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DEPARTMENT OF
PUBLIC WORKS

ON-STREET PARKING &
ANIMAL CARE SERVICES
DIVISION

CITY OF SACRAMENTO
CALIFORNIA

April 30, 2002

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Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

**SUBJECT: OPPOSITION OF ASSEMBLY BILL 1800 (KEHOE) – MOTOR VEHICLES:
PERSONS WITH DISABILITIES**

LOCATION AND COUNCIL DISTRICT:

All districts.

RECOMMENDATION:

This report recommends Law & Legislation Committee oppose Assembly Bill 1800, which would authorize until January 1, 2006, a person or veteran with disabilities displaying special identification disabled person license plates or a distinguishing placard to park in restricted zones designated for street sweeping without being issued a parking violation. Action is requested to approve the attached draft opposition letter to the author's office.

CONTACT PERSON: Michael Melvin, Administrative Services Officer, 264-7475

FOR LAW AND LEGISLATION COMMITTEE MEETING: June 4, 2002

SUMMARY:

The purpose of this report is to provide information to the Law & Legislation Committee concerning AB 1800 (Exhibit A), which would prohibit local authorities from applying any ordinance or resolution that restricts parking of vehicles for the purpose of street sweeping to vehicles displaying disabled persons' license plates or placards; allow any disabled person or disabled veteran to park in any zone that is restricted for the purpose of street sweeping without being issued a parking violation; declare the Legislature's

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intent that compliance with this bill shall not be deemed to be a violation of a local jurisdiction's stormwater permit; declares the Legislature's intent to reassess this bill's parking provisions after obtaining information from the League of California Cities regarding the experience of cities in obtaining or complying with stormwater permit as a result of this bill; and sunsets the bill's parking provisions effective December 31, 2005. Existing law specifically denies special parking privileges to persons or veterans with disabilities in parking zones that prohibit stopping, parking, or standing of all vehicles.

COMMITTEE/COMMISSION:

None.

BACKGROUND INFORMATION:

In February, 1992, City Council approved the Central City Street Cleaning Program, which included related on-street parking restrictions designed to facilitate not only street cleaning services, but also curbside garbage, commingled recycling, and garden refuse collection services. To accommodate these services, parking is prohibited on one side of the street during four-hour periods on assigned days each week in the residential neighborhoods bound by "C" Street, "Q" Street, 2nd Street, and 29th Street.

Adherence to the parking restrictions outlined in the Central City Street Cleaning Program allows City crews unhindered access to the curb and gutters in order to carry out City services. City charter provides for lawn and garden refuse pick-up from the street. Allowing some vehicles to park in previously restricted street cleaning zones would make it difficult and costly for City crews to pick up this material, and also provide other basic waste management services. Parked cars whose drivers ignore posted parking restrictions are already a concern for the City's waste management crews. These cars represent obstacles which force crews to bypass the affected street segment in terms of street cleaning, and manually pick-up waste carts and debris rather than employing the mechanical claw on their trucks. This costs time, is inefficient and increases cost. Staff anticipates this problem will only be exacerbated should this bill pass.

FINANCIAL CONSIDERATIONS:

Over 57,000 disabled placards have been issued to drivers in Sacramento County, and over 23,000 to drivers in adjacent counties. The financial impact, on the City of

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Sacramento of the passage, of this bill is difficult to project at this time as it is unknown just how many drivers would take advantage of this exception if this bill were passed. As noted above, vehicles parked within designated street cleaning zones could significantly impede waste management crews, generating the need to add crews or increase overtime. Further, the City of Sacramento, like other California cities, continues to battle against the abuse of disabled placards - a problem which could accelerate if this bill passed, thus adding to the overall financial impact.

POLICY CONSIDERATIONS:

The California Public Parking Association, the League of California Cities, and the California State Association of Counties have all filed opposition to this bill.

Opposition to AB 1800 is consistent with the City Council's stated goal to enhance and preserve neighborhoods. Opposition to AB 1800 allows City crews to continue to provide basic waste management services to residents.

ENVIRONMENTAL DETERMINATION:

There are no environmental considerations associated with this report.

ESBD CONSIDERATIONS:


There are no goods or services being purchased relative to this report.

Respectfully submitted,



Dennis Kubo
Manager, On-Street Parking Division

RECOMMENDATION APPROVED:



THOMAS V. LEE
Deputy City Manager

Approved:



Mike Kashiwagi
Director of Public Works

BILL NUMBER: AB 1800 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY APRIL 16, 2002

INTRODUCED BY Assembly Member Kehoe

JANUARY 15, 2002

An act to amend , repeal, and add Sections 22507.6 and 22511.5 of the Vehicle Code, relating to motor vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1800, as amended, Kehoe. Motor vehicles: persons with disabilities.

Existing law authorizes a disabled person or disabled veteran displaying special identification disabled person license plates or a distinguishing placard, as issued by the Department of Motor Vehicles or foreign jurisdiction, to park in restricted zones, as defined.

This bill would authorize until January 1, 2006, a disabled person or disabled veteran displaying special identification disabled person license plates or a distinguishing placard to park in restricted zones designated for street sweeping without being issued a parking violation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 22507.6 of the Vehicle Code is amended to read:

22507.6. (a) Local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purpose of street sweeping. No ordinance or resolution relating to the parking or standing of commercial vehicles in a residential district shall be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares, or merchandise from or to any building or structure located on the restricted street or highway, or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or reconstruction of any building or structure for which a building permit has previously been obtained. No ordinance or resolution relating to the parking or standing of vehicles in any district shall be effective with respect to any vehicle displaying a special identification disabled person license plate or a distinguishing placard issued by the Department of Motor Vehicles or foreign jurisdiction. No such ordinance or resolution shall be effective until the street or highway, or portion thereof,

has been sign-posted in accordance with the uniform standards and specifications of the Department of Transportation, or local authorities have caused to be posted in a conspicuous place at each entrance to the street a notice not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, setting forth the day or days and hours parking is prohibited. As used in this section, "entrance" means the intersection of any street or streets comprising an area of restricted parking for street-sweeping purposes on the same day or days and hours with another street or highway not subject to such a parking restriction, or subject to parking restrictions on different days and hours.

(b) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 2. Section 22507.6 is added to the Vehicle Code, to read:

22507.6. (a) Local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purpose of street sweeping. No ordinance or resolution relating to the parking or standing of commercial vehicles in a residential district shall be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares, or merchandise from or to any building or structure located on the restricted street or highway, or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or reconstruction of any building or structure for which a building permit has previously been obtained. No such ordinance or resolution shall be effective until the street or highway, or portion thereof, has been sign-posted in accordance with the uniform standards and specifications of the Department of Transportation, or local authorities have caused to be posted in a conspicuous place at each entrance to the street a notice not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, setting forth the day or days and hours parking is prohibited. As used in this section, "entrance" means the intersection of any street or streets comprising an area of restricted parking for street sweeping purposes on the same day or days and hours with another street or highway not subject to such a parking restriction, or subject to parking restrictions on different days and hours.

(b) This section shall become operative on January 1, 2006.

SEC. 3. Section 22511.5 of the Vehicle Code is amended to read:

22511.5. (a) (1) Any disabled person or disabled veteran displaying special identification license plates issued under Section 5007 or a distinguishing placard issued under Section 22511.55 or 22511.59 shall be allowed to park for unlimited periods in any of the following zones:

(A) In any restricted zone described in paragraph (5) of subdivision (a) of Section 21458 or on streets upon which preferential parking privileges and height limits have been given pursuant to Section 22507.

(B) In any parking zone that is restricted as to the length of time parking is permitted as indicated by a sign erected pursuant to a local ordinance.

(2) Any disabled person or disabled veteran shall be allowed to

park in any metered parking space without being required to pay any parking meter fees.

(3) Any disabled person or disabled veteran shall be allowed to park in any zone that is restricted for the purpose of street sweeping without being issued a parking violation.

(4) This subdivision does not apply to any zone for which state law or ordinance absolutely prohibits stopping, parking, or standing of all vehicles, or which the law or ordinance reserves for special types of vehicles, or to the parking of any vehicle that is involved in the operation of a street vending business.

(b) Any disabled person or disabled veteran shall be allowed to park a vehicle displaying a special identification disabled person license plate or placard issued by a foreign jurisdiction with the same parking privileges authorized in this code for any vehicle displaying a special identification license plate or a distinguishing placard issued by the Department of Motor Vehicles.

(c) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 4. Section 22511.5 is added to the Vehicle Code, to read:

22511.5. (a) (1) Any disabled person or disabled veteran displaying special identification license plates issued under Section 5007 or a distinguishing placard issued under Section 22511.55 or 22511.59 shall be allowed to park for unlimited periods in any of the following zones:

(A) In any restricted zone described in paragraph (5) of subdivision (a) of Section 21458 or on streets upon which preferential parking privileges and height limits have been given pursuant to Section 22507.

(B) In any parking zone that is restricted as to the length of time parking is permitted as indicated by a sign erected pursuant to a local ordinance.

(2) Any disabled person or disabled veteran shall be allowed to park in any metered parking space without being required to pay any parking meter fees.

(3) This subdivision does not apply to any zone for which state law or ordinance absolutely prohibits stopping, parking, or standing of all vehicles, or which the law or ordinance reserves for special types of vehicles, or to the parking of any vehicle that is involved in the operation of a street vending business.

(b) Any disabled person or disabled veteran shall be allowed to park a vehicle displaying a special identification disabled person license plate or placard issued by a foreign jurisdiction with the same parking privileges authorized in this code for any vehicle displaying a special identification license plate or a distinguishing placard issued by the Department of Motor Vehicles.

(c) This section shall become operative on January 1, 2006.

SEC. 5. It is the intent of the Legislature that paragraph (3) of subdivision (a) of Section 22511.5, as amended, not be construed to create a violation of any municipal storm water National Pollutant Discharge Elimination System permit. The Legislature intends to reassess the provisions of paragraph (3) of subdivision (a) of Section 22511.5, as amended, after obtaining information from the League of California Cities on any impact this measure may have on the ability of local agencies to obtain or remain in compliance with municipal storm water permits.

DRAFT

May 21, 2002

Honorable Christine Kehoe
State Capitol, Room 4112
Sacramento, CA 95814

RE: AB 1800 – Motor Vehicles: Persons with Disabilities -- OPPOSE

Dear Assemblymember Kehoe:

The City of Sacramento strongly opposes AB 1800, as introduced by you.

As you know, the bill would authorize until January 1, 2006, a person or veteran with disabilities displaying special identification disabled person license plates or a distinguishing placard to park in restricted zones designated for street sweeping without being issued a parking violation.

By allowing a specific group of drivers to park in zones currently restricted to all drivers, this bill would negatively impact our City's ability to provide basic waste management services to our citizens.

Parked cars whose drivers ignore posted parking restrictions are already a concern for Sacramento's waste management crews. Allowing a specific group of drivers to legally park in zones currently restricted to all drivers would create additional problems. These cars represent obstacles which force crews to bypass the affected street segment in terms of street cleaning, and manually pick-up waste carts and debris rather than employing the mechanical claw on their trucks when performing garbage or recycling pick-up services. This is inefficient and costs valuable time and increases cost.

Further, as you may know, the City of Sacramento -- like many other California cities -- continues to battle against the abuse of disabled placards. We anticipate that this problem would only be exacerbated should this bill pass.

I would like to reiterate the City's opposition to AB 1800.

Sincerely,

STEVE COHN
Chair, Law and Legislation Committee

cc: Honorable Patrick Johnston
Honorable Deborah Ortiz
Honorable Dave Cox
Honorable Anthony Pescetti
Honorable Darrell Steinberg