

1 [Special Traffic Permit Violation Penalties.]

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3 **Ordinance amending San Francisco Traffic Code Section 194.3. to provide a graduated**
4 **penalty schedule for violation of the Special Traffic Permit or for obstructing traffic**
5 **without a Special Traffic Permit.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Traffic Code is hereby amended by amending Section
11 194.3, to read as follows:

12 **Sec. 194.3. EXCEEDING PERMISSIBLE USE OR OBSTRUCTION OF TRAFFIC**
13 **WITHOUT PERMIT – PENALTY FEE.**

14 The Director of parking and Traffic has the authority to determine rules and regulations
15 for the use of a Special Traffic Permit as necessary to regulate the flow of traffic, maintain the
16 street in the condition it was in at the time the permit was obtained and for general welfare of
17 the public. ~~If a permittee has not complied with the rules and requirements as specified in the Special~~
18 ~~Traffic Permit or if any person obstructs streets of major traffic importance without obtaining a Special~~
19 ~~Traffic permit as required in Section 194, the Director or his/her designee is authorized to cite and,~~
20 ~~consistent with due process, assess a penalty up to \$1000 per incident for violating the permit~~
21 ~~requirements and up to \$5,000 per incident for obstructing traffic without a Special Traffic permit.~~
22 Any person and/or business entity violating any provision of this section shall be deemed guilty of an
23 infraction and upon conviction thereof shall be punished by a fine of \$500 for the first offense, \$750 for
24 the second offense within one year, and \$975 for the third offense within one year. Any person and/or
25 business entity that obstructs traffic in violation of the provisions of this section four or more times

1 within one year shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished
2 by a fine of \$1000 unless the fourth or subsequent violation is for obstruction of traffic without a valid
3 Special Traffic Permit, in which case they shall be guilty of a misdemeanor and upon conviction thereof
4 shall be punished by a fine of \$5,000 and/or a term of up to one year in the county jail. An incident
5 for purposes of ~~the~~ this section occurs whenever a permit holder obstructs traffic ~~for more than~~
6 ~~60 minutes or more~~ over the period specified by the permit, or a person obstructs traffic without
7 a Special Traffic Permit. Each separate 60 minute period of obstruction shall constitute a
8 separate incident ~~under which the director or his or her designee assess penalties under this section.~~

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10 APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

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12 By: _____
LORETTA M. GIORGI
13 Deputy City Attorney