

German Traffic Tickets Explained

By Jennifer Mahana

In Germany, most traffic tickets are served by mail. Unlike the United States, where local police conduct traffic stops for speeding, in Germany most speeding violations are recorded by camera and the violators receive notification several days or weeks later, either through their APO mail, their chain of command or by e-mail.

There are three types of correspondence that you may receive for a traffic violation: a warning ticket (Verwarnung) for relatively minor offenses, an administrative fine order (Bußgeldbescheid) for major offenses and a questionnaire (Anhörung) when German officials need additional information.

Warnings are for violations carrying fines of less than €55. Some may be collected on the spot during a traffic stop; if that is the case, make sure to get a receipt. Most warning tickets will be put on your windshield (e.g. parking violations) or sent by mail. If sent by mail, the warning will usually come through your chain of command (commander/supervisor) or to your private APO address. For this reason, it is important to keep your address up to date with the U.S. Forces vehicle registration office. These warnings must be paid within one week, unless properly protested. Unlike in most states in the U.S., no formal service of process is necessary in Germany. In other words, the issuing authority does not have to show that the warning reached you. Unpaid warnings will convert into administrative fine orders (see below) with an administrative fee added. This administrative fee is NOT a late fee. To pay your fine, just take the ticket into your local bank and they will generate a direct deposit from your account to the issuing authority.

Administrative fines are issued if the initial violation carries a fine of €55 or greater or if a warning ticket is not paid. There is a €25 administrative fee automatically added to the fine and, if applicable, fees for procedural or other costs (e.g. for testing blood). Unlike warnings, administrative fine orders require formal service of process.

You must receive the administrative fine order through a U.S. Forces legal office, either by personal service or by e-mail. For Soldiers, Army civilians and their dependents in the Kaiserslautern Military Community area, personal service may require you to come to the international law section of your respective legal office for service of the ticket. Administrative fine orders from other German states (such as Bavaria or Hessen) may be sent by another U.S. Forces legal office to your unit or to your APO or street address.

Administrative fine orders may be protested within two weeks of the time you are served. Please contact your local legal assistance office for help with this—the legal personnel who serve the ticket on you are NOT authorized to provide you confidential legal advice. If your protest is denied and your issue goes before a German court, you may face higher fines plus possible court costs if you are convicted. You must make

payment within four weeks of the time you are served if you choose not to protest. Like warnings, administrative order fines are paid through your bank. Unpaid administrative fine orders are enforced through a German bailiff with the assistance of the legal office. This can result in additional costs for garnishment and remittance orders/enforcement actions (Vollstreckungsauftrag).

Questionnaires are sent out by German officials if the initial violation carries a fine €55 or greater. The questionnaire is intended to provide the violator a chance to respond to the allegation. Questionnaires look similar to administrative fine orders but contain no fine, only a description of incident. It will be addressed to the registered owner unless the German authority has already determined the owner was not the driver. If you were not the one driving, this is your opportunity to identify the driver and provide contact information. You are not required to make a statement; providing a response is completely voluntary. However, German authorities will likely issue an administrative fine order if there's no response.

If you receive a notice requesting you to come to the legal office to retrieve a ticket/administrative fine order or if it is sent to you by email, do not ignore it. The legal office will follow up through your supervisor, first sergeant or commander if necessary. Failure to pay the fine may result in the German Court ordering jail time to induce payment of an overdue fine. Jail time is not a substitute for the fine.

Questions concerning German traffic tickets should be raised with your local legal assistance office; that office is in the best position to provide confidential legal advice on these matters.