



## BBB Interviews TicketBust to Inform Public of Legal Rights Concerning Fighting Traffic Tickets

### **Fees on Traffic Tickets Skyrocketing in California**

BBB Clears the Air on Driver Advocacy Firms Claiming to get Consumers out of Tickets

*By Scott M. Aronson, BBB Editor*

**May 9, 2011 Santa Barbara, CA** – Municipalities throughout California are levying record fines against drivers for routine traffic infractions. In the past four years, the most common traffic fines have more than doubled. What was once a \$249 red light violation is now \$500-\$600, and drivers can expect to pony up an estimated \$1,800 in increased insurance premiums over a 3-year period for each point on their driving record. Given the State's ongoing fiscal budget crisis, this trend of increasing fines is expected to continue with the 18 million tickets estimated to be issued in California this year, just 9% of which will be contested by drivers; of those, about 25% will be contested through a legal procedure that is quickly gaining popularity, known as 'Trial By Declaration', or more formally, 'Trial By Written Declaration' (TBWD). Only about 6 states currently offer its citizens the TBWD option—CA is one.

Whereas in the past, a driver often just reluctantly paid a traffic fine regardless of whether they were guilty of the infraction, today's driver is forced to explore all of their options before writing that exorbitant check. TicketBust.com, the nation's premier driver advocacy group, is helping drivers to do just that.

Founded in 2004, TicketBust.com, a Better Business Bureau Accredited Business with an A+ rating, assists drivers with fighting speeding tickets and other traffic tickets by using proven legal methods. One such method—Trial By Written Declaration—allows for a driver to contest with the court a traffic ticket by mail. According to Steve Miller, CEO of TicketBust.com, which also offers multilingual versions of its service via [combatesuticket.com](http://combatesuticket.com) and [byebyefadan.com](http://byebyefadan.com), "Millions of drivers are completely unaware that they have a legal right to a trial by written declaration...if they just look at the reverse side of their ticket, they will see this as an option to contest their ticket."

In the BBB's own investigation, we found what may be contributing to consumers from fully understanding their right to a TBWD. In examining the back of a traffic ticket issued to a BBB employee, we noticed the TBWD option stated clearly and conspicuously. However, the courtesy notice that was mailed to the BBB employee,

when examined closely, was shown to make no mention whatsoever of the TBWD option. The BBB believes that since a large contingent of drivers rely upon the courtesy notice that is mailed to them and not the ticket itself, this may be perpetuating the lack of public awareness on this issue.

Miller, a former CPA who ran a web-based applications firm in the dot.com boom era, was inspired in 2004 to launch TicketBust.com after learning that his brother successfully beat a ticket by utilizing his right to a trial by written declaration. In his research, he learned that there was nothing else out there in the marketplace that facilitated the contesting of a ticket. Miller then set out to develop a proprietary system whereby for a \$100 service fee, and \$149 document processing fee, TicketBust.com handles almost all of the details regarding ticket contesting. The streamlined process allows consumers to complete a 1-2 min. online form which prompts TicketBust to conduct a short 5-10 minute fact gathering telephone interview with the client. Then TicketBust writes a strategically-worded and customized written declaration that gets submitted to the court, along with the client's fine/bail check, which is refunded to the driver if the ticket is dismissed.

According to the company, the hallmark of TicketBust's service offering is its expertise, which is evidenced by not only their A+ BBB rating and high success rate, but also in their willingness to offer a money-back guarantee. TicketBust now boasts an impressive client list exceeding 30,000, though this number continues to grow quickly as an increasing number of drivers beat their tickets and then spread the word to their friends, colleagues and family.

In response to increasing consumer awareness and demand for this type of service, brand new firms with little or no experience are popping up on the scene. Therefore, the BBB urges consumers to be cautious and recommends that they know who they are dealing with before paying any fees. Consumers should check with the BBB to verify if the company they are considering is legitimate. If a company has both a high rating and is accredited by the BBB, then consumers can rest assured that they are dealing with a firm that will likely lead to a positive outcome.

One measure the BBB uses to assess the legitimacy of firms is length of time in business, as the longer a firm is in business, the likelier it is that they are credible. In fact, the BBB recently declined accreditation to a new firm in this industry that had no relevant prior experience or industry background for that matter. "What we have here are people with limited knowledge attempting to pass themselves off as experts by taking peoples' money without really knowing what they are doing. This is unacceptable because so much is riding on it for the driver."

This is certainly not to say that companies new to the ticket dispute arena are all incompetent. As we learned in our interview with Miller, many of these newer firms may know what to say in their clients' TBWD. But according to Miller, and more subtly, knowing what not to say in a TBWD declaration is even more important, and can only be learned over a substantial period of time. Further, the data in a TBWD must contain many critical facts that must also be organized in such a way that a

judge wants to see it. TicketBust's approach has been modified and developed over time, and one of their strategies is to always stay abreast of the constantly-changing laws. "Our Goal at TicketBust is to help as many people as possible understand that they have rights. We will do everything in our power to maximize a consumer's chance at a successful outcome by guiding them through the TBWD process every step of the way."

Consumers, it should be pointed out, can also consider going it alone in disputing their tickets through TBWD without hiring a firm like TicketBust, but their chances at having the ticket dismissed are diminished greatly. The BBB cannot stress enough that the ticket disputation process is a very meticulous one that must be taken seriously and requires expertise. As Miller puts it, "You can fix a broken pipe in your home, or you can call in an expert—a plumber. The same principle holds true here. In this same way, we are the experts, as having literally, invented this industry".

### **Trial by Declaration: Several Facts**

- California drivers have the legal right to dispute minor traffic violations/infractions through a TBWD
- Municipalities in California offer the TBWD as a way to alleviate what are now overbooked court dockets
- Driver must pay bail amount that goes into trust account to be refunded upon not-guilty court decision
- If a driver is found guilty, they still have the right to right to a court trial and traffic school
- Driver effectively is in no worse shape if they lose their TBWD, as they effectively get "2-chances at the legal system"

The Better Business Bureau is a non-profit, public service agency dedicated to advancing marketplace trust. Founded in 1912, primary BBB functions include resolving consumer-business disputes, disseminating information to protect consumers, and working with law enforcement to stem marketplace fraud. American firms can earn the prestigious BBB Accreditation distinction by undergoing a 16-dimensional background check and adhering to rigorous business standards, which include special customer service remedies. The BBB is headquartered in Arlington, VA, and has over 130 branches in the U.S. and Canada; the BBB of the Tri-Counties, serving Ventura, Santa Barbara, and San Luis Obispo Counties, was founded in 1945.

If you'd like more information about this topic, or to schedule an interview, please call Scott Aronson, BBB Director of Marketing, at (805) 845-7812 or email Scott at [saronson@santabarbara.bbb.org](mailto:saronson@santabarbara.bbb.org).

## Start With Trust<sup>®</sup>