

[Transportation Code - Penalties for Off-Street Parking Meter Time Limit and Clipper Card Fare Evasion or Fraudulent Use Violations.]

Resolution amending San Francisco Transportation Code, Division II, by amending Section 302 to establish: 1) an off-street parking meter time limit penalty; and 2) a Clipper Card fare evasion or fraudulent use penalty.

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
PEDESTRIANS AND SIDEWALKS			
Traffic Code Sections 77, 78	Div I 7.2.10	Pedestrian Crossings	\$50.00
Traffic Code Section 104	Div I 7.2.11	Electric Assistive Personal Mobility Devices	\$50.00
Traffic Code Section 96	Div I 7.2.12	Bicycle Riding Restricted	\$50.00
Traffic Code Section 100	Div I 7.2.13	NUV Violation	\$50.00
ON-STREET PARKING			
Traffic Code Section 315(a)	Div I 7.2.20	Residential Parking	\$65.00

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT
Traffic Code Section 37(c)	Div I 7.2.22	Street Cleaning	\$55.00
Traffic Code Section 202.1	Div I 7.2.23(a)	Parking Meter-Downtown Core	\$65.00
Traffic Code Section 202	Div I 7.2.23(b)	Parking Meter-Outside Downtown Core	\$55.00
Traffic Code Section 38A	Div I 7.2.25	Red Zone	\$90.00
Traffic Code Sections 38B, 38B.1	Div I 7.2.26	Yellow Zone	\$75.00
Traffic Code Section 38C	Div I 7.2.27	White Zone	\$90.00
Traffic Code Section 38D	Div I 7.2.28	Green Zone	\$65.00
Traffic Code Section 37(a)	Div I 7.2.29	Parking for Three Days	\$90.00
Traffic Code Section 32(c)(1)	Div I 7.2.30(a)	Overtime Parking Core	\$65.00
Traffic Code Section 32(c)(2)	Div I 7.2.30(b)	Overtime Parking Outside Downtown Core	\$55.00
Traffic Code Sections 32.13, 55	Div I 7.2.32	Angled Parking	\$50.00
Traffic Code Section 32.21	Div I 7.2.33	Blocking Residential Door	\$38.00
Traffic Code Section 56	Div I 7.2.34	Median Dividers and Islands	\$65.00
Traffic Code Section 58(a)	Div I 7.2.35	Parking on Grades	\$50.00
Traffic Code Section 61	Div I 7.2.36	100 Feet Oversize	\$65.00
Traffic Code Sections 27, 219	Div I 7.2.37	Motorcycle Parking	\$90.00
Traffic Code Sections 33.5, 39(b), 66	Div I 7.2.38	Parking in Stand	\$90.00
Traffic Code Section 53(a)	Div I 7.2.39	Parking Transit-Only	\$105.00
Traffic Code Section 32(a)(1)	Div I 7.2.40	Tow-Away Zone-Downtown Core	\$85.00

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT.
Traffic Code Section 32(a)(2)	Div I 7.2.41	Tow-Away Zone-Outside Downtown Core	\$75.00
Traffic Code Section 32(b)	Div I 7.2.42	Parking Restrictions	\$75.00
Traffic Code Section 32, 32.1, 32.1.1, 32.1.2, 32.1.3, 32.1.11, 32.1.4, 32.1.7, 32.1.9, 32.1.10, 32.2, 32.2.1; 32.2.2, 32.2.3, 32.3, 32.3.1, 32.4.2(b), 32.5, 32.6, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.11, 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, 32.6.28, 32.6.29, 32.6.30, 32.6.31, 32.6.32, 32.6.34, 32.6.35	Div I 7.2.43	Parking-Public Property	\$55.00
Traffic Code Sections 32.4, 32.4.1	Div I 7.2.44	Parking-Candlestick Park	\$55.00
Traffic Code Section 33(c)	Div I 7.2.45	Temporary Parking Restriction	\$55.00
Traffic Code Section 33.1	Div I 7.2.46	Temporary Construction Zone	\$55.00
Traffic Code Section 21	Div I 7.2.47	Remove Chalk	\$105.00
Traffic Code Section 65	Div I 7.2.48	Repairing Vehicle	\$70.00
Traffic Code Sections 315(c), 412(c), 712(c)	Div I 7.2.49	Permit on Wrong Car	\$105.00
Traffic Code Sections 315(d), 412(d), 712(d)	Div I 7.2.50	Invalid Permit	\$105.00

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT
Traffic Code Sections 32.4.2(b), 32.14, 58(c)	Div I 7.2.51	Parking Marked Space	\$50.00
OFF-STREET PARKING			
Traffic Code Sections 32.10, 32.11	Div I 7.2.60	Parking Facility Charges	\$50.00
Traffic Code Section 32.15	Div I 7.2.61	Entrance/Exit Parking Facility	\$100.00
Traffic Code Section 32.14	Div I 7.2.62	Blocking Space Parking Facility	\$50.00
Traffic Code Section 32.16	Div I 7.2.63	Speeding within Parking Facility	\$100.00
Traffic Code Section 32.21A	Div I 7.2.64	Block Charging Bay	\$105.00
<u>Not Applicable</u>	<u>Div I 7.2.65</u>	<u>Overtime Parking - Off-Street Parking Meter</u>	<u>\$55.00</u>
<u>Not Applicable</u>	Div II 1009	SFMTA Property	\$55.00
TRAFFIC REGULATIONS			
Traffic Code Section 70	Div I 7.2.70	Obstruction of Traffic-Vehicle	\$50.00
Traffic Code Section 194.3	Div I 7.2.71	Obstruction of Traffic Without Permit	\$500.00
Traffic Code Section 194.3	Div I 7.3.3	Obstruction of Traffic Without Permit	\$1,000, or 6 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	\$60.00
Traffic Code Section 103	Div I 7.2.73	Driving Through Parades	\$100.00
Traffic Code Section 121	Div I 7.2.74	Streetcar Right-of-Way	\$100.00
Traffic Code Section 122	Div I 7.2.75	Passing Safety Zones	\$100.00
Traffic Code Section 25	Div I 7.2.76	Removal of Vehicles-Collision	\$100.00

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT
Traffic Code Sections 28.1	Div I 7.2.77	Weight Restricted Streets	\$100.00
COMMERCIAL VEHICLES			
Traffic Code Section 63.2	Div I 7.2.80	Vehicles for Hire Parking	\$105.00
Traffic Code Section 63.3	Div I 7.2.81	Advertising Sign	\$105.00
Traffic Code Section 68	Div I 7.2.82	Selling from Vehicle	\$100.00 (1st offense) \$200.00 (2nd offense w/in 1 year) \$500.00 (3rd offense w/in 1 year)
Traffic Code Sections 33.3, 33.3.2	Div I 7.2.83	Truck Loading Zone	\$75.00
Traffic Code Sections 63, 63(A), 63.1	Div I 7.2.84	Commercial Vehicle Parking Restrictions	\$105.00
Traffic Code Section 60.5	Div I 7.2.86	Idling Engine While Parked	\$100.00
Police Code Sections 1183-1183.40	Div I 7.2.87	Commercial Passenger Vehicle Street Restrictions	\$100.00 (1st offense); \$200.00 (2nd offense w/in 1 year); \$500.00 (3rd offense w/in 1 year)
Police Code Section 710.2	Div. I 7.2.88	For Sale Sign	\$50.00
TRANSIT VIOLATIONS			
Traffic Code Section 127	Div I 7.2.101	Fare Evasion	\$100.00 (1st offense) \$250.00 (2nd offense w/in 1 year) \$500.00 (3rd offense w/in 1 year)
Traffic Code Section 128	Div I 7.2.102	Passenger Misconduct	\$100.00 (1st offense) \$250.00 (2nd offense w/in 1 year) \$500.00 (3rd offense w/in 1 year)
Traffic Code Section 128.5	Div I 7.2.103	Conversing with Operator	\$50.00
Not Applicable	Div I 7.2.104	Fare Evasion - Clipper Card	\$100.00

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 August 2, 2011.


Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 11-109

WHEREAS, On July 20, 2011, the Board of Supervisors approved an amendment to the Transportation Code, Division I, to establish a two hour maximum time limit for parking at broken or inoperable meters for on-street and off-street parking; and,

WHEREAS, A penalty for violation of the two hour time limit at on-street meters already exists; and,

WHEREAS, The SFMTA Board of Directors is now being requested to set the penalty amount for violation of the two hour time limit at off-street parking meters in Transportation Code, Division II; and,

WHEREAS, Currently there is only one Transportation Code, Division I section for all transit fare evasion violations; and,

WHEREAS, Differentiating fare evasion or fraudulent use of a Clipper card from other fare evasion violations will allow the SFMTA to track, monitor, and target Clipper card violations; and,

WHEREAS, The Board of Supervisors has authority to establish a violation for Clipper card fare evasion or fraudulent use in Transportation Code, Division I; and,

WHEREAS, The SFMTA Board of Directors has authority to set the penalty amount for Clipper card fare evasion or fraudulent use violations in Transportation Code, Division II; and,

WHEREAS, The SFMTA has been working to consolidate Citywide management of parking permits under the SFMTA in order to reduce misuse, streamline issuance, and improve enforcement of on-street parking permits as authorized by Proposition A; and,

WHEREAS, The Police Code currently designates the Police Department as the issuing agency for vehicle press cards; and,

WHEREAS, The Board of Supervisors has the authority to amend the Police Code; and,

WHEREAS, Pursuant to Charter section 16.112 and the Rules of Order of the Board of Directors, published notice was placed in the City's official newspaper to provide notice that the Board of Directors will hold a public hearing on August 2, 2011 to consider the above modifications; and,

WHEREAS, Some of the proposed modifications to the Transportation Code are subject to environmental review under the California Environmental Quality Act (CEQA); and,

WHEREAS, The Department of City Planning has determined that the fine amounts for violation of overtime parking at off-street parking meters and fare evasion using a Clipper card are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273 because the increases will be used to meet operating expenses including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials; and,

WHEREAS, A copy of the Department of City Planning's determination is on file in the Secretary's office for the SFMTA Board of Directors; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors approves an amendment to Transportation Code, Division II, Section 302 to establish an off-street parking meter time limit penalty; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors approves an amendment to Transportation Code, Division II, Section 302 to establish a separate transit violation for fare evasion or fraudulent use of a Clipper card; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors recommends approval by the Board of Supervisors of an amendment to the San Francisco Transportation Code, Division I, to add Section 7.2.104 to regulate the use of Clipper cards on Transit Vehicles or in Proof of Payment zones; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors recommends approval by the Board of Supervisors a series of amendments to San Francisco Police Code Sections 939 through 939.7 to repeal the Chief of Police's authority to issue or regulate vehicle press cards.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of AUG 2 2011 .



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency