

Allowable Defenses Template

As a registered owner of a vehicle, you have the right to contest the issuance of a parking, compliance, automated traffic law enforcement or automated speed camera enforcement violation. **Upon a violation, you have seven days from the date of issuance to contest the ticket. If neither a contest or payment is received, a second Notice of Violation will be mailed, allowing 21 days to request a hearing.**

If you meet the following requirements for the violation that you have been issued, a defense can be requested during hearing.

1. Expired City Sticker and Expire License Plate Violations

- ☐ The illegal vehicle condition was corrected prior to the hearing
- ☐ **Only one such defense per permanent vehicle license plate number**
- ☐ Subject vehicle must be registered in the name of an individual respondent as a sole or joint owner
- ☐ The defense applies to violations that occur between April 1, 2022, and December 31, 2023, inclusive

2. Parking and compliance tickets:

- ☐ Respondent was not the owner of the cited vehicle at the time of violation
- ☐ Vehicle or state registration plates were stolen at the time of violation
- ☐ Signs prohibiting or restricting parking were missing or obscured
- ☐ Illegal vehicle condition did not exist at the time of compliance violation
- ☐ Illegal Vehicle condition was corrected prior to the hearing (Note: This defense does not apply to muffler or exhaust violations, missing plate violations, and tinted window violations)
- ☐ The facts alleged in the parking or compliance violation notice are inconsistent or do not support a finding that the specified regulation was violated

3. Red Light Violations recorded by automated cameras

- ☐ Operator was also issued a uniform traffic citation for a violation of sections 9-8-020(c) or 9-16-030(c)
- ☐ Violation Occurred when the vehicle or its state registration plates were reported to a law enforcement agency as having been stole, and the vehicle or its plates had not been recovered by the owner at the time of alleged violation
- ☐ Vehicle was an authorized emergency vehicle or was lawfully participating in a funeral procession
- ☐ The facts alleged in the violation notice are inconsistent or not support a finding that the Chicago Municipal code was violated
- ☐ Respondent was not the owner of the cited vehicle at the time of the violation

4. Automated Speed Enforcement Violations

- ☐ Operator of vehicle was issued a Uniform Traffic Citation for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system
- ☐ The facts alleged in the violation notice are inconsistent or do not support a finding that Section 9-12-070, 9-12-075, or 9-12-077 was violated
- ☐ The violation occurred at any time during which the vehicle or its state registration plates (license plates) were reported to a law enforcement agency as having been stolen and the vehicle or its plates had not been recovered by the owner at the time of the alleged violation
- ☐ The vehicle was leased to another and the lessor has provided the name and address of the lessee within 30 days of being notified, in compliance with Section 9-100-140(c)
- ☐ The vehicle was an authorized emergency vehicle
- ☐ The respondent was not the registered owner or lessee of the cited vehicle at the time of the violation

5. Bus Stop or Bus Lane Violations

- ☐ The operator of the vehicle was issued a uniform traffic citation for a violation of 9-12-060(b) or a parking violation for 9-64-140(b);
- ☐ The violation occurred at any time during which the vehicle or its license plate was reported to a law enforcement agency as having been stolen and the vehicle or its license plate had not been recovered by the owner at the time of the alleged violation;
- ☐ The vehicle was leased to another, and within sixty (60) calendar days after the citation was mailed to the owner, the owner submitted to the City of Chicago Department of Finance the correct name and address of the lessee of the vehicle identified on the citation at the time of the violation, together with a copy of the lease agreement, and any additional information as may be required by the Department;
- ☐ The vehicle was an authorized emergency vehicle;
- ☐ The facts alleged in the violation notice are inconsistent or do not support a finding that Section 9-12-060(b) or Section 9-64-140(b) was violated;
- ☐ The respondent was not the registered owner or lessee of the cited vehicle at the time of the violation;
- ☐ The vehicle was making a right hand turn;
- ☐ The vehicle, if not a taxicab, was stopped to expeditiously load or unload passengers, and the vehicle did not interfere with any bus waiting to enter or about to enter the bus lane;
- ☐ The vehicle, if a licensed taxicab, was stopped to expeditiously load or unload passengers.

On the day of hearing, **bring the evidence collected regarding the violation that supports the above conditions such as police reports, registration documents, receipts, and pictures.**

Oral Argument Checklist

Before Hearing

- ☐ Choose a case theory
- ☐ Review evidence
- ☐ Review case law facts, holdings, and reasoning
- ☐ Create a case spreadsheet
- ☐ Prepare an introduction
- ☐ Outline and rank the most important arguments

During Hearing

- ☐ Wear appropriate professional clothing
- ☐ Address a single judge as “Your Honor”, more than one judge as “Your Honors”
- ☐ Address the court as “the court” or “This Court”
- ☐ Give a direct answer first: “Yes, Your Honor” or “No, Your Honor”
- ☐ Maintain eye contact with the judges

Visit the following link for more details regarding allowable defenses

https://www.chicago.gov/city/en/depts/fin/supp_info/revenue/challenging_tickets/contesting_in_person.html