking fine practices by providing drivers with an on-the-spot notification.

Consultation indicated varying practices between councils in relation to their parking fine practices. Legislation will deliver a more consistent experience for motorists across NSW, regardless of where they park their car.

Objectives: What is the policy's objective couched in terms of the public interest?

Addressing the following shortcomings of the ticketless parking fine system is in the public interest;

- the difficulty in gathering evidence in the event the driver wants to seek a review of the fine
- the reduced impact of a fine to act as an immediate deterrent and influence behaviour, and
- that a driver can receive multiple parking infringements before receiving a notification via post or the Service NSW app.

There is a public interest in increasing the transparency and fairness of the parking fine system by ensuring drivers receive on-the-spot notifications for parking offences.

Options: What alternative policies and mechanisms were considered in advance of the bill?

In March 2024, the Minister for Finance wrote to all 128 councils in NSW, urging them to uplift their parking fine practices by providing drivers with an on-the-spot notification.

The letter urged councils to reintroduce some form of on-the-spot notification for drivers. However, some councils that issue ticketless fines advised they would not reinstitute on-the-spot notifications unless required to do so by legislation.

Legislation will ensure a more consistent experience for motorists across NSW.

Analysis: What were the pros/cons and benefits/costs of each option considered?

Without this intervention it is reasonably expected that the number of ticketless fines would continue to increase significantly. This would further erode community trust and confidence in the parking fine system.

Introducing new higher standards (including timely notification) will improve fairness and transparency for motorists.

Implementation costs will vary across issuing agencies. These reforms raise potential for long-term savings (including costs associated with challenging ticketless parking fines).

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

The amendments will commence on a date to be proclaimed. Issuing agencies will have sufficient time to make any necessary changes to policies, processes and systems in order to operationalise the new requirements.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

Since March 2024, the NSW Government has undertaken extensive consultation with stakeholders at various junctures of the policy development process. This has included consultation with:

- The United Services Union.
- All 128 councils across NSW. The Minister for Finance individually wrote to all councils in March. Revenue NSW also subsequently conducted a survey of all councils regarding parking fines, which was finalised in June.
- Local Government NSW.
- the NRMA
- the NSW Law Society and Community Legal Centres NSW.