



CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

REPORT TO MAYOR AND CITY COUNCIL

From: Timothy J. Thompson, AICP, Assistant Director of Community Development

Date: November 10, 2025

Subject: **Mobile App Violation policy – Citations based on selection of incorrect vehicle (City Council Referral to Parking Committee)**

Recommendation

Accept this report.

Background

This item was referred to the Parking Committee at the September 9, 2025 City Council meeting at the request of Councilor Grady Sexton. The referral requested that the Parking Committee review the Parking Division's practices and procedures regarding voiding violations for payment errors using the Pay-By-Phone mobile app.

Specifically, it was requested that the Parking Committee review current practices and procedures regarding issuance of warnings, or waiver of citations, for initial violations (first offenses) resulting from a parker entering incorrect vehicle or license plate information in the app, as well as policy of not waiving parking citations for subsequent offenses.

In the incident that spurred this referral, Ms. Elizabeth Lahey recently received a parking citation for entering the wrong license plate in the app (specifically, she had entered her wife's license plate instead of her vehicle). Because Ms. Lahey had a prior violation for the same issue approximately 4 years ago, which was waived by the Parking Division in accordance with its practices and procedures, the recent violation was not waived. As a matter of recourse, Ms. Lahey had the ability to appeal the parking citation to the Concord District Court. However, Ms. Lahey chose to pay the \$15 violation rather than pursue the court process.

The City currently processes approximately 250,000 metered parking transactions with the mobile app. The number of transactions has steadily increased each year since the Pay-By-Phone app was first introduced in spring 2020. The total number of citations reduced to warnings cited by the Parking Division for entering the wrong license plate number represents between *0.0009% and 0.0011%* of all mobile app transactions over the past 2+ fiscal years.

Discussion

The Parking Committee discussed the referral at their October 27, 2025 meeting.

The Parking Committee discussed with Ms. Lahey the situation, where she had paid for parking, but entered the wrong vehicle in the mobile app. Ms. Lahey indicated that she felt the current policy was unfair as she could clearly demonstrate that she had indeed paid to park, but selected the incorrect vehicle / license plate number in the mobile app.

During its deliberations, the Committee noted that, in accordance with the City Charter, departmental operations and procedures are within the purview of the City Manager. Therefore, the Parking Committee *recommends that the City Council request that the City Manager meet with Police Department leadership to discuss whether the Parking Division's current practices or procedures relative to warnings and citations associated with mobile payment app errors require further refinement, adjustment, or codification.*