



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: January 17, 2012 REPORT NO:
ATTENTION: Budget and Finance Committee
Agenda of January 25, 2012
SUBJECT: Modification of Parking Citation Payment and Appeal Due Dates
to Conform with State Mandates

REFERENCE:

REQUESTED ACTION:

Approval to modify Parking Citation payment and appeal due dates to conform to State Mandates (Cal. Veh. Code (CVC) sections 40202 (Notice of Parking Violation), 40207 (Contents of Notice of Delinquent Violation), and 40215 (Contesting Parking Violation Procedure)).

STAFF RECOMMENDATION:

Approve requested action.

SUMMARY:

On May 3, 2011, the Office of the City Auditor issued a performance audit report of the Parking Administration Program. In the report, the City Auditor recommended the Parking Administration Program modify its payment and appeal timeline to match that of the State of California. California Vehicle Code sections 40202, 40207 and 40215 state that a parking penalty must be paid or contested within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of parking violation. Currently, the City of San Diego Parking Administration Program allows 30 calendar days from the date of issuance of the citation or 21 calendar days after the mailing of the notice of parking violation. The Parking Administration Program concurred with the City Auditor's recommendation, and agreed to implement this shorter timeline. The new timeline is proposed to go into effect on July 1, 2012.

The new timeline will shorten due dates by 9 days; therefore, late fees will be assessed sooner and unpaid citations will be referred to the Delinquent Accounts Program and the Department of Motor Vehicles (DMV) sooner. Under the new timeline the first late fee will be assessed on day 22, the second late fee will be assessed on day 57, and unpaid citations will be referred to the Delinquent Accounts Program and the DMV on day 72.

The City Council adopted the parking citation timeline and fees described in **Exhibit B** on May 12, 1986. See, San Diego Ordinance O-16638 (May 12, 1986). In 1991, the Council approved San Diego Ordinance O-17615 (Mar. 18, 1991), which authorized staff to remove parking fees from the San Diego Municipal Code and to use the parking violation fees established by the courts under California Penal Code section 1269b(d). Removing fees from the San Diego Municipal Code is consistent with San Diego Administrative Regulation 95.25, which encourages the transfer of specific fee schedules listed in the San Diego Municipal Code and Council Resolutions to the standardized rate book maintained by the City Clerk.

Exhibit A is a list of all parking violation fine amounts and late fees. **Exhibit B** is a chart of the *current* parking citation timeline flow and **Exhibit C** is a chart of the *proposed* (effective July 1, 2012) parking citation timeline flow.

FISCAL CONSIDERATIONS:

None.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Budget and Finance Committee on January 25, 2012.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The City of San Diego Parking Administration Program is managed under the Office of the City Treasurer and acts as the processing agency for all City parking enforcement programs as well as twelve (12) non-City enforcement agencies such as the San Diego County Regional Airport Authority and the San Diego Unified Port District. Both our internal and external enforcement partners have been informed and are preparing for this change to parking citation payment and appeal due dates.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

N/A

Gail R. Granewich, City Treasurer

Mary Lewis, Chief Financial Officer

- Attachment(s):
1. Exhibit A – Parking Citation List
 3. Exhibit B – *Current* Parking Flow Chart
 4. Exhibit C – *Proposed* Parking Flow Chart

EXHIBIT A

City of San Diego
Parking Citation Fines and Late Fees
Proposed Timeline Effective July 1, 2012

<u>Description</u>	<u>Code Section</u>	<u>Fine</u> ⁽¹⁾	<u>Late Fee 1</u> ⁽²⁾	<u>Late Fee 2</u> ⁽³⁾
1 WAY STREET-OVER 18 INCHES FROM CURB	86.02.1 SDMC	\$ 59.50	\$ 47.00	\$ 10.00
1 WAY/LEFT WHEEL OVER 18 INCHES	22502(E) CVC	\$ 59.50	\$ 47.00	\$ 10.00
30 DAY CAMPING TIME LIMIT EXCEEDED	4455(A) CCR	\$ 52.50	\$ 40.00	\$ 10.00
7 1/2 FT OF RAILROAD TRACK	22521 CVC	\$ 77.50	\$ 65.00	\$ 10.00
ALLEY PARKING	86.10.3 SDMC	\$ 59.50	\$ 47.00	\$ 10.00
AUTO REPAIR-SERVICING OR STORING ON STRE	86.23(E) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
BACKED TO CURB	86.08(A) SDMC	\$ 49.50	\$ 37.00	\$ 10.00
BACKED TO CURB/HIGHWAY	86.08(B) SDMC	\$ 53.50	\$ 41.00	\$ 10.00
BALD TIRES	27465(B)CVC	\$ 52.50	\$ 40.00	\$ 10.00
BLOCKING ACCESS TO DP STALL	22507.8(B)	\$452.50	\$ -	\$ 10.00
BLOCKING ACCESS TO DP STALL	22507.8(b)CVC	\$452.50	\$ -	\$ 10.00
BUS LOADING ZONE	86.10.2 SDMC	\$ 53.50	\$ 41.00	\$ 10.00
BUS ZONE	22500(I) CVC	\$277.50	\$ -	\$ 10.00
CAMPING NO FEE PAID	4302 CCR	\$ 51.50	\$ 39.00	\$ 10.00
CITY PARKS	63.02.21	\$ 52.50	\$ 40.00	\$ 10.00
CITY PROPERTY	86.19 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
CITY PROPERTY-OUT OF STALL	86.19.1 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
CLOSED COUNTY PARK	41.225 CCR	\$ 52.50	\$ 40.00	\$ 10.00
COMMERCIAL LOADING ZONE	86.10 SDMC	\$ 57.50	\$ 45.00	\$ 10.00
CROSSHATCH/OUT OF STALL	22507.8(c)CVC	\$452.50	\$ -	\$ 10.00
CROSSWALK	22500(B) CVC	\$ 52.50	\$ 40.00	\$ 10.00
CURRENT REGISTRATION NOT DISPLAYED	5204(A) CVC	\$ 37.50	\$ 25.00	\$ 10.00
DEFECTIVE WINDSHIELD AND WINDOWS/TINTED	26710 CVC	\$ 52.50	\$ 40.00	\$ 10.00
DISABLE PARKING/PRIVATE/STATE/LOCAL FACILITIES	22507.8(d)CVC	\$452.50	\$ -	\$ 10.00
DISABLED PARKING	22507.8 CVC	\$452.50	\$ -	\$ 10.00
DISABLED PARKING	22507.8-CVC	\$352.50	\$ -	\$ 10.00
DISABLED PARKING	22507.8(a)CVC	\$452.50	\$ -	\$ 10.00
DOUBLE PARKING	22500(H) CVC	\$ 57.50	\$ 45.00	\$ 10.00
DRIVER MORE THAN 12 FT FROM TAXICAB	ORD #11 2.4(M)	\$ 62.50	\$ 50.00	\$ 10.00
DRIVEWAY	22500(E) CVC	\$ 57.50	\$ 45.00	\$ 10.00
EXPIRED METER	86.14 SDMC	\$ 42.50	\$ 30.00	\$ 10.00
EXPIRED METER (SDUPD)	8.12 SDUPD	\$ 37.50	\$ 25.00	\$ 10.00
EXPIRED REGISTRATION	4000(A)1 CVC	\$ 52.50	\$ 40.00	\$ 10.00
FALSE REGISTRATION DISPLAYED	4462(B) CVC	\$ 52.50	\$ 40.00	\$ 10.00
FIRE HYDRANT	22514 CVC	\$ 77.50	\$ 65.00	\$ 10.00
FIRE LANE	86.09.04 SDMC	\$ 77.50	\$ 65.00	\$ 10.00
FIRE STATION DRIVEWAY	22500(D) CVC	\$ 52.50	\$ 40.00	\$ 10.00
GRIDLOCK VIOLATION	22526(A) CVC	\$ 52.50	\$ 40.00	\$ 10.00

EXHIBIT A

City of San Diego
Parking Citation Fines and Late Fees
Proposed Timeline Effective July 1, 2012

<u>Description</u>	<u>Code Section</u>	<u>Fine</u> ⁽¹⁾	<u>Late Fee 1</u> ⁽²⁾	<u>Late Fee 2</u> ⁽³⁾
HEAVY VEHICLE-RESIDENTIAL DISTRICT	86.27 SDMC	\$ 53.50	\$ 41.00	\$ 10.00
INOPERATIVE VEHICLE PARKED OVER 4 HOURS	86.23(H) SDMC	\$ 53.50	\$ 41.00	\$ 10.00
INTERSECTION	22500(A) CVC	\$ 52.50	\$ 40.00	\$ 10.00
JITNEY DRIVER MORE THAN 12 FT FROM JITNEY	ORD #11 6.3(D)	\$ 62.50	\$ 50.00	\$ 10.00
JITNEY EXCEEDS 30 MIN ZONE LIMIT	ORD #11 6.4(F)	\$ 62.50	\$ 50.00	\$ 10.00
LICENSE PLATE VIOLATION - CORRECTION ALLOWED	5201 CVC	\$ 52.50	\$ 40.00	\$ 10.00
LICENSE PLATE VIOLATION - CORRECTION ALLOWED	5200 CVC	\$ 52.50	\$ 40.00	\$ 10.00
LIVING IN VEHICLE PARKED ON STREET	86.23(F) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
MEDIAN STRIP	86.25 SDMC	\$ 77.50	\$ 65.00	\$ 10.00
NO PARKING IN TUBE/TUNNEL	22500(J) CVC	\$ 52.50	\$ 40.00	\$ 10.00
NO PARKING ON BRIDGE	22500(K) CVC	\$ 52.50	\$ 40.00	\$ 10.00
NO VALID EMPLOYEE LOT PERMIT (SDCRAA)	9.34(L) SDCRAA	\$ 47.50	\$ 35.00	\$ 10.00
NON-JITNEY IN JITNEY ZONE	ORD #11 6.4(G)	\$ 62.50	\$ 50.00	\$ 10.00
NON-TAXI IN TAXICAB STAND	ORD #11 2.5(D)	\$ 62.50	\$ 50.00	\$ 10.00
OBSTRUCTING TRAFFIC	22500(G) CVC	\$ 77.50	\$ 65.00	\$ 10.00
OBSTRUCTING USE OF STREET	86.09(D) SDMC	\$ 77.50	\$ 65.00	\$ 10.00
OBSTRUCTION OF BICYCLE PATHS	21211(B) CVC	\$ 52.50	\$ 40.00	\$ 10.00
OBSTRUCTION OF BICYCLE PATHS	21211(A) CVC	\$ 52.50	\$ 40.00	\$ 10.00
OTHER	70	\$ 52.50	\$ 40.00	\$ 10.00
OTHER PARKING VIOLATION	70X	\$ 62.50	\$ 50.00	\$ 10.00
OUT OF STALL	86.02 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OUT OF STALL (SDCRAA)	9.34(E) SDCRAA	\$ 47.50	\$ 35.00	\$ 10.00
OUT OF STALL (SDUPD)	8.11 SDUPD	\$ 47.50	\$ 35.00	\$ 10.00
OUT OF STALL-METER	86.12 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OVERNIGHT CAMPING	63.02.12-SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OVERNIGHT CAMPING	63.02.12 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OVERNIGHT PARKING AND CAMPING (SDUPD)	8.18 SDUPD	\$ 52.50	\$ 40.00	\$ 10.00
OVERTIME AT METER (SDUPD)	8.13 SDUPD	\$ 47.50	\$ 35.00	\$ 10.00
OVERTIME METER	86.15 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OVERTIME METER - PAID	86.15(B) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
OVERTIME METER - UNPAID	86.15(A) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
PARKED IN VIOLATION OF SIGNS/MARKINGS	4358 CCR	\$ 47.50	\$ 35.00	\$ 10.00
PARKING ON HIGHWAY	22505(B) CVC	\$ 52.50	\$ 40.00	\$ 10.00
PARKING ON PUBLIC GROUNDS	73.103	\$ 52.50	\$ 40.00	\$ 10.00
PARKING ON PUBLIC GROUNDS (CVC)	21113(A) CVC	\$ 47.50	\$ 35.00	\$ 10.00
PARKING WITHING 15 FT OF FIRE HYDRANT	ORD #11 2.4(G)	\$ 62.50	\$ 50.00	\$ 10.00
PARKS/OVERNIGHT PARKING	63.0102(B)(12)	\$ 59.50	\$ 47.00	\$ 10.00
PARKS/UNDESIGNATED SPACE	63.0102(B)(21)	\$ 59.50	\$ 47.00	\$ 10.00

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PARKWAY	86.26 SDMC	\$ 57.50	\$ 45.00	\$ 10.00
PASSENGER ZONE	86.03.1 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
PRIVATE PROPERTY-POSTED	86.09.1 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
PUBLIC PARK CLOSED	4327 CCR	\$ 72.50	\$ 60.00	\$ 10.00
RED ZONE	86.09(E)-SDMC	\$ 77.50	\$ 65.00	\$ 10.00
RED ZONE (SDUPD)	8.16(B) SDUPD	\$ 72.50	\$ 60.00	\$ 10.00
RENT/LEASE/SALE VEHICLE ON STREET	86.23(D) SDMC	\$ 77.50	\$ 65.00	\$ 10.00
RESIDENTIAL PERMIT A	86.2014 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
RESIDENTIAL PERMIT B	86.2014-SDMC	\$ 52.50	\$ 40.00	\$ 10.00
RESIDENTIAL PERMIT D	86.2014 SD M.C	\$ 52.50	\$ 40.00	\$ 10.00
RESIDENTIAL PERMIT E	86.2014 SD MC	\$ 52.50	\$ 40.00	\$ 10.00
RESIDENTIAL PERMIT F	86.2014-SD MC	\$ 52.50	\$ 40.00	\$ 10.00
RIDING ON/ACROSS SIDEWALK	84.04 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
RT WHEEL OVER 18 INCHES FROM CURB	22502(A) CVC	\$ 59.50	\$ 47.00	\$ 10.00
SELLING MERCHANDISE FROM PARKED VEHICLE	86.23(A) SDMC	\$ 53.50	\$ 41.00	\$ 10.00
SERVICE VEHICLE ON STREET	86.23(B) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
SIDEWALK	22500(F) CVC	\$ 57.50	\$ 45.00	\$ 10.00
SIDEWALK ACCESS RAMP	22500(L) CVC	\$302.50	\$ -	\$ 10.00
SIDEWALK ACCESS RAMP	22522 CVC	\$302.50	\$ -	\$ 10.00
SIGNS OR CURB MARKINGS (SDUPD)	8.16(A) SDUPD	\$ 47.50	\$ 35.00	\$ 10.00
SIGNS, RED ZONES	22500(C) CVC	\$ 52.50	\$ 40.00	\$ 10.00
STADIUM/ADJACENT PARKING SPACE	59.0104(C) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
STADIUM/TAILGATE PARKING SPACE	59.0104(A) SDM	\$ 52.50	\$ 40.00	\$ 10.00
STADIUM/UTILIZING PARKING SPACE	59.0104(B) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
STANDING CAB WITHIN 100 FT OF ANOTHER CAB	ORD #11 2.4(F)	\$ 62.50	\$ 50.00	\$ 10.00
TAXI ZONE	86.09(C) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
TAXI/JITNEY ZONE (SDMTS)	ORD #11 SDMTS	\$ 62.50	\$ 50.00	\$ 10.00
TOO MANY CABS IN BLOCK	ORD #11 2.4(E)	\$ 62.50	\$ 50.00	\$ 10.00
TROLLEY PARKING LOT (SDMTS)	ORD #3 SDMTS	\$ 62.50	\$ 50.00	\$ 10.00
TROLLEY STATION	ORD #2 SDMTS	\$ 62.50	\$ 50.00	\$ 10.00
TRUCKS PROHIBITED 10AM TO 6PM	85.02 SDMC	\$ 53.50	\$ 41.00	\$ 10.00
UNATTACHED COMMERCIAL TRAILER ON STREET	86.23(I) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
UNATTACHED TRAILER ON STREET	86.23(I)-SDMC	\$262.50	\$ -	\$ 10.00
UNAUTHORIZED AIRPORT PARKING (SDCRAA)	9.34(A) SDCRAA	\$ 79.50	\$ 67.00	\$ 10.00
UNAUTHORIZED AIRPORT PARKING (SDUPD)	5.06(E) SDUPD	\$ 79.50	\$ 67.00	\$ 10.00
VEHICLE IN PARK-VIOLATION OF REGULATIONS	4355 CCR	\$ 51.50	\$ 39.00	\$ 10.00
VEHICLE NOT MOVED 1/10 MILE IN 72 HOURS	86.23(G) SDMC	\$ 53.50	\$ 41.00	\$ 10.00
VEHICLE ON PRIVATE PROPERTY	84.03(C) SDMC	\$ 53.50	\$ 41.00	\$ 10.00

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VEHICLE PARKED-POSTED PRIVATE PROPERTY	76.101	\$ 72.50	\$ 60.00	\$ 10.00
VEHICLE SALES ORDINANCE	86.23.1(B) SDMC	\$ 62.50	\$ 50.00	\$ 10.00
VIOLATION OF SIGNS (CVC)	21461(A) CVC	\$ 52.50	\$ 40.00	\$ 10.00
VIOLATION OF SIGNS (SDMC)	86.09(E) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
VIOLATION OF SIGNS-COMMUTER LANES	86.09(E)-SD MC	\$ 52.50	\$ 40.00	\$ 10.00
VIOLATION OF SIGNS-STREET SWEEPING	86.09(E) SD MC	\$ 52.50	\$ 40.00	\$ 10.00
VIOLATION TEMPORARY NO PARKING TOW-AWAY	81.09(A)3 SDMC	\$ 52.50	\$ 40.00	\$ 10.00
WASH/POLISH VEHICLE IN BUSINESS DISTRICT	86.23(C) SDMC	\$ 52.50	\$ 40.00	\$ 10.00
WHEEL CRAMPING-HILL	86.08.1 SDMC	\$ 59.50	\$ 47.00	\$ 10.00

Legend:

CVC = California Vehicle Code

SDMC = San Diego Municipal Code

SDUPD = San Diego Unified Port District

SDCRAA = San Diego County Regional Airport Authority

SDMTS = San Diego Metropolitan Transit System

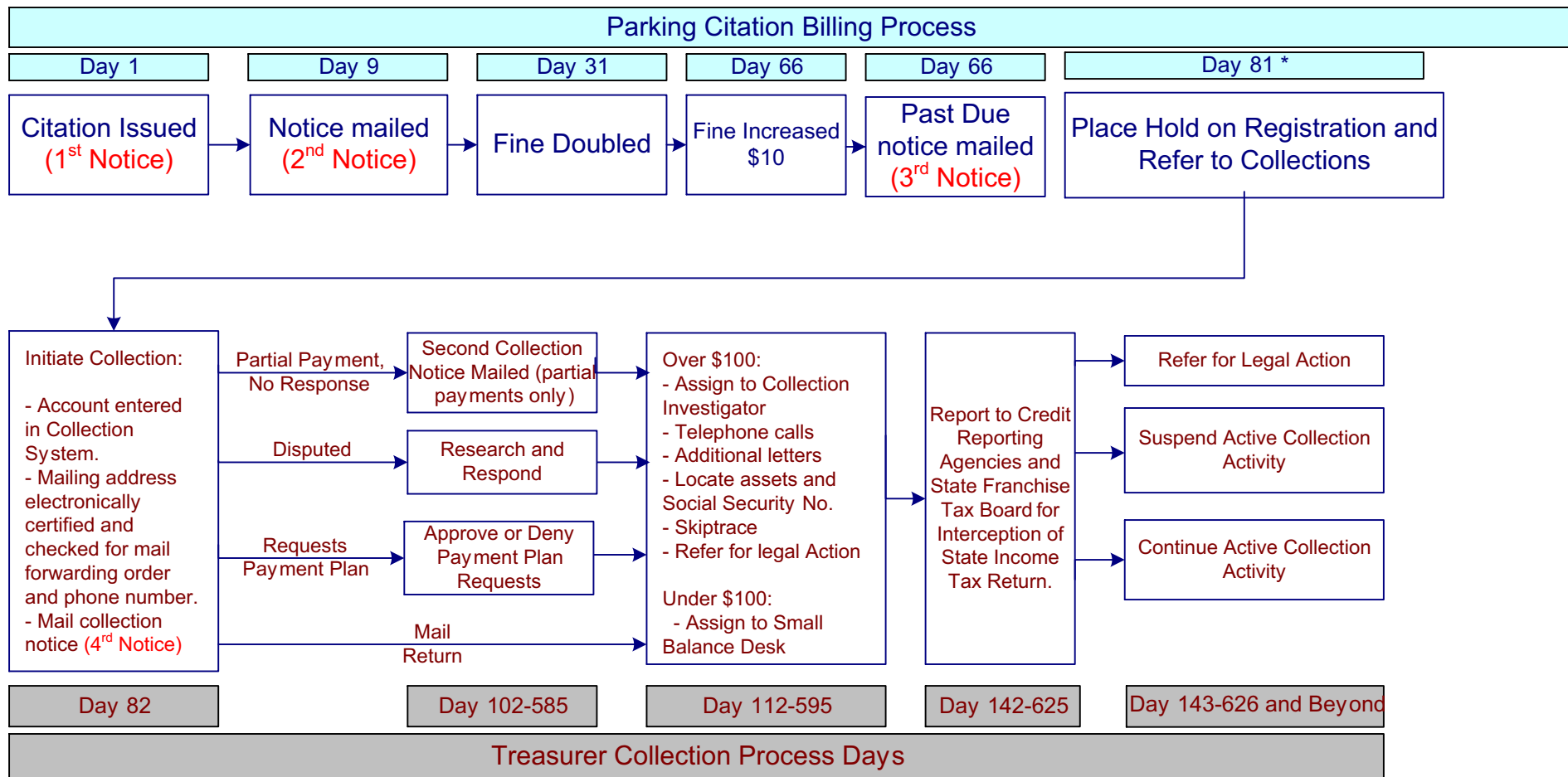
⁽¹⁾ Includes \$12.50 in State mandated parking citation surcharges. Fine is due within 21 days from citation issuance or 14 days from mailed notice under CVC § 40215.

⁽²⁾ First late fee is assessed on 22nd day from citation issuance or 15th day from mailed notice. The first late fee doubles the original fine amount (less State surcharges) except for fine amounts of \$250 or greater.

⁽³⁾ Second late fee is assessed on the 57th day from citation issuance or 50th day from mailed notice.

Current Parking Citation Process Flow

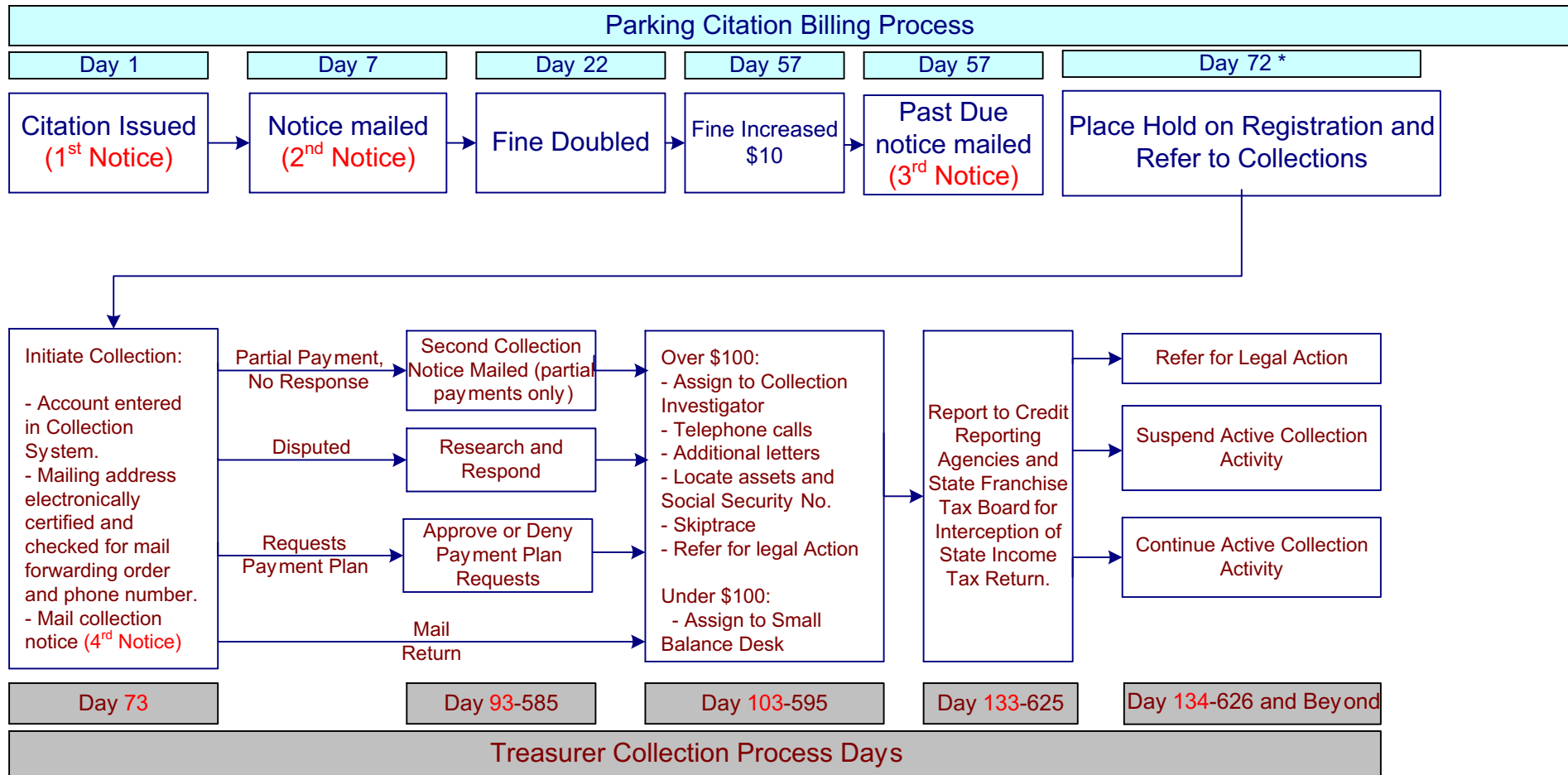
Exhibit B



* Citations will be referred to collections 81 days after issue date if no interruption in the process has occurred.

Proposed Parking Citation Process Flow

Exhibit C



* Citations will be referred to collections 72 days after issue date if no interruption in the process has occurred.