



## EXPLANATION OF PHOTO ENFORCEMENT WALK-IN HEARINGS

**This information sheet explains the procedures that will be followed in the hearing on the photo enforcement ticket issued to your vehicle or the vehicle driven by you. Please take a moment to read it while you wait for your hearing.**

A hearing examiner will conduct the hearing which will be recorded. You will be asked to swear to, or affirm the truth of the testimony you will give. You will be asked to state your name and address. The examiner will then read into the record the information contained on the ticket, including the photo enforcement violation alleged by the government.

You will be asked to answer the government’s charge. The answers or pleas allowed are: admit, admit with an explanation or deny. If you answer by admitting, you are agreeing that you committed the violation, and you must pay the fine and any penalties. If you admit with an explanation, you are agreeing that you committed the violation and are offering testimony to address the fine/penalty amount only.

The government has the burden of proof. The infraction must be established by clear and convincing evidence. If you deny the violation, the government’s evidence will be presented for your review. The District’s case consists of the information contained on the Notice of Infraction and other evidence submitted by the Metropolitan Police Department. The presence of the issuing officer is not required.

Defenses to a photo enforcement ticket are:

- (a) You were yielding the right of way to an emergency vehicle;
- (b) The vehicle or tags were reported stolen prior to the citation (police report, not CCN, required);
- (c) You were part of a funeral procession;
- (d) You were following the direction of a law enforcement officer; or
- (e) You are not the owner of the vehicle in the photo (i.e., incorrect license plate number).

Continuances are rarely granted. You should therefore be prepared to present any and all evidence or documents that support your defense.

A decision will be made at the end of the hearing. If you are found liable, you are required to pay the fine and any penalties immediately. At the end of the hearing, you will be given a copy of the hearing record. This will be the only written notice you will receive of the hearing results.

If you are found liable and wish to appeal the decision, you must do so within fifteen (15) calendar days of the hearing. Appeal instructions and forms are available at the Information Desk and on the DMV website **dmv.dc.gov**. DMV must receive your appeal request by day 15. If the board reverses the Hearing Examiner’s decision, you will be refunded the money you paid for ticket(s) and appeal fees.

After you have read this explanation of the photo enforcement walk-in hearing procedures, please sign below, print your name and address and present it to the hearing clerk when called.

Print Name	Address	Date
Signature <span style="float: right;">→</span>		

*Any person using a fictitious name or address and/or knowingly making any false statement on this application is in violation of DC Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (DC Official Code §22-2405).*