



June 24, 2013

**Honorable Members of the Board of Supervisors
City and County of San Francisco
1 Carlton P. Goodlett Place, Room 244
San Francisco, California 94102**

RE: Codifying existing disabled parking restrictions in the City's Transportation Code

Dear Members of the Board of Supervisors:

Background

Currently, California Vehicle Code Section 22511.57 permits a local authority to “prohibit or restrict the parking or standing of a vehicle on streets or highways or in a parking stall or space in a privately or publicly owned or operated off-street parking facility” if “the vehicle displays, in order to obtain special parking privileges, a distinguishing placard or special license plate” that:

- “has been reported as lost, stolen, surrendered, canceled, revoked, or expired, or was issued to a person who has been reported as deceased for a period exceeding 60 days;” or
- “is displayed on a vehicle that is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate;” or
- “is counterfeit, forged, altered, or mutilated.”

In 1996, the Board of Supervisors approved Resolution 195-96 to implement a previous version of Vehicle Code section 22511.57 in San Francisco to establish a violation for misuse of a disabled placard when the placard has been reported lost, stolen or issued to a deceased person.

Proposal

Attached for your consideration is an Ordinance amending the San Francisco Transportation Code, Division I by adding Section 7.2.44 and 7.2.66. The proposed amendment to the Transportation Code would codify the disabled parking restrictions currently contained in the Vehicle Code into the City's Transportation Code, and do so as an ordinance, rather than a resolution.

Budget Impact

This action is expected to have no impact on revenue.

Edwin M. Lee
Mayor

Tom Nolan
Chairman

Cheryl Brinkman
Vice-Chairman

Leona Bridges
Director

Malcolm Heinicke
Director

Jerry Lee
Director

Joél Ramos
Director

Cristina Rubke
Director

Edward D. Reiskin
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Alternatives Considered

The alternative to this action would be to maintain the references to disabled parking placard and license plate restrictions in the Vehicle Code. The alternative is unsatisfactory because Division I, once amended, will contain the relevant restrictions, and the reference to the Vehicle Code will no longer be necessary.

SFMTA Board of Directors' Approval

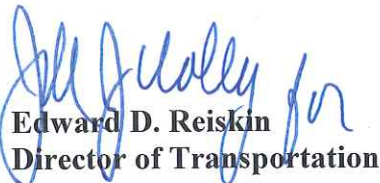
The proposed ordinance is a codification in the City's Transportation Code of existing State law, and will give the public adequate notice of disabled parking restrictions. The SFMTA Board will be considering a resolution at its July 16, 2013 meeting that recommends approval of this Ordinance, and makes corresponding amendments to Division II of the Transportation Code. Before the SFMTA Board can impose parking fines for violations, the BOS must approve the parking restrictions proposed for Division I of the Transportation Code.

Recommendations

To provide for consistency between the California Vehicle Code and the SF Transportation Code, the SFMTA requests that the Board of Supervisors amend the San Francisco Transportation Code, Division I by adding Section 7.2.44 and 7.2.66 to prohibit, on any street, alley, or portion of a street or alley, or in any municipal or private parking facility, the parking of a vehicle displaying a disabled parking placard or special license plate, in order to obtain special parking privileges, that has been reported as lost, stolen, surrendered, canceled, revoked, or expired, or issued to a person who has been reported as deceased for a period exceeding 60 days; is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate; or is counterfeit, forged, altered, or mutilated.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,


Edward D. Reiskin
Director of Transportation