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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO,  
Presiding Officer

PUBLIC SAFETY COMMITTEE

DENISE FORD, Chairwoman

1550 Franklin Avenue  
Mineola, New York

Monday, May 7, 2018  
2:41 P.M

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2     A P P E A R A N C E S :

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4     DENISE FORD,  
      Chairwoman5     STEVE RHOADS,  
      Vice Chairman

6

VINCENT MUSCARELLA

7

JOHN R. FERRETTI

8

9     DELIA DERIGGI-WHITTON,  
      Ranking

10    SIELA BYNOE

11    DEBRA MULE

12    MICHAEL PULITZER  
      Clerk of the Legislature

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LIST OF SPEAKERS

DAVID RICH..... 5

1                   Public Safety Committee/5-7-18

2                   CHAIRWOMAN FORD:   At this time I  
3   will call the Public Safety Committee to  
4   order.   I'd ask the clerk to call the roll.

5                   CLERK PULITZER:   Public Safety  
6   roll call.   Legislator Mule?

7                   LEGISLATOR MULE:   Here.

8                   CLERK PULITZER:   Legislator  
9   Bynoe?

10                  LEGISLATOR BYNOE:   Here.

11                  CLERK PULITZER:   Ranking Member  
12   Delia DeRiggi-Whitton?

13                  LEGISLATOR DERIGGI-WHITTON:  
14   Here.

15                  CLERK PULITZER:   Legislator John  
16   Ferretti?

17                  LEGISLATOR FERRETTI:   Here.

18                  CLERK PULITZER:   Legislator  
19   Vincent Muscarella?

20                  LEGISLATOR MUSCARELLA:   Here.

21                  CLERK PULITZER:   Vice Chair  
22   Legislator Rhoads?

23                  LEGISLATOR RHOADS:   Here.

24                  CLERK PULITZER:   Chairwoman  
25   Denise Ford?

1                   Public Safety Committee/5-7-18

2                   CHAIRWOMAN FORD:    Here.

3                   CLERK PULITZER:   We have a  
4   quorum, ma'am.

5                   CHAIRWOMAN FORD:   There is one  
6   item on the agenda today, Clerk Item 201-18.  
7   It's a local law to amend the administrative  
8   code of Nassau County with respect to the  
9   immobilization and removal of vehicles of  
10  scofflaws.

11                  May I have a motion?

12                  LEGISLATOR MUSCARELLA:   So moved.

13                  LEGISLATOR FERRETTI:    Second.

14                  CHAIRWOMAN FORD:    Moved by  
15  Legislator Muscarella, seconded by  
16  Legislator Ferretti.   The item is here  
17  before us.   Who is here to speak?

18                  MR. RICH:   Dave Rich, Executive  
19  Director of Traffic and Parking Violations  
20  Agency.   TPVA is looking to amend the  
21  current legislation to include moving  
22  violations.

23                  On many occasions, folks come in  
24  to take care of their tickets where they've  
25  booted.   Right now booting is just for

1                   Public Safety Committee/5-7-18

2     parking violations and photo enforcement  
3     violations.

4                   We are looking to expand it to  
5     moving violations.

6                   On many occasions, folks come in  
7     and they take care of their parking tickets,  
8     photo enforcement but they still have the  
9     outstanding moving violations.

10                  Many of those tickets, they're  
11     currently suspended. We have no legal way  
12     of withholding their vehicles until they  
13     take care of those violations.

14                  CHAIRWOMAN FORD: So the only  
15     thing you're doing is adding for the moving  
16     violations. But are you also including  
17     because it seems in the legislation, the way  
18     I read it, they are adding like a private  
19     entity to also be able to boot the vehicles,  
20     or am I misreading that?

21                  MR. RICH: Actually there is  
22     currently a contractor, Pay Lock, who is  
23     contracted to do the immobilization.

24                  CHAIRWOMAN FORD: So that entity  
25     along with the police department and TPVA

1                   Public Safety Committee/5-7-18

2     you have Pay Lock as the contractor at this  
3     time that would be able to go around and if  
4     they see a car that has outstanding tickets,  
5     warrants, infractions, whatever, that they  
6     would then be able to boot the car and then  
7     notify the owner of the motor vehicle that  
8     they have been immobilized?

9                   MR. RICH:    Yes, basically the  
10    current standard operating procedure is that  
11    the vehicle gets immobilized, a boot is put  
12    on, there's two stickers, one on the  
13    driver's side window, one on the windshield,  
14    and they're given two days to redeem or  
15    reclaim their vehicle.  If they don't  
16    reclaim, then it is towed away by a  
17    subcontractor which is Bill's Towing.

18                  CHAIRWOMAN FORD:  How is it that  
19    the owner of the vehicle is notified where  
20    the car has been towed to?

21                  MR. RICH:    They receive a letter.  
22    Actually right now it's the police  
23    department's responsibility to send a notice  
24    out.  We want to pass that off to let the  
25    vendor send that notification out.

1                   Public Safety Committee/5-7-18

2                   CHAIRWOMAN FORD:   So currently  
3   it's just the police department that sends  
4   the letter out to let -- to show up at 1550  
5   and pick up the car?

6                   MR. RICH:   In the legislation  
7   itself it states what the information is  
8   that's supposed to be on that letter, yes.

9                   CHAIRWOMAN FORD:   Are there any  
10  other questions?   I have some but I will  
11  come back to it.   Legislator Mule.

12                  LEGISLATOR MULE:   This is for  
13  moving violations only; is that correct?  
14  It's not for parking tickets or anything  
15  like that?

16                  MR. RICH:   We are proposing to  
17  amend it.   Right now you can currently be  
18  immobilized for parking and photo  
19  enforcement violations.   We're looking to  
20  amend to add moving violations as well.

21                  LEGISLATOR MULE:   So moving  
22  violations are -- and please correct me if  
23  I'm wrong, moving violations travel with the  
24  driver, correct?

25                  MR. RICH:   The operator, yes.



1                   Public Safety Committee/5-7-18

2                   LEGISLATOR MULE:   So someone who  
3   is a scofflaw in terms of moving violations,  
4   they could be in someone else's car and  
5   would that car receive the sanctions?

6                   MR. RICH:   No.   Basically what  
7   we're doing is we're going to match the  
8   operator with the registered owner of the  
9   vehicle.   We only take the registered  
10   owner's vehicle would eligible for  
11   immobilization as long as the same operator.

12                   So if you borrowed your  
13   sister-in-law's car, we're going to take  
14   your sister in law's car, we're going to  
15   take your car if the car is registered to  
16   you and there are outstanding violations.

17                   LEGISLATOR MULE:   Okay.   So  
18   that's in the legislation?

19                   MR. RICH:   That will be part of  
20   the policy and procedure.   I believe it's in  
21   the legislation that it's the operator.   I  
22   believe there's a definition of scofflaw and  
23   I believe it's the operator is the same as  
24   the registered owner.

25                   LEGISLATOR MULE:   Okay.

1                   Public Safety Committee/5-7-18

2                   CHAIRWOMAN FORD:   Legislator  
3   Ferretti.

4                   LEGISLATOR FERRETTI:   Mr. Rich,  
5   how are you?

6                   MR. RICH:   All right.   How are  
7   you?

8                   LEGISLATOR FERRETTI:   All right.  
9   Thank you.   Just so I understand how this  
10   works, let's assume someone right now has  
11   ten outstanding parking tickets.

12                   Under the current law, that would  
13   fit under the scofflaw and we have the  
14   authority as a county to go and boot the  
15   car, correct, under the current law?

16                   MR. RICH:   Correct.

17                   LEGISLATOR FERRETTI:   For that  
18   car to be released under the current law,  
19   you would have to pay those fines, correct?

20                   MR. RICH:   Yes.

21                   LEGISLATOR FERRETTI:   Each one of  
22   those tickets, the ten tickets.   Is there a  
23   surcharge on top of that under the current  
24   law?

25                   MR. RICH:   There is an additional

1                   Public Safety Committee/5-7-18

2       \$166 boot fee and an additional \$175 boot  
3       surcharge fee.

4                   LEGISLATOR FERRETTI:   Are those  
5       fees changing at all under this law?

6                   MR. RICH:   No.

7                   LEGISLATOR FERRETTI:   Thank you.

8                   CHAIRWOMAN FORD:   Legislator  
9       Bynoe.

10                  LEGISLATOR BYNOE:   Thank you,  
11       chairwoman Ford.   Good afternoon.   The item  
12       that also was on the Rules calendar that was  
13       not called, it was related to a Camponelli.  
14       Is Pay Lock and Camponelli one in the same?

15                  MR. RICH:   No, it's not.

16                  LEGISLATOR BYNOE:   So what is the  
17       two different services; Pay Lock would be  
18       the one that would actually boot the  
19       vehicle?

20                  MR. RICH:   Yes.

21                  LEGISLATOR BYNOE:   What is  
22       Camponelli's role then?

23                  MR. RICH:   Camponelli's contract,  
24       basically he's providing a service where  
25       he's going to identify the leaseholders and

1                   Public Safety Committee/5-7-18

2   lien holders with the cooperation of the  
3   police department.

4                   The police department is going to  
5   be able to do DMV registration searches and  
6   they'll identify folks that have a lease on  
7   them or lien. Camponelli is going to  
8   contract those lien holders and lease  
9   holders to affect payment.

10                  It has nothing to do really with  
11   the immobilization. It is two separate  
12   issues.

13                  LEGISLATOR BYNOE: Can you repeat  
14   the fees?

15                  MR. RICH: The boot fee is \$166  
16   and I'm not sure if it's in this legislation  
17   or not. It might be in a different one.

18                  And then there's also \$175 boot  
19   surcharge that I think was passed in 2016.

20                  LEGISLATOR BYNOE: Of that amount  
21   of money currently, the county is receiving  
22   what?

23                  MR. RICH: The county receives  
24   the full \$175 and on the boot fee I believe  
25   the county receives back \$9.

1                   Public Safety Committee/5-7-18

2                   Because the boot company itself,  
3     the immobilization vendor, they provide a  
4     van, they provide the resources as well as  
5     the back office systems to do  
6     immobilization.

7                   LEGISLATOR BYNOE:   Is there a  
8     separate fee to Camponelli?

9                   MR. RICH:   Camponelli's contract  
10    is separate from this piece of legislation.  
11    I believe there is an administrative fee  
12    that will be assessed to I believe each  
13    vehicle which will be assessed to the  
14    leaseholders not the owner directly.   I  
15    believe it's \$300 and I believe the police  
16    department receives \$100 back.

17                  I have to confirm those amounts  
18    because I don't have that contract in front  
19    of me.

20                  LEGISLATOR BYNOE:   When you say  
21    leaseholders on the vehicle, if you come  
22    they boot a car and we're talking about the  
23    car now then not being claimed, someone  
24    doesn't show up and take the boot off the  
25    car, correct?   So now it gets towed and it's

1                   Public Safety Committee/5-7-18  
2     in possession, it's in Nassau County's  
3     possession? That's when Camponelli starts  
4     to work?

5                   MR. RICH: I believe my  
6     understanding, working with Mr. Camponelli's  
7     proposal is that he's going to be more  
8     proactive and he's going to identify, such  
9     as Nissan, we have all these vehicles that  
10    are eligible, defined as scofflaws,  
11    Mr. Camponelli is going to reach out to  
12    Nissan and say, hey, look, we have 30  
13    vehicles that are eligible for scofflaw, do  
14    you want to pay now or your vehicle is going  
15    to be immobilized if we find it. So he's  
16    being more proactive. He comes in before we  
17    immobilize the vehicle.

18                  LEGISLATOR BYNOE: Just for  
19    instance, I have a Nissan, let's say, and  
20    I'm a scofflaw, I didn't pay two tickets but  
21    I'm paying my car note but you're then going  
22    to contact Nissan to tell them I haven't  
23    been paying my tickets?

24                  MR. RICH: That's my  
25    understanding of how it's going to work,

1                   Public Safety Committee/5-7-18

2       yes.

3                   LEGISLATOR BYNOE:   You're  
4       thinking is that Nissan is going to want to  
5       pay my tickets?

6                   MR. RICH:   It's probably better  
7       off to have Mr. Camponelli explain it, but  
8       roughly, a leaseholder is responsible for  
9       finance and violations as well as the  
10      immobilization and storage fees.   So it's  
11      some type of incentive that we don't start  
12      booting all Nissans that are defined as  
13      scofflaws in Nassau County.

14                  LEGISLATOR BYNOE:   I'm not sure I  
15      follow then because maybe there's something  
16      I'm losing here.   Why would I, as the  
17      financial company, I'm getting paid.   I care  
18      now that the person who has the vehicle has  
19      it booted and then they're going to pay  
20      Camponelli and they're going to pay the  
21      scofflaw's fees?

22                  I don't understand how that  
23      works.   I really don't.

24                  MR. RICH:   Unfortunately some  
25      things are getting crossed here.   Let's keep

1                   Public Safety Committee/5-7-18

2       Camponelli to the side for a second.

3                   This ordinance here is to amend  
4       and add moving violations. If you're boot  
5       and towed under our standard operating  
6       procedure, Camponelli doesn't even come into  
7       play. Even a leased car, lienied car, or  
8       fully own the car, we have possession of  
9       your vehicle. You owe all the outstanding  
10      fees and fines on it including any boot  
11      surcharges and boot fees.

12                  LEGISLATOR BYNOE: So that I  
13      understood. I don't understand Camponelli's  
14      role.

15                  MR. RICH: We did an RFP. Two  
16      vendors responded basically stating that  
17      it's not something our regular collection  
18      vendors do and not something our boot tow  
19      vendor can do because they don't have the  
20      ability to look up every single vin number  
21      to find out who the actual owner is, leased  
22      or lienied.

23                  So Camponelli has the ability to  
24      work with the police department and identify  
25      those vehicles that have leases and liens on



1                   Public Safety Committee/5-7-18

2     it and then he's supposed to contact the  
3     lease holder or lien holder.

4                   We figured, let's try it.   It's  
5     not costing the county anything.   If he says  
6     he can do it, let's try it out.   It's just a  
7     different avenue of collections.

8                   LEGISLATOR BYNOE:   So he only  
9     gets paid if he actually receives that \$360  
10    I believe that was associated with his  
11    service?

12                  MR. RICH:   In addition to all the  
13    other fees and fines.   We're looking at 100  
14    cents on the dollar.   It's not just the boot  
15    fee.   He doesn't get the boot and  
16    surcharges.   The \$300.   We will go back to  
17    that.   The \$300 fee per vehicle, he would be  
18    eligible for that.

19                  LEGISLATOR BYNOE:   Let me go in  
20    another direction then.   Let me ask the  
21    question as to whether we have -- because  
22    when you were here some time ago relating to  
23    a scofflaw type of situation and the county  
24    had a different initiative where they were  
25    looking to deal with the folks who came to

1                   Public Safety Committee/5-7-18

2       court, and actually were found guilty and  
3       left and never paid.

4                   At that time I asked you about  
5       payment arrangements being able to set up  
6       online so that people could pay \$10 a month  
7       or whatever it was they could afford to pay  
8       down these fees.

9                   Is the county prepared to do  
10      that?

11                  MR. RICH:     Not yet.    I will give  
12      you the same answer.   We don't have the  
13      resources to do it.     I don't have the  
14      staffing or IT to do that.

15                  LEGISLATOR BYNOE:   I feel -- this  
16      is just my opinion, I think this Camponelli  
17      piece is a pipe dream.   Unless you can show  
18      me it worked somewhere else, I think the  
19      county would be better served trying to find  
20      a way to collect the money and giving these  
21      individuals an opportunity to pay over time.

22                  Going after this other mechanism  
23      where we think some third party is going to  
24      jump in and start paying people's fees, I  
25      don't see how that's really a sense of

1                   Public Safety Committee/5-7-18

2       reality of today's time. I could be wrong.  
3       But maybe you should illustrate that to me  
4       through example where it worked somewhere  
5       else.

6                   But I think if we really want the  
7       money and know that more likely than not we  
8       are dealing with a group of people who are  
9       not able to pay us all at one time, I think  
10      the county would be better served trying to  
11      find a way to set up a payment plan  
12      arrangement on line so folks can pay us  
13      instead of this arrangement with Camponelli.  
14      I just don't see it being very fruitful.

15                  We have an IT, a new IT  
16      Commissioner, and as far as I know I've  
17      spent a lot of time within the last several  
18      weeks with app designer and a lot of that  
19      stuff is free.

20                  It's just the intellectual  
21      property of a person would have the ability  
22      to set it up.

23                  So I think that's the freebie we  
24      should be looking for in today's time not  
25      this pipe dream. Just my ten cents on the

1                   Public Safety Committee/5-7-18

2       matter.

3                   MR. RICH:   Well, legislator, I  
4       also previously testified that before it  
5       goes to a scofflaw, it goes to our  
6       collection vendors.   Our collection vendors  
7       are authorized to enter into payment  
8       arrangements with the folks.

9                   Basically TPVA sends out two  
10      notices, when they fail to respond to our  
11      two notices in addition to actually  
12      receiving a physical ticket, we then send it  
13      to our collection vendor which is usually  
14      after 100 days of violation date.   Our  
15      collection vendor can work with them and  
16      enter into a payment arrangement with them.

17                  LEGISLATOR BYNOE:   Yes.   I  
18      understood that with your testimony before  
19      and I asked was technology a part of that  
20      where they could then pay online or set up  
21      for direct deduction from their checking  
22      account.   All of these things make it so  
23      simple for us to be paid but we haven't  
24      invested in those areas but we want to in  
25      some way encumber ourselves with this

1                   Public Safety Committee/5-7-18

2       relationship where we think a third party is  
3       going to be interested in paying somebody's  
4       fees for them. I don't see it. I just  
5       don't see it.

6                   CHAIRWOMAN FORD: Thank you,  
7       Legislator Bynoe. I have to say I agree  
8       with Legislator Bynoe 100 percent on this.  
9       I think that your line of questioning really  
10      uncovered something.

11                   People who lease cars, their  
12      registration is normally in their name in  
13      their home. So I mean if I had a car I was  
14      leasing and all of a sudden I wasn't paying  
15      the tickets and it was booted and removed to  
16      some yard somewhere, I would feel  
17      responsible or want to get my car back  
18      because I'm paying for something that I  
19      can't drive.

20                   I agree, I think that Camponelli  
21      is just another layer of something where the  
22      residents may feel we are just adding  
23      somebody to come after them again to try to  
24      extract money from them or their lease  
25      companies and to let the lease companies

1                   Public Safety Committee/5-7-18

2       know that one of the lessees is going to be  
3       booted or towed or whatever, not paying  
4       their tickets.

5                   I think it sends a wrong message.  
6       I agree.   Let's look at how we are going to  
7       make it easier for people to pay their  
8       tickets.

9                   I'm not that good on my phone  
10      with paying but I know a lot of people do  
11      that.   They do venmo, they can automatically  
12      pay right then and there.

13                  Sometimes if we had that  
14      technology we can utilize it.   If somebody  
15      was called to say you owe for this ticket,  
16      if you can give us \$50 now, they can pay the  
17      \$50 right then and there.   Then they could  
18      avoid being booted and towed.

19                  I really think going to  
20      Camponelli is not the right route.   I think  
21      that we need to be a little more proactive  
22      in looking how to make it easier to deal  
23      with the Nassau County.   Legislator Rhoads.

24                  LEGISLATOR RHOADS:   Thank you,  
25      Madam Chairwoman.   Just a follow-up

1                   Public Safety Committee/5-7-18

2       question.   Just taking a step back from  
3       Camponelli for a second.   This more of a  
4       statement than a question at first.

5                   I'm uncomfortable with the notion  
6       of us booting vehicles that were not  
7       involved in the commission of a crime.

8                   When you are talking about  
9       parking tickets you're talking about the  
10      vehicle that was actually illegally parked.

11                  When you're talking about red  
12      light camera tickets, you're talking about  
13      the vehicle that was actually involved in  
14      the transgression of the red light camera  
15      violation.

16                  Here, when you're talking about  
17      booting vehicles that were involved in  
18      moving violations, to Legislator Mule's  
19      point, these are violations going to the  
20      driver, not going to the vehicle.   We have  
21      essentially conceded that, correct?   Some  
22      instances it may be the same vehicles, some  
23      instances it's not.   This just happens to be  
24      a vehicle that this particular individual  
25      owns.

1                   Public Safety Committee/5-7-18

2                   Aren't there already penalties?

3    It you don't answer a moving violation  
4    ticket and you're convicted in abstentia and  
5    a fine is assessed, don't you suspend their  
6    license, don't you suspend their  
7    registration through the Department of Motor  
8    Vehicles?

9                   MR. RICH:   We do currently  
10   suspend their licenses.   I don't have the  
11   stats, but you would be amazed at how many  
12   people go to district court because they've  
13   been arrested for driving without a license,  
14   driving with suspended licenses.   It's just  
15   another step.

16                  LEGISLATOR RHOADS:   Sure.   I  
17   guess the question is, isn't that a much  
18   more effective tool to be used than actually  
19   booting the vehicle?

20                  Since you are suspending  
21   somebody's license, suspending their  
22   registration, in fact, it would be illegal  
23   for them to operate a car, and yet they  
24   still do.   They wind up in district court  
25   and you collect your fines anyway.



1                   Public Safety Committee/5-7-18

2                   The issue I'm having is, this  
3       seems to be about tacking on the extra \$175  
4       boot fee to something that we can actually  
5       recover the funds through other means  
6       already.

7                   MR. RICH: Not at all. Basically  
8       the boot and tow is kind of a last  
9       enforcement effort. We are filing default  
10      judgments, suspending licenses, we have  
11      collection vendors going after them, yet  
12      they still fail to comply.

13                  So if we end up finding their  
14      vehicle on the street, we're going to boot  
15      it.

16                  LEGISLATOR RHOADS: Can you give  
17      to us by percentage the total number of  
18      moving violation tickets that are issued,  
19      how many go unpaid?

20                  MR. RICH: I can. I can get a  
21      report for you.

22                  LEGISLATOR RHOADS: You can't do  
23      it now but you can get us that information?

24                  MR. RICH: Yes, I will.

25                  CHAIRWOMAN FORD: Legislator

1                   Public Safety Committee/5-7-18

2       Muscarella.

3                   LEGISLATOR MUSCARELLA:   I don't  
4       have any problem with booting cars for  
5       nonpayment.   My question is more in the law.  
6       Just if you can turn to the definition,  
7       Section 8-120.1, you define what a  
8       contractor is.   I think I understand that.

9                   But, later on, if you go to  
10      Section 8-120.2E, you talk about the police  
11      department contracting with a private entity  
12      and in the definition of contractors you're  
13      talking about the county entering into a  
14      contract with a contractor.

15                  And I was wondering how or if  
16      these two provisions are inconsistent.   How  
17      do you actually go about getting a  
18      contractor?   That Camponelli contractor is  
19      through the county or through the police  
20      department?   Are we giving the police  
21      department a separate ability to enter into  
22      a contract with an entity that the county  
23      has with Camponelli, or how do we reconcile  
24      that?   Or do we?

25                  MR. RICH:   We will have to get

1                   Public Safety Committee/5-7-18

2       back to you on that question.

3                   LEGISLATOR MUSCARELLA:   It's just  
4       something in the law that I don't understand  
5       and it could be a loophole of something  
6       somewhere that somebody could use to avoid  
7       being booted or avoid paying a ticket.  
8       Thank you.

9                   CHAIRWOMAN FORD:   Legislator  
10      DeRiggi-Whitton.

11                  LEGISLATOR DERIGGI-WHITTON:

12                  MR. RICH:      Thank you.   I just  
13      have a quick question.   So when the tickets  
14      or whatever violations are enacted, is there  
15      a lien put on the vehicle?

16                  MR. RICH:    If the vehicle is not  
17      reclaimed during a certain time frame, the  
18      police department sends out a notification,  
19      do you plan on redeeming your vehicle, if  
20      not, I think a notification goes and then  
21      the tow vendor -- I think it's the salvage  
22      or depending the vehicle can be auctioned  
23      off.

24                  LEGISLATOR DERIGGI-WHITTON:   So  
25      maybe at that point I can sort of understand

1                   Public Safety Committee/5-7-18

2     the lease, if the car is leased, needing to  
3     be notified.

4                   MR. RICH:    I was on a different,  
5     I was on the item that's actually in front  
6     of us.

7                   LEGISLATOR DERIGGI-WHITTON:   I'm  
8     also just clarifying the idea the leased  
9     company, another company, another owner  
10    being notified; what would be the  
11    justification for them paying it, if there's  
12    a lien on the vehicle that would be  
13    important for them to know about it I  
14    suppose before salvage takes the vehicle, is  
15    that the process?

16                  MR. RICH:    I can't answer that.

17                  LEGISLATOR DERIGGI-WHITTON:  
18    We're just thinking by notifying the leasing  
19    company that these violations on the  
20    vehicle, that they're going to be willing to  
21    pay? Have we looked at a lease agreement,  
22    like aren't there exclusion for that type of  
23    liability?

24                  MR. RICH:    I would have to get  
25    back to you on that answer.

1                   Public Safety Committee/5-7-18

2                   LEGISLATOR DERIGGI-WHITTON:   If  
3   you could just let us know about that.  
4   Because I would have to think a lien holder  
5   would be pretty thorough with their  
6   obligations including exclusions for any  
7   illegal activities done by the owner or the  
8   person who leased the vehicle.   So before we  
9   go ahead and enter into a contract, I think  
10   we should just see -- it's never been done  
11   before, we should see if it's legal or  
12   possible to do it.

13                  CHAIRWOMAN FORD:   Mr. Rich,  
14   because we're looking at this with  
15   Camponelli and we're talking about -- and I  
16   know Camponelli on rules has no impact on  
17   this change, correct, with the moving  
18   violations aspect of it?

19                  MR. RICH:   Correct.

20                  CHAIRWOMAN FORD:   But Legislator  
21   DeRiggi-Whitton had asked about the lease.  
22   Currently we already boot and tow I guess  
23   cars that do not pay their ticket or if they  
24   have red light cameras and parking tickets.  
25                   So we must have encountered

1                   Public Safety Committee/5-7-18

2       leased cars already, or during all these  
3       years of doing this; so how do we handle  
4       them?

5                   MR. RICH:   Usually we get full  
6       payment from them and they can have their  
7       vehicle back.

8                   CHAIRWOMAN FORD:   From the lease  
9       company?

10                  MR. RICH:   Yes.

11                  CHAIRWOMAN FORD:   So we don't  
12       need Camponelli to reach out to the lease  
13       company. We ourselves as the county reach  
14       out to the lease company. Because,  
15       obviously, when you look at the records you  
16       will see that the car can be owned by me but  
17       if I'm leasing it from Nissan that not only  
18       are you going to tell me about the tickets  
19       but I guess at some point when you are  
20       holding it for days, ignore it, that you  
21       will reach out to whatever car company owns  
22       the car.

23                  So we already get paid because  
24       they want their cars back, so they will pay  
25       for those tickets.

1                   Public Safety Committee/5-7-18

2                   MR. RICH:   My understanding those  
3   with the Camponelli contract, again, that's  
4   a different item, but, in general, he's  
5   being proactive, his firm, in their  
6   contacting lease companies prior to us even  
7   doing any physical immobilization.

8                   That's the differentiating point  
9   here.   The item in front of you is amending  
10   the local law to include moving violations.

11                  CHAIRWOMAN FORD:   But in essence  
12   then, where we could have handled it for  
13   \$166 boot and \$177 whatever the other thing  
14   is, on top of all the tickets, then we're  
15   going to add \$300 to somebody who just  
16   ignores their tickets.

17                  MR. RICH:   The \$341 is the boot  
18   fee and boot surcharges after you've been  
19   booted.   Mr. Camponelli is going to be  
20   contacting these folks prior to booting  
21   these organizations.

22                  CHAIRWOMAN FORD:   That's for  
23   Rules I think to figure out to see whether  
24   or not that would be something worthwhile  
25   passing.   You would have to pay that for

1                   Public Safety Committee/5-7-18

2       Camponelli? That's something different.  
3       Legislator Ferretti.

4                   LEGISLATOR FERRETTI: Not to harp  
5       on Legislator Mule and Legislator Rhoads'  
6       point, unlike a parking ticket, a moving  
7       violation is something that attaches to the  
8       individual driver, correct?

9                   MR. RICH: Correct.

10                  LEGISLATOR FERRETTI: So is this  
11       really a public safety issue?

12                  MR. RICH: I believe it to be.

13                  LEGISLATOR FERRETTI: How so?

14                  MR. RICH: Folks are driving  
15       around without licenses; they've either had  
16       their privileges suspended or there's been  
17       many occasions where they don't even have a  
18       valid license but they're still operating  
19       the vehicle out there on the roads of Nassau  
20       County and New York State.

21                  LEGISLATOR FERRETTI: But we just  
22       said this attaches to their license not  
23       their vehicle. So, theoretically, somebody  
24       who has 100 moving violations but utilizes  
25       someone else's vehicle can now utilize



1                   Public Safety Committee/5-7-18

2       someone else's vehicle and how is this  
3       preventing that?

4                   MR. RICH:   It doesn't, not in  
5       that case, but if they own the vehicle and  
6       they're driving with a suspended license and  
7       we find the vehicle, then that will prevent  
8       them from using that vehicle.

9                   LEGISLATOR FERRETTI:   So we're  
10      just taking vehicles off the road that they  
11      could potentially use and that's how you're  
12      presenting it as a public safety issue?

13                  MR. RICH:   We're taking vehicles  
14      off the road where there's outstanding  
15      violations, two or more, where they failed  
16      to respond and pay the court.

17                  So whether it be a parking  
18      violation or photo enforcement or moving  
19      violation where the operator is the same as  
20      the registrant.

21                  LEGISLATOR FERRETTI:   I  
22      understand the goal here in terms of  
23      enforcing or getting payment being paid on  
24      moving violations.   My question is more of,  
25      will this increase public safety?   This is

1                   Public Safety Committee/5-7-18

2       the Public Safety Committee.

3                   So I'm asking how this will  
4       increase public safety, and I think your  
5       answer is, it's taking a potential vehicle,  
6       somebody who is violating the law  
7       consistently could operate on the road, and  
8       I would, my retort would be then, still  
9       operating that vehicle, you're saying  
10      somebody with a license that's been  
11      restricted can still drive that vehicle.

12                  I don't see how this proposal  
13      would stop them from still driving a  
14      vehicle.

15                  MR. RICH:   Well, without this  
16      proposal they would be more free to drive  
17      around. With this there's a risk that we  
18      may find that vehicle and immobilize it.

19                  LEGISLATOR FERRETTI:   Right. But  
20      it might not be their vehicle.

21                  Maybe this will clear it up. Can  
22      a boot be put on a car that's not registered  
23      to the perpetrator?

24                  MR. RICH:   No.

25                  LEGISLATOR FERRETTI:   Thank you.

1                   Public Safety Committee/5-7-18

2                   CHAIRWOMAN FORD:   Legislator  
3   Bynoe.

4                   LEGISLATOR BYNOE:   So to  
5   Legislator Ferretti's point, if I'm a  
6   scofflaw, and I don't even own a vehicle,  
7   I'm a scofflaw in my husband's car, or my  
8   mother's car, my child's car, I'm driving  
9   someone else's vehicle, this issue of  
10   booting, that doesn't deal with me as a  
11   driver.

12                  So the question then is, is there  
13   a different mechanism that we're not  
14   currently utilizing to get these people off  
15   the road, to get scofflaws off the road?

16                  Can't we call them in on a bench  
17   warrant? Can't we actively go out and have  
18   these people arrested?

19                  MR. RICH:   I'm not going to speak  
20   for the police department.

21                  LEGISLATOR BYNOE:   Because that's  
22   an even hand approach at least. Because  
23   everybody who is a scofflaw could be dealt  
24   with because in this particular case we are  
25   only dealing with scofflaws that own

1                   Public Safety Committee/5-7-18

2       vehicles.

3                   We know that there are tons of  
4       scofflaws that don't own vehicles probably  
5       because they're scofflaws, they've gotten  
6       into problems before, they don't own their  
7       own vehicles, they're driving their parent's  
8       cars, husband's, wife's, whatever the case  
9       may be, these folks won't ever be dealt with  
10      under this particular law.

11                  But if we looked at a more even  
12      hand approach which is to call folks in on  
13      bench warrants or something different, I  
14      think that's probably, if we're looking at  
15      this from the aspect of public safety, the  
16      more optimal outcome is to get everyone who  
17      is a scofflaw off the road, not just those  
18      that own vehicles. That's kind of where I  
19      see a hole in this process.

20                  But I'll ask another question. I  
21      kind of married these two things and  
22      Chairwoman Ford is right, the Camponelli  
23      piece, and this piece is separate, but I  
24      have kind of looked at them in one broad  
25      scope.

1                   Public Safety Committee/5-7-18

2                   But let me ask you this question.  
3   Is all of this a package deal, kind of like  
4   did we change our admin, are we looking to  
5   change our code so that Camponelli can  
6   function?

7                   MR. RICH: Not at all. This is  
8   totally a separate issue. Again, I have  
9   witnessed personally where folks come in,  
10   they pay their parking tickets, take care of  
11   photo enforcement violations, but they also  
12   have outstanding moving violations.

13                  I have to release the vehicle  
14   because they satisfied the debt for parking  
15   and photo enforcement, but I cannot do  
16   anything to force them to satisfy the moving  
17   violations.

18                  LEGISLATOR BYNOE: Not even  
19   pushing their issue towards the court for a  
20   bench warrant?

21                  MR. RICH: Right. It's another  
22   tool, basically another tool that we're  
23   looking at.

24                  LEGISLATOR BYNOE: Thank you.

25                  CHAIRWOMAN FORD: I know that you

1                   Public Safety Committee/5-7-18

2       put in what you expect what revenue would be  
3       increased by.

4                   Do you have an idea of how many  
5       outstanding tickets are unpaid by people  
6       with moving violations?

7                   MR. RICH:   It's million.   I can  
8       provide that number.

9                   CHAIRWOMAN FORD:   For the Full  
10      Leg?   Okay.   Just one silly question,  
11      because when we look at the cars themselves,  
12      and then the drivers, and we know that they  
13      have had moving violations and right now we  
14      can't boot or tow them and stuff like that.

15                  Just refresh my memory.   What  
16      happens if I have all these tickets, I  
17      haven't responded to them, and I get rid of  
18      my car and I get a new car.   Those tickets  
19      will follow along with the new car, right?

20                  MR. RICH:   Yes.   Basically the  
21      legislation takes into account any vehicle  
22      that was previously owned to you, whether or  
23      not it's on the road or not.

24                  CHAIRWOMAN FORD:   Thank you very  
25      much.   Anything else?

1                   Public Safety Committee/5-7-18

2                   (No verbal response.)

3                   Any public discussion or  
4 questions?   No?

5                   (No verbal response.)

6                   Let's go.

7                   LEGISLATOR RHOADS:   Madam  
8 Chairman, based on the fact that we are  
9 waiting on some additional information  
10 obviously I'm going to make a motion to  
11 table.

12                   CHAIRWOMAN FORD:   So we will vote  
13 to table.   Motion, please.

14                   LEGISLATOR DERIGGI-WHITTON:  
15 Second.

16                   CHAIRWOMAN FORD:   Moved by  
17 Legislator Rhoads, seconded by Legislator  
18 DeRiggi-Whitton.   All those in favor of  
19 tabling please say aye.

20                   (Aye.)

21                   Any nays?

22                   (No verbal response.)

23                   Tabling passes unanimously.

24                   Thank you very much.

25                   There's no other items before us,

1                   Public Safety Committee/5-7-18

2       can I have a motion to adjourn?

3                   LEGISLATOR RHOADS:    So moved.

4                   LEGISLATOR BYNOE:    Second.

5                   CHAIRWOMAN FORD:    Motion by  
6       Legislator Rhoads, seconded by Legislator  
7       Bynoe.   All those in favor?

8                   (Aye.)

9                   Committee is now adjourned.

10                  (Whereupon, the Public Safety  
11       Committee adjourned at 3:25 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and  
Notary Public in and for the State of New  
York, do hereby stated:

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 24th day of May, 2018.

-----  
FRANK GRAY