

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4699

To establish appropriate procedures and sanctions to ensure that unpaid parking fines and penalties owed to New York City by foreign countries are paid.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2002

Mr. FOSSELLA introduced the following bill; which was referred to the  
Committee on International Relations

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## A BILL

To establish appropriate procedures and sanctions to ensure that unpaid parking fines and penalties owed to New York City by foreign countries are paid.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress makes the following  
5 findings:

6 (1) The City of New York is host to the diplo-  
7 matic representatives of 289 missions and consulates  
8 of foreign countries located in the city.

1           (2) Foreign diplomats in New York City in-  
2           curred more than \$21 million dollars in fines and  
3           penalties on more than 200,000 parking tickets  
4           issued by the municipality between 1997 and 2000.

5           (3) Many of the parking fines were issued due  
6           to safety violations, including the blocking of fire hy-  
7           drants, which put lives of residents of the city in  
8           danger.

9           (4) The legal doctrine of diplomatic immunity  
10          prohibits the imposition of traditional sanctions to  
11          ensure payment of such parking fines.

12          (5) Section 545 of Public Law 107–115 pro-  
13          vided that “an amount equivalent to 110 percent of  
14          the total unpaid fully adjudicated parking fines and  
15          penalties owed to the District of Columbia and New  
16          York City, New York by such country as of the date  
17          of the enactment of this Act that were incurred after  
18          the first day of the fiscal year preceding the current  
19          fiscal year shall be withheld from obligation for such  
20          country until the Secretary of State certifies and re-  
21          ports in writing to the appropriate congressional  
22          committees that such fines and penalties are fully  
23          paid to the governments of the District of Columbia  
24          and New York City, New York”.

1 (b) PURPOSE.—It is the purpose of this Act to estab-  
2 lish appropriate procedures and sanctions to ensure that  
3 parking fines and penalties incurred in New York City by  
4 foreign countries are paid.

5 **SEC. 2. SANCTIONS.**

6 (a) SANCTIONS.—Whenever a foreign country owes to  
7 New York City, New York, unpaid fully adjudicated park-  
8 ing fines and penalties as of September 15 of each year,  
9 and until the Secretary of State receives certification that  
10 such fines and penalties have been paid—

11 (1) the Secretary of State shall deny the  
12 issuance or renewal of any diplomatic license plates  
13 for vehicles for that country;

14 (2) notwithstanding any other provision of law,  
15 the Secretary of State shall withhold from obligation  
16 funds available for that country under part I of the  
17 Foreign Assistance Act of 1961; and

18 (3) notwithstanding any other provision of law,  
19 unobligated funds available for that country under  
20 part I of the Foreign Assistance Act of 1961 are au-  
21 thorized to be reappropriated to pay any fully adju-  
22 dicated parking fines and penalties owed by that  
23 country to New York City, New York.

24 (b) STANDARD FOR DETERMINATION.—For the pur-  
25 poses of this Act, the term “fully adjudicated” includes

1 circumstances in which the registrant has not responded  
2 to the parking violation summons or has not followed the  
3 appropriate adjudication procedure to challenge the sum-  
4 mons and the period of time for payment or challenge of  
5 the summons has lapsed.

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