



CITY OF BEVERLY HILLS
TRAFFIC & PARKING COMMISSION

Meeting of December 5, 2013

TO: Traffic & Parking Commission
FROM: Chad Lynn, Director of Parking Operations
SUBJECT: Disabled Placard Reform

INTRODUCTION

Disabled parking placards are issued by the State of California, Department of Motor Vehicles (DMV) and entitle placard holders to the following privileges:

- Parking Spaces Reserved for the Disabled
- Parking Meters for Unlimited Periods of Time and Without Payment
- Time-Restricted Parking Areas for Unlimited Periods of Time
 - This includes both Preferential Parking Permit (PPP) zones and time restriction zones (1hr, 2hr, etc.) that do not have a PPP associated with them

Disabled Parking placards may NOT park in the following areas:

- White (passenger), Yellow (loading), Red (no stopping) zones
- Posted No Stopping Zones
- Street Cleaning Restrictions
- No Parking Zones
 - EXCEPT where PPP parking is exempted
 - Once one user group is exempted, generally speaking, a DP placard may also gain the parking privilege
- Generally, any location in which parking is restricted to all users

The number of disabled parking placards issued within the state has been steadily increasing each year, creating a greater competition for the available parking resources. In San Francisco the following was estimated:

- 500,000+ Disabled Placards
- 29,200 Meters Parking Spaces (17 placards per meter)
- 700 'Blue Zones' (714 placards per zone)

With the increase in the number of placards in circulation, there is also a perception of an increase in the perceived misuse of disabled placards, leading to complaints and a call for action to discourage the misuse of disabled placards.

The most important step in addressing the misuse of disabled placards is defining and understanding what 'misuse' means when enforced within a local agency. The City receives several complaints about locations and users related to 'misuse' of placards.

The following represents types of misuse enforced by the City:

ATTACHMENT A

Lost/Stolen/Expired	Use of a placard that has been reported lost or stolen or has passed the posted expiration date
User Mismatch	The user of the placard is not the person to whom the placard has been issued
Forged DP Placard	User makes a forgery of a legitimate DP placard

The following represents types of misuse that are NOT generally pursued by the City:

Physician Illegitimately Issued DP Placard	Physician provides/signs a DP placard application for non-qualifying reasons and the placard is issued by the DMV
User Illegitimately Issued DP Placard	User submits a DMV application with a forged or fabricated doctor's signature

These types of misuse are rarely enforced by the City, because at the time of inspection, the placard is properly issued to the user through the DMV and the officer on site has no evidence to suggest misuse is occurring.

Lastly, and perhaps most commonly communicated to the enforcement personnel, are situations in which the reporting party witnesses a disabled placard being used by someone that appears to be able-bodied. From an enforcement perspective, the City remains sensitive to users that may appear able-bodied, but may have intermittent symptoms or may have hard to see conditions which require accommodation and meet the standard for obtaining and using a disabled placard. The City enforces the 'misuse' of disabled placards based on the user(s) present at the time of parking and the proper issuance of the placards pursuant to the DMV.

As a demand for parking resources becomes increasingly competitive, reformers have become more vocal that the payment and time-limit privileges that are provided to disabled placards have made the system susceptible for abuse at the user level. This permit has essentially become a statewide free and/or unlimited time parking pass. In the City of Beverly Hills a resident living in a multi-family area with a need to park a vehicle on-street overnight would be required to obtain a permit costing \$130 annually. This same resident could seek to obtain a disabled parking permit and would not only gain the parking privilege afforded by the City permit, but would also gain the meter and time-limit privileges throughout the state.

In recent years, there have been multiple attempts to create legislative reform to discourage the misuse of disabled parking privileges, many of which have failed due to the impacts upon and the a lack of support from the disabled community. In an effort to balance the needs of the disabled community, discourage the misuse of these parking privileges and to mitigate the impacts of the declining parking resources, the City of San Francisco created an Accessible Parking Policy Advisory Committee to research and make policy recommendations related to these concerns. This policy groups includes staff from the Mayor's Office on Disability, Transportation officials, citizen advocacy groups and disabled advocacy groups.

This Policy group has made the following six recommendations:

1. Increase the number of blue zones (Local to SF)
2. Improve enforcement of placard misuse (Local to SF)
 - a. DMV should make placard holder photos available to parking officers (Legislation)

3. Increase oversight of placard approvals (Legislation)
 - a. DMV database about who certified the placard
 - b. Eligibility criteria should ensure a functional need
4. Remove the meter payment exemption (Legislation)
 - a. All may park, but all must pay
5. Direct revenues to accessibility improvements (Local to SF)
6. Establish reasonable time limits (Legislation)
 - a. Four-Hour time limit at any standard time-restricted (1hr, 2hr, etc.) zones and 'blue zones' unless the posted time is longer
 - b. Thirty minutes in green or short-term loading zones

The City of Beverly Hills, along with 14 other agencies, is part of an informal coalition following and contributing to this committee's process. The City of San Francisco is still in the process of public outreach related to the recommendations made by this committee, with the last public forum having been held on October 19, 2013. The City plans to seek policymaker support late in 2013. If these actions are supported, the earliest they would seek legislative action would be 2014 with an effective date of 2015.

DISCUSSION

Separately, the City of Beverly Hills has been working with Dr. Donald Shoup and Professor Fernando Torres-Gil of UCLA on the possibility of seeking legislative reform to the disabled parking misuse problem. Although attempting to address the same concerns, the focus of this cooperative has been to promote the adoption of a bifurcated disabled parking placard program, which would only provide free and unlimited parking to a small segment of the disabled community which exhibited extreme mobility impairment. Specifically, this cooperative was seeking support for the adoption of legislation that has already been adopted and successfully implemented in the states of Michigan and Illinois.

Aside from the involvement with the informal coalition of agencies working with San Francisco, our cooperative has engaged the staff of both the DMV and the City of San Francisco with our suggestions related to the adoption of the bifurcated placard reform.

The DMV remains neutral on the topic, but has recognized the significant impacts facing parking agencies related to both impacts and enforcement. This recognition has led to less opposition on the part of the DMV to respond to legislative requests for improved services; however, funding will remain a significant issue that will require resolution.

The City of San Francisco has invested a tremendous amount of resources in creating a grassroots community advisory group and a public outreach program to engage the community at large. As a result, they are currently interested in moving forward with the recommendations of their advisory group, both locally and at the state level. Although they do not appear to be in opposition to anything that has been proposed by our cooperative, provided it does not conflict with their agenda, they will not be providing any resources toward promoting it either.

RECOMMENDATION

Staff is recommending supporting, in concept, the statewide legislative reforms that have been proposed by the City of San Francisco's Committee report as follows:

- #2 Improve enforcement of placard misuse (Local to SF)
- DMV should make placard holder photos available to parking officers (Legislation)

#3 Increase oversight of placard approvals (Legislation)

- DMV database about who certified the placard
- Eligibility criteria should ensure a functional need

#4 Remove the meter payment exemption (Legislation)

- All may park, but all must pay

#6 Establish reasonable time limits (Legislation)

- Four-Hour time limit at any standard time-restricted (1hr, 2hr, etc.) zones and 'blue zones' unless the posted time is longer
- Thirty minutes in green or short-term loading zones

Staff is further recommending monitoring and working with the City of San Francisco to develop proposed legislation to achieve these goals. Upon development of the actual legislation, the City of Beverly Hills should reevaluate its position to determine if the legislation as proposed continues to meet the goal of our community.

Specifically, recommendation number six (6) is of special interest to the City of Beverly Hills. The City of Beverly Hills has both time-restricted zones which have PPP permits associated with them along with time-restricted zones that do not have associated PPP zones. Since there is currently no actual legislative bill authored, it is unclear how the proposed four-hour time limit will impact or mitigate DP parking in permit zones. In a standard time-restricted zone without an associated permit, zones, it is believed the time limit would be a maximum of four-hours. It is unclear if this same limitation would be enforceable in PPP zones, or if the DP placard would continue to allow for unlimited parking privileges. To the extent that the pursuit of clarity does not risk a loss of support for the greater DP reforms, the City should seek clarity to author or interpret this recommendation to ensure the four-hour time-limit applies to PPP zones to provide greater protections to surrounding residential neighborhoods. It is important to recognize that if the interpretation is for unlimited parking, this would represent the status-quo and would not present additional impacts.

Staff is recommending this course of action for the following reasons:

- As proposed, none of these recommendations are in conflict with what the City of Beverly Hills is seeking related to disabled placard reform
- The City of Beverly Hills has limited resources to pursue this reform compared to the City of San Francisco
- Conflicting proposals may bifurcate support for either proposal and/or may create additional opposition for both proposals

Alternative 1

The City may continue to pursue legislative reform that is not in alignment with the City of San Francisco. This is not recommended for the same reasons as stated above.

Alternative 2

The City may promote the legislative reform as proposed by the City of San Francisco on its own timeline and not in conjunction with the City of San Francisco. Staff does not recommend this for many of the same reasons as listed above and because the San Francisco model is not yet an officially adopted agency position, so these positions and proposals may change.