

File No. 160385

Committee Item No. 3

Board Item No. 6

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date June 13, 2016

Board of Supervisors Meeting

Date July 12, 2016

#### Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 - Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date June 9, 2016  
 Completed by: Alisa Somera Date June 20, 2016

1 [Transportation Code - Fare Evasion and Passenger Conduct Regulations]

2  
3 **Ordinance amending the Transportation Code to consolidate and clarify existing fare**  
4 **evasion regulations, revise passenger conduct violations to make consistent with**  
5 **recent state law changes, and authorize the San Francisco Municipal Transportation**  
6 **Agency to establish separate fine amounts for fare evasion and passenger conduct**  
7 **violations committed by youth; and affirming the Planning Department's determination**  
8 **under the California Environmental Quality Act.**

9  
10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
13 **Board amendment additions** are in double-underlined Arial font.  
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
15 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
16 subsections or parts of tables.

17 Be it ordained by the People of the City and County of San Francisco:

18 Section 1. The Planning Department has determined that the actions contemplated in  
19 this ordinance comply with the California Environmental Quality Act (California Public  
20 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the  
21 Board of Supervisors in File No. 160385 and is incorporated herein by reference. The Board  
22 affirms this determination.

23 Section 2. Findings.

24 1. During the 2015-2016 Legislative session, the State Legislature approved and  
25 the Governor signed into law Senate Bill No. 413, which amended state law provisions  
regarding passenger conduct violations on public transit vehicles.

2. These violations include penalties for a person failing to comply with a transit  
official's warning regarding disturbing another person by loud and unreasonable noise, playing

1 unreasonably loud sound equipment on or in a system facility or vehicle, or failing to yield  
2 seats reserved for an elderly or disabled person.

3 3. State law now also authorizes the Municipal Transportation Agency to impose  
4 administrative penalties, as opposed to only criminal penalties, on minors who commit fare  
5 evasion or passenger conduct violations.

6 Section 3. The Transportation Code is hereby amended by revising Sections 7.2.101,  
7 7.2.102, 7.2.103, and 7.2.104, to read as follows:

8 **SEC. 7.2.101. FARE EVASION REGULATIONS.**

9 (a) To fail to display a valid fare receipt, transit pass, Clipper card, Limited Use ticket, or  
10 electronic fare media at the request of any authorized representative of the transit system or duly  
11 authorized peace officer while ~~For any passenger or other person~~ in or about any public transit  
12 station (including an outdoor high-level boarding platform or station operated by the Bay Area  
13 Rapid Transit District), Proof of Payment area, light rail vehicle, streetcar, cable car, motor  
14 coach, trolley coach or other public transit vehicle to evade any fare collection system or proof  
15 of payment program instituted by the Municipal Transportation Agency.

16 (b) ~~For any person to board or ride a light rail vehicle, streetcar, cable car, motor coach,~~  
17 ~~trolley coach without prior or concurrent payment of fare.~~

18 (c) ~~To fail to display a valid fare receipt or transit pass at the request of any authorized~~  
19 ~~representative of the transit system or duly authorized peace officer while on a transit vehicle or in a~~  
20 ~~Proof of Payment Zone.~~

21 (d) ~~To misuse any transfer, pass, ticket, or token with the intent to evade the payment of any~~  
22 ~~fare.~~

23 (be) To knowingly use or attempt to use any illegally printed, duplicated, or otherwise  
24 reproduced token, card, transfer or other item for entry onto any transit vehicle, Proof of  
25 Payment area, or into any transit station with the intent of evading payment of a fare.

1           (c) For any unauthorized person to use a discount ticket, Clipper card, or Limited Use  
2 ticket, or fail to present, upon request from a system fare inspector, acceptable proof of  
3 eligibility to use a discount ticket. If an eligible discount user is not in possession of acceptable  
4 proof at the time of request, an issued notice of fare evasion or passenger conduct violation shall be  
5 held for a period of 72 hours to allow the user to produce acceptable proof. If the proof is provided,  
6 the notice shall be voided. If the proof is not produced within 72 hours, the notice shall be processed.

7           **SEC. 7.2.102 PASSENGER CONDUCT REGULATIONS.**

8           For any passenger or other person in or about any public transit station (including an  
9 outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit  
10 District), Proof of Payment area, streetcar, cable car, motor coach, trolley coach or other public  
11 transit vehicle to commit any of the acts described below:

12           (a) Playing unreasonably loud sound equipment on or in a system facility or vehicle,  
13 or failing to comply with the warning of a transit official related to disturbing another person by loud  
14 or unreasonable noise;

15           (b) Smoking, eating, or drinking in or on a system facility or vehicle in those areas  
16 where those activities are prohibited;

17           (c) Expectorating upon or within a system facility or vehicle;

18           (d) Willfully disturbing others on or in a system facility or vehicle by engaging in  
19 boisterous or unruly behavior;

20           (e) Carrying an explosive or acid, flammable liquid, or toxic or hazardous material in  
21 a system facility or vehicle;

22           (f) Urinating or defecating in a system facility or vehicle, except in a lavatory.

23 However, this paragraph shall not apply to a person who cannot comply with this paragraph  
24 as a result of a disability, age, or a medical condition;

1 (g) Willfully blocking the free movement of another person in a system facility or  
2 vehicle.

3 (h) Skateboarding, roller skating, bicycle riding, or roller ~~balading~~blading in a system  
4 facility, vehicle, or parking structure. This restriction does not apply to an activity that is  
5 necessary for utilization of the transit facility by a bicyclist, including, but not limited to, an  
6 activity that is necessary for parking a bicycle or transporting a bicycle aboard a transit vehicle  
7 as permitted by the Municipal Transportation Agency.

8 (i) Selling or peddling any goods, merchandise, property, or services of any kind  
9 whatsoever on transit facilities, vehicles, or property of the Municipal Railway without the express  
10 written consent of the Municipal Railway or its duly authorized representatives.

11 (j) For any person to engage any operator of any streetcar, cable car, bus or trolley coach  
12 in conversation, except for the purpose of procuring necessary information.

13 (k) Failing to yield seating reserved for an elderly person or person with disabilities.

14 **SEC. 7.2.103. FARE EVASION VIOLATIONS COMMITTED BY YOUTH.**

15 Any violation of Section 7.2.101 which is committed by a minor under the age of 18 shall be  
16 subject to a separate fine established by the Municipal Transportation Agency.

17 **SEC. 7.2.103. CONVERSING WITH OPERATING PERSONNEL PROHIBITED.**

18 For any person to engage any operator of any streetcar, cable car, bus or trolley coach in  
19 conversation, except for the purpose of procuring necessary information.

20 **SEC. 7.2.104. PASSENGER CONDUCT VIOLATIONS COMMITTED BY YOUTH.**

21 Any violation of Section 7.2.102 which is committed by a minor under the age of 18 shall be  
22 subject to a separate fine established by the Municipal Transportation Agency.

23 **SEC. 7.2.104. CLIPPER CARD REGULATIONS.**

1           ~~(a) — To fail to display a valid Clipper card at the request of any authorized representative of~~  
2 ~~the transit system or duly authorized peace officer while on a transit vehicle or in a Proof of Payment~~  
3 ~~Zone.~~

4           ~~(b) — To misuse any Clipper card with the intent to evade the payment of any fare, or to fail to~~  
5 ~~tag a Clipper card transponder or card reader while on a transit vehicle or in a Proof of Payment~~  
6 ~~Zone.~~

7           ~~(c) — To knowingly use or attempt to use any illegally printed, duplicated, or otherwise~~  
8 ~~reproduced Clipper card for entry onto any transit vehicle or into any transit station with the intent of~~  
9 ~~evading payment of a fare.~~

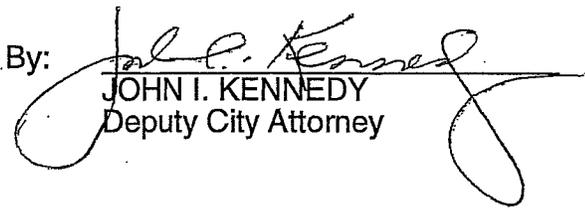
10           ~~(d) — For any unauthorized person to use a discount Clipper card or fail to present, upon~~  
11 ~~request from a system fare inspector, acceptable proof of eligibility to use a discount Clipper card.~~

12           Section 4. Effective Date. This ordinance shall become effective 30 days after  
13 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
14 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
15 of Supervisors overrides the Mayor's veto of the ordinance.

16           Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
20 additions, and Board amendment deletions in accordance with the "Note" that appears under  
21 the official title of the ordinance.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:   
JOHN I. KENNEDY  
Deputy City Attorney

n:\legana\as2015\1600301\01073771.doc

**LEGISLATIVE DIGEST**

[Transportation Code - Fare Evasion and Passenger Conduct Regulations]

**Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.**

Existing Law

In 2008, the SFMTA, in conjunction with the City of Los Angeles, successfully changed state law to allow the agency to issue an administrative citation, as an alternative to a criminal citation, for adults receiving transit related violations, most commonly for fare evasion and passenger conduct violations. At the request of the San Francisco Juvenile Court, however, this change in state law did not apply to citations issued to youth under the age of 18.

Amendments to Current Law

This ordinance consolidates and clarifies existing fare evasion regulations, revises passenger conduct violations to make consistent with recent state law changes, and authorizes the SFMTA to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth. The SFMTA is proposing to set the fine amount for transit violations committed by youth at \$56.00, or fifty percent of the fine amount for adults.

Background Information

On January 1, 2016, Senate Bill 413 became effective. Local jurisdictions now have the authority to establish by ordinance administrative penalties for fare evasion and other transit violations committed by youth, and for citations issued to any passenger or other person who fails to yield a seat reserved for the elderly or persons with disabilities.

n:\legana\as2016\1600301\01074144.doc



**SFMTA**  
Municipal  
Transportation  
Agency

Edwin M. Lee, Mayor

Tom Nolan, Chairman

Cheryl Eskinman, Vice-Chairman

Gwyneth Borden, Director

Edward D. Reiskin, Director of Transportation

Malcolm Heinicke, Director

Joel Parnes, Director

Christina Rubbia, Director

March 28, 2016

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

***Subject: Requesting Approval of an Amendment to Division I of the San Francisco Transportation Code to Implement the Provisions of California Senate Bill 413 Authorizing Local Jurisdictions to Establish Administrative Penalties for Fare Evasion and Other Transit Violations for Youth and Establishing a Penalty for Failing to Yield a Seat to Elderly or People with Disabilities on a Transit Vehicle***

**Honorable Members of the Board of Supervisors:**

The San Francisco Municipal Transportation Agency (SFMTA) requests that the San Francisco Board of Supervisors approve an amendment to Division I of the San Francisco Transportation Code to implement the provisions of California Senate Bill 413 authorizing local jurisdictions to establish administrative penalties for fare evasion and other transit violations committed by youth under 18, and for citations issued to any passenger or other person who fails to yield a seat reserved for an elderly person or person with disabilities on any public transit vehicle; and recommending various non-substantive amendments to delete outdated references, consolidate and clarify definitions of transit violations, and adding language to comply with existing state law.

### **Background**

SFMTA Transit Fare Inspectors and members of the San Francisco Police Department are authorized to issue transit violation citations. According to the San Francisco Juvenile Court Administrator, a total of 819 citations issued to youth were adjudicated by the juvenile court in Fiscal Year 2015, which represents the combined number of citations issued by both the San Francisco Police Department and the SFMTA. SFMTA Transit Fare Inspectors issued 352 of these criminal citations to youth.

In 2008, the SFMTA, in conjunction with the City of Los Angeles, successfully advocated for a change in state law to allow agencies to issue an administrative citation, as an alternative to a criminal citation, for adults receiving transit related violations, most commonly for fare evasion. This change shifted the processing of transit violation citations from the Superior Court to the SFMTA and its contractor, similar to parking tickets. This change in state law, at the request of the San Francisco Juvenile Court, did not apply to citations issued to youth under the age of 18.

By retaining jurisdiction for administering transit violations committed by youth in the court system, an undue burden is placed on children and families by requiring them to appear in court.

during school and/or work hours. Adults, on the other hand, are able to simply pay or protest their violation by mail, online, or by phone. Currently, adults charged with fare evasion pay a \$112.00 administrative fine, while juveniles may be subject to criminal penalties and administrative fees up to \$380. Failure to appear in court may also result in a warrant being issued and further criminal penalties assessed. This disparity increases the workload of the court system and penalizes youths and their families more significantly than adults for the same violations.

On January 1, 2016, Senate Bill 413 became effective, giving local jurisdictions the authority to establish by ordinance administrative penalties for fare evasion and other transit violations committed by youth, in addition to citations issued to any passenger or other person who fails to yield a seat reserved for the elderly or people with disabilities. The SFMTA Board of Directors, on February 16, 2016, approved setting the penalty for youth transit violations at \$56.00, or fifty percent of the penalty for adults. The penalty for failure to give up a seat was approved at \$112.00.

Pursuant to the City's Charter, the San Francisco Board of Supervisors is requested to approve the Division I legislation since that body retains the authority to establish civil offenses. The SFMTA Board has the authority to set the fine amounts for transit violations, and approved the Division II legislation. The Division II legislation will not go into effect unless the Board of Supervisors approves the Division I ordinance. In conjunction with these changes, a number of non-substantive amendments are being proposed to Division I and Division II of the San Francisco Transportation Code to delete outdated references, consolidate and clarify definitions of transit violations, and add language to comply with existing state law.

#### Published Notice

Charter Section 16.112 requires published notice and hearing before the SFMTA may institute or change any fare, fee, schedule of rates or charges which affect the public. The Board's Rules of Order require that the advertisement run for at least five days and not less than fifteen days prior to the public hearing. In compliance with both Charter Section 16.112 and the Board's Rules of Order, advertisements were placed in the City's official newspaper, the San Francisco Chronicle, to provide published notice for the February 16, 2016 public hearing. The advertisements ran in the San Francisco Chronicle for five consecutive days, starting on January 26, 2016.

#### Environmental Review

The proposed Division II legislation is subject to the California Environmental Quality Act (CEQA). CEQA provides a statutory exemption from environmental review for the establishment, modification, structuring, restructuring or approval of rates, tolls, and other charges pursuant to California Public Resources Code Section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273, if these rates, tolls, and other charges will be used to meet operating expenses, including employee wage rates and fringe benefits, or purchase or lease supplies, equipment, or materials.

On November 23, 2015, the SFMTA, under authority delegated by the Planning Department, determined that the proposed Division II legislation is statutorily exempt from environmental review because the anticipated revenues will be used to meet SFMTA operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials.

The SFMTA's determination (Case Number 2015-016334ENV) is on file with the Secretary to the SFMTA Board of Directors. The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.

**Recommendation**

SFMTA requests that the Board of Supervisors approve an amendment to Division I of the San Francisco Transportation Code to implement the provisions of California Senate Bill 413 authorizing local jurisdictions to establish administrative penalties for fare evasion and other transit violations committed by youth under 18, and for citations issued to any passenger or other person who fails to yield a seat reserved for an elderly person or person with disabilities on any public transit vehicle; and recommending various non-substantive amendments to delete outdated references, consolidate and clarify definitions of transit violations, and adding language to comply with existing state law.

Sincerely,



**Edward D. Reiskin**  
**Director of Transportation**

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 16-021

WHEREAS, In Fiscal Year 2015, the San Francisco Juvenile Court adjudicated approximately 819 transit violation citations issued to youth; and

WHEREAS, In 2008, the San Francisco Municipal Transportation Agency (SFMTA), in conjunction with the City of Los Angeles, successfully changed state law to allow the agency to issue an administrative citation, as an alternative to a criminal citation, for adults receiving transit related violations; and

WHEREAS, This change shifted the processing of transit violation citations from the Superior Court to the SFMTA and its contractor, similar to parking tickets, but at the request of the San Francisco Juvenile Court, did not apply to citations issued to youth under the age of 18; and

WHEREAS, By retaining jurisdiction for administering transit violations committed by youth in the court system, an undue burden is placed on children and families by requiring them to appear in court during school and/or work hours while adults are able to pay or protest their violation by mail, online or by phone; and

WHEREAS, Currently adults charged with fare evasion pay a \$112 administrative fine, while juveniles may be subject to criminal penalties and administrative fees up to \$380; and

WHEREAS, On January 1, 2016, Senate Bill 413 became effective, authorizing local jurisdictions to establish by ordinance administrative penalties for transit violations committed by youth, and for citations issued to any passenger or other person who fails to yield a seat reserved for the elderly or people with disabilities; and

WHEREAS, The proposed amendment to Division II of Transportation Code authorizes the SFMTA to set the penalties for violations committed by youth at \$56, or fifty percent of the penalty for adults, and failure to yield a seat committed by adults at \$112; and

WHEREAS, In conjunction with these changes, a number of non-substantive amendments are being proposed to Division I and Division II to delete outdated references, consolidate and clarify definitions of transit violations, and add language to comply with existing state law; and

WHEREAS, The proposed Division II amendment to the San Francisco Transportation Code is subject to the California Environmental Quality Act (CEQA); the CEQA Guidelines provide an exemption from environmental review for the establishment, modification, structuring, restructuring or approval of rates, tolls, and other charges, if these rates, tolls, and other charges will be used to meet operating expenses, including employee wage rates and fringe benefits, or purchase or lease of supplies, equipment, or materials. (Cal. Code Regs., Tit. 14, § 15273.); and,

WHEREAS, On November 23, 2015, the SFMTA, under authority delegated by the Planning Department, determined that the proposed Division II amendment is statutorily exempt from environmental review under Title 14 of the California Code of Regulations Section 15273; the proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31; now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends San Francisco Transportation Code Division II Section 302; to add a penalty for fare evasion and passenger conduct violations committed by youth subject to passage by the Board of Supervisors of an ordinance to create a separate violation and making other non-substantive revisions and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors recommends that the San Francisco Board of Supervisors amend San Francisco Transportation Code Division I to implement the provisions of California Senate Bill 413 authorizing local jurisdictions to establish administrative penalties for fare evasion and other transit violations committed by youth under 18, and any passenger or other person who fails to yield a seat reserved for an elderly person or person with disabilities on any public transit vehicle; and various non-substantive amendments to delete outdated references, consolidate and clarify definitions of transit violations, and adding language to comply with existing state law.

I certify that the foregoing resolution was adopted by the Municipal Transportation Agency Board of Directors at their meeting of February 16, 2016.



---

Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

RESOLUTION NO. 16-021

[Transportation Code – Penalty for Fare Evasion and Passenger Conduct Violations Committed by Youth]

**Resolution amending the Transportation Code to add a penalty upon passage by the Board of Supervisors of an ordinance to create a separate violation for fare evasion and passenger conduct violations committed by youth, and deleting the existing penalties for conversing with an operator and Clipper card violations.**

NOTE: Additions are single-underline Times New Roman; deletions are ~~strike through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 300 of Division II of the Transportation Code is hereby amended by amending Section 302, to read as follows:

**SEC. 302. TRANSPORTATION CODE PENALTY SCHEDULE.**

Violation of any of the following subsections of the San Francisco Transportation Code shall be punishable by the fines set forth below:

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2014**	FINE AMOUNT Effective July 1, 2015**
<b>PEDESTRIANS AND SIDEWALKS</b>				
Traffic Code Sections 77, 78	Div I 7.2.10	Pedestrian Crossings	\$60.00	\$62.00
Traffic Code Section 104	Div I 7.2.11	Electric Assistive Personal Mobility Devices	\$60.00	\$62.00
Traffic Code Section 96	Div I 7.2.12	Bicycle Riding Restricted	\$100.00	\$100.00

SFMTA BOARD OF DIRECTORS

Traffic Code Section 100	Div I 7.2.13	NUV Violation	\$60.00	\$62.00
<b>ON-STREET PARKING</b>				
Traffic Code Section 315(a)	Div I 7.2.20	Residential Parking	\$76.00	\$78.00
Traffic Code Section 37(e)	Div I 7.2.22	Street Cleaning	\$66.00	\$68.00
Traffic Code Section 202.1	Div I 7.2.23(a)	Parking Meter-Downtown Core	\$76.00	\$78.00
Traffic Code Section 202	Div I 7.2.23(b)	Parking Meter-Outside Downtown Core	\$66.00	\$68.00
Traffic Code Section 38A	Div I 7.2.25	Red Zone	\$103.00	\$106.00
Traffic Code Sections 38B, 38B.1	Div I 7.2.26	Yellow Zone	\$88.00	\$91.00
Traffic Code Section 38C	Div I 7.2.27	White Zone	\$103.00	\$106.00
Traffic Code Section 38D	Div I 7.2.28	Green Zone	\$76.00	\$78.00
Traffic Code Section 37(a)	Div I 7.2.29	Parking for Three Days	\$103.00	\$106.00

Traffic Code Section 32(c)(1)	Div I 7.2.30(a)	Overtime Parking Downtown Core	\$76.00	\$78.00
Traffic Code Section 32(c)(2)	Div I 7.2.30(b)	Overtime Parking Outside Downtown Core	\$66.00	\$68.00
Not applicable	Div I 7.2.30(c)	Overtime Meter Parking Downtown Core	\$76.00	\$78.00
Not applicable	Div I 7.2.30(d)	Overtime Meter Parking Outside Downtown Core	\$66.00	\$68.00
Traffic Code Sections 32.13, 55	Div I 7.2.32	Angled Parking	\$60.00	\$62.00
Traffic Code Section 32.21	Div I 7.2.33	Blocking Residential Door	\$47.00	\$48.00
Traffic Code Section 56	Div I 7.2.34	Median Dividers and Islands	\$76.00	\$78.00
Traffic Code Section 58(a)	Div I 7.2.35	Parking on Grades	\$60.00	\$62.00
Traffic Code Section 61	Div I 7.2.36	100 Feet Oversize	\$110.00	\$110.00
Traffic Code Sections 27, 219	Div I 7.2.37	Motorcycle Parking	\$103.00	\$106.00
Traffic Code Sections 33.5, 39(b), 66	Div I 7.2.38	Parking in Stand	\$103.00	\$106.00
Traffic	Div I 7.2.39	Parking Transit-	\$110.00	\$110.00

Code Section 53(a)		Only		
Traffic Code Section 32(a)(1)	Div I 7.2.40	Tow-Away Zone- Downtown Core	\$98.00	\$101.00
Traffic Code Section 32(a)(2)	Div I 7.2.41	Tow-Away Zone- Outside Downtown Core	\$88.00	\$91.00
Traffic Code Section 32(b); 32.6.2, 32.6.3, 32.6.7, 32.6.8, 32.1.10, 32.6.13, 32.6.16, 32.6.18, 32.6.19, 32.6.20, 32.6.21, 32.6.22, 32.6.23, 32.6.24, 32.6.25, 32.6.26, 32.6.27, 32.6.29, 32.6.30, 32.6.31, 32.6.32, 32.6.34, 32.6.35	Div I 7.2.42	Parking Restrictions	\$88.00	\$91.00
Traffic Code Section 32, 32.1, 32.1.1,	Div I 7.2.43	Parking-Public Property	\$66.00	\$68.00

32.1.2, 32.1.3, 32.1.11, 32.1.4, 32.1.7, 32.1.9, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.5, 32.6, 32.6.5, 32.6.6, 32.6.11				
Not Applicable	Div I 7.2.44	Misuse Disabled Parking Placard/License	\$880.00*	\$875.00*
Traffic Code Section 33(e)	Div I 7.2.45	Temporary Parking Restriction	\$66.00	\$68.00
Traffic Code Section 33.1	Div I 7.2.46	Temporary Construction Zone	\$66.00	\$68.00
Traffic Code Section 21	Div I 7.2.47	Remove Chalk	\$110.00	\$110.00
Traffic Code Section 65	Div I 7.2.48	Repairing Vehicle	\$81.00	\$83.00
Traffic Code Sections 315(e), 412(e), 712(e)	Div I 7.2.49	Permit on Wrong Car	\$110.00	\$110.00
Traffic Code Sections 315(d),	Div I 7.2.50	Invalid Permit	\$110.00	\$110.00

412(d), 712(d)				
Traffic Code Sections 32.4.2(b), 32.14, 58(e)	Div I 7.2.51	Parking Marked Space	\$60.00	\$62.00
Not Applicable	Div I 7.2.52	On-Street Car Share Parking	\$110.00	\$110.00
Not Applicable	Div I 7.2.54	Large Vehicle	\$110.00	\$110.00
<b>OFF-STREET PARKING</b>				
Traffic Code Sections 32.10, 32.11	Div I 7.2.60	Parking Facility Charges	\$60.00	\$62.00
Traffic Code Section 32.15	Div I 7.2.61	Entrance/Exit Parking Facility	\$100.00	\$100.00
Traffic Code Section 32.14	Div I 7.2.62	Blocking Space Parking Facility	\$60.00	\$62.00
Traffic Code Section 32.16	Div I 7.2.63	Speeding within Parking Facility	\$100.00	\$100.00
Traffic Code Section 32.21A	Div I 7.2.64	Block Charging Bay	\$110.00	\$110.00
Not Applicable	Div I 7.2.65	Overtime Parking - Off-Street Parking Meter	\$66.00	\$68.00
Not Applicable	Div I 7.2.66	Misuse Disabled Parking Placard/ License Plate	\$880.00*	\$875.00*
Not Applicable	Div II 1009	SFMTA Property	\$66.00	\$68.00

TRAFFIC REGULATIONS				
Traffic Code Section 70	Div I 7.2.70	Obstruction of Traffic-Vehicle	\$110.00	\$110.00
Traffic Code Section 194.3	Div I 7.2.71	Obstruction of Traffic Without Permit	\$546.00	\$563.00
Traffic Code Section 194.3	Div I 7.3.3	Obstruction of Traffic Without Permit	\$1,000, or six months in jail, or both (4th or more offenses within one year)	\$1,000, or six months in jail, or both (4th or more offenses within one year)
Traffic Code Sections 31, 31.2	Div I 7.2.72	Driving in Transit-Only Area	\$71.00	\$73.00
Traffic Code Section 103	Div I 7.2.73	Driving Through Parades	\$100.00	\$100.00
Traffic Code Section 121	Div I 7.2.74	Streetcar Right-of-Way	\$100.00	\$100.00
Traffic Code Section 122	Div I 7.2.75	Passing Safety Zones	\$100.00	\$100.00
Traffic Code Section 25	Div I 7.2.76	Removal of Vehicles-Collision	\$100.00	\$100.00
Traffic Code Sections 28.1	Div I 7.2.77	Weight Restricted Streets	\$100.00	\$100.00
COMMERCIAL VEHICLES				
Traffic Code Section 63.2	Div I 7.2.80	Vehicles for Hire Parking	\$110.00	\$110.00
Traffic	Div I 7.2.81	Advertising Sign	\$110.00	\$110.00

Code Section 63.3				
Traffic Code Section 68	Div I 7.2.82	Selling from Vehicle	\$110.00	\$110.00
Traffic Code Sections 33.3, 33.3.2	Div I 7.2.83	Truck Loading Zone	\$88.00	\$91.00
Traffic Code Sections 63, 63(A), 63.1	Div I 7.2.84	Commercial Vehicle Parking Restrictions	\$110.00	\$110.00
Traffic Code Section 60.5	Div I 7.2.86	Idling Engine While Parked	\$100.00	\$100.00
Police Code Sections 1183-1183.40	Div I 7.2.87	Commercial Passenger Vehicle Street Restrictions	\$103.00	\$106.00
Police Code Section 710.2	Div. I 7.2.88	For Sale Sign	\$60.00	\$62.00
<b>TRANSIT VIOLATIONS</b>				
Traffic Code Section 127	Div I 7.2.101	Fare Evasion	\$109.00	\$112.00
Traffic Code Section 128	Div I 7.2.102	Passenger Misconduct	\$109.00	\$112.00
Traffic Code Section 128.5	Div I 7.2.103	<u>Fare Evasion/Passenger Misconduct - Youth Violation</u>	<u>\$55.00</u> Not Applicable	\$576.00

		Conversing with Operator		
Not Applicable	Div I 7.2.104	Fare Evasion – Clipper Card	\$109.00	\$112.00

\* This fine includes a 10% additional penalty assessment as mandated by California Vehicle Code 40203.6.

**\*\* Note:**

The California State Legislature has imposed additional fees applicable to all parking citations. As a result, the total fine amount for parking citations includes the following fees: \$4.50 for the state courthouse construction fee, \$2.50 for the local courthouse construction fee, and \$3.00 for the Trial Court Trust Fund fee.

Section 2. Effective and Operative Dates. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance. Section 1 shall become operative upon the effective date of an ordinance enacted by the City to create a violation for fare evasion and passenger conduct violations committed by youth.

Section 3. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
JOHN I. KENNEDY  
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 16, 2016.



\_\_\_\_\_  
Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency



**SFMTA**  
Municipal  
Transportation  
Agency

Edwin M. Lee, Mayor  
Tom Nolan, Chairman      Malcolm Henicke, Director  
Cheryl Brinkman, Vice-Chairman      Joel Ramos, Director  
Gwyneth Borden, Director      Cristina Rufke, Director  
Edward D. Reiskin, Director of Transportation

**Transportation Code Modifications: Transit/Parking Violations and Penalties**

The SFMTA proposes the following amendments to Division I and Division II of the San Francisco Transportation Code:

- Establish transit violations and penalties for failure to give up a seat to a Senior or Person with Disability and to create a separate category of violations for youth, allowing these to be processed administratively, rather than in the courts.
- Initiate cost recovery fees for the administration of a Transit and Parking Citations Work Credit and Payment Plan program. By payment of this fee, customers would be able to either make installment payments over time or volunteer with approved organizations and City Departments to obtain work credit. During this time, late penalties and special collections fees would not be assessed.

Statutorily Exempt from Environmental Review - CEQA  
Guidelines Section 15273 Rates, Tolls, Fares and Charges: CEQA does not apply to the establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by public agencies.

Erik Jaszewski, SFMTA  
San Francisco Municipal Transportation Agency

11/23/15  
Date

SF Planning Department Concurrence:

Statutorily Exempt from Environmental Review—CEQA Guidelines  
Section 15273 Rates, Tolls, Fares and Charges: CEQA does not  
apply to the establishment, modification, structuring, restructuring or  
approval of rates, tolls, fares or other charges by public agencies.

Christopher Espiritu  
Environmental and Transportation Planner  
San Francisco Planning Department

Digitally signed by Christopher Espiritu  
DN: dc=org, dc=sfgov, dc=cityplanning,  
ou=CityPlanning, ou=Environmental  
Planning, cn=Christopher Espiritu,  
email=Christopher.Espiritu@sfgov.org  
Date: 2015.12.11 11:34:34 -0800' 12/11/2015

Date

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

April 27, 2016

File No. 160385

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

On April 19, 2016, Supervisor Mar introduced the following proposed legislation:

**File No. 160385**

Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Sections 15378 and 15060(c) (2) because it does not result in a physical change in the environment.

Joy  
Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete,  
o=Planning, ou=Environmental  
Planning,  
email=joy.navarrete@sfgov.org,  
c=US  
Date: 2016.04.28 13:58:02 -07'00'

**From:** Carpenter, Adele  
**Sent:** Wednesday, May 25, 2016 6:09 PM  
**To:** Ausberry, Andrea  
**Cc:** Somera, Alisa (BOS); Calvillo, Angela (BOS); Yu, Angelina (BOS)  
**Subject:** YC Referral response to BOS File No. 160385

**YOUTH COMMISSION  
MEMORANDUM**

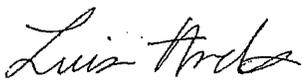
**TO:** Andrea Ausberry, Assistant Clerk, Land Use and Transportation Committee  
**FROM:** Youth Commission  
**DATE:** Wednesday, May 25, 2016  
**RE:** Referral response to BOS File No. 160385

At our **Monday, May 23, 2016 meeting**, the Youth Commission voted to unanimously support the following motion:

**To support BOS File No. 160385** Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.

\*\*\*

Youth Commissioners thank the Board of Supervisors for their attention to issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.



Chair, Luis Avalos-Nunez  
Adopted on May 23, 2016  
2015-2016 San Francisco Youth Commission

Adele Failes-Carpenter  
Director  
San Francisco Youth Commission  
Office: (415) 554-7112 | Fax: (415) 554-6140

Visit the official [Youth Commission site](#) and [YC facebook page](#).  
Sign up for [our newsletter](#).

Complete a Board of Supervisors [Customer Satisfaction form](#).

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

DATE: April 27, 2016

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following hearing request, introduced by Supervisor Mar on April 19, 2016.

**File No. 160385**

Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)

C:

Janet Martinsen, Municipal Transportation Agency  
Kate Breen, Municipal Transportation Agency  
Dillion Auyoung, Municipal Transportation Agency  
Viktoriya Wise, Municipal Transportation Agency  
Maria Cordero, Municipal Transportation Agency  
Roberta Boomer, Municipal Transportation Agency

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

# MEMORANDUM

TO: Youth Commission  
FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee  
DATE: April 27, 2016  
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which is being referred as per Charter, Section 4.124, for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 160385**

Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to **Andrea Ausberry, Clerk, Land Use and Transportation Committee.**

\*\*\*\*\*

RESPONSE FROM YOUTH COMMISSION      Date: \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
Chairperson, Youth Commission

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

April 27, 2016

**File No. 160385**

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

On April 19, 2016, Supervisor Mar introduced the following proposed legislation:

**File No. 160385**

Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED IS  
BOARD  
1.19.16

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Eric Mar, David Campos

**Subject:**

Ordinance to Decriminalize Youth Transit Violations

**The text is listed below or attached:**

[ ]

Signature of Sponsoring Supervisor: \_\_\_\_\_

**For Clerk's Use Only:**