

Subcommittee to the Accessible Parking Policy Advisory Committee

Notes from the meeting on January 8, 2013

The third subcommittee meeting took place from 10 a.m. to 11:30 a.m. on Tuesday January 8, 2013, at One South Van Ness Avenue, 6th floor, Corona Heights conference room.

Attendees

- Members: Ann Flemer, Jessie Lorenz, Bob Planthold, Stu Smith, Roland Wong
- Co-chairs: Carla Johnson, Ed Reiskin
- Facilitators: Richard Weiner, Bonnie Nelson
- Staff: Lisa Foster, John Knox-White

Meeting outcome: list of policy options to consider

This list below contains items the subcommittee proposes for evaluation, not final recommendations (the latter will come after the evaluation has taken place). Members of the Accessible Parking Policy Advisory Committee submitted most of these ideas; those submitted by the SFMTA are marked as such. Items are numbered for convenience of discussion and are not in any order of importance or value.

BLUE ZONES

1. Increase the number of blue zones to equal 4% of metered spaces (*submitted by a member and by the SFMTA*).

DISABLED PLACARD ISSUANCE (CERTIFICATION PROCESS AND ELIGIBILITY CRITERIA)

2. Limit placard certifiers to MDs, osteopaths, and podiatrists.
3. Create additional review for permanent placards, wherein all placard recipients start with a six-month temporary placard certified by the current process. Within six months, those seeking permanent placards must see a state-certified doctor. That means primary care providers wouldn't worry about losing patients by refusing to issue a permanent placard.
4. Administer placard issuance via a process similar to paratransit, either under the Paratransit Coordinating Council or a new body. After submitting an application, most applicants receive a second-level assessment: a phone interview, in-person interview, or professional medical verification. Those deemed ineligible can submit an appeal to a panel of stakeholders.
5. Rethink qualifying disabilities and related eligibility time frames for placards.

TIME LIMITS

6. Implement meter time limits of no less than four hours for placard holders (*SFMTA*).
7. No extended time limits in green zones (*SFMTA*).

METER PAYMENT

8. Create a two-tiered placard program wherein those who physically cannot pay at a meter are exempt from meter payment. **Tier one** placards enable users to park in blue zones but do not exempt them from meter payment. **Tier two** placards both enable blue zone parking and exempt users from meter payment.
9. All placard holders pay regular rate at meters.
10. All placard holders pay a discounted rate at meters, just as those who use paratransit pay a discounted fare for that service.
11. Low income placard holders pay a discounted rate at meters, and other placard holders pay the regular rate (*SFMTA*).

ENFORCEMENT

12. Empower all PCOs to write placard-related citations, not just those who are part of the specially-trained Disabled Placard Detail.
13. Conduct monthly stings on those displaying placards.
14. Use traffic cameras to enhance enforcement.
15. Conduct enforcement on those who certify placards.

Meeting agenda

1. Opening

The meeting opened with a quick round of introductions and a preview of the agenda and desired meeting outcomes. These include a broad list of policy options for the full committee to consider for further evaluation and to finalize the agenda for the next full committee meeting on January 22.

2. Policies and practices in other jurisdictions presentation

Staff briefly recapped the presentation done in the previous full committee meeting and then covered policies in the city she'd had to skip for lack of time (Houston). The full presentation is available at <http://sfpark.org/resources/accessible-parking-policies-and-practices-in-other-jurisdictions-presentation/>.

Houston was beginning to experience problems with crowded parking in its downtown areas, and with misuse of placards. Working with the Commission on Disabilities, policymakers reformed the city's policies without having to create any major state policy changes. Texas state policy on certification and eligibility are not very strict. There is no exception on time limits for placards holders, although local jurisdictions are allowed to create them. People with disabled placards don't have to pay for parking for the duration of the posted time limit.

Changes that Houston made included: increasing the number of accessible parking zones, keeping the rule of free parking for the posted time limit and letting disabled placard holders stay for another time limit “cycle” (for example, a second two hours) but requiring them to pay for that second two hours. The city instituted a pay-by-phone system to make this easier. The city also focused on enforcement, using stings and deputizing volunteers (who receive four-hour training but are limited to giving tickets to vehicles parked in accessible zones without displaying a placard). The city also boots automobiles with delinquent placard-related citations, and reached out to medical providers to address the issuance of placards.

Houston issues over 12,400 disabled placard and accessible zone citations per year, 45% of which are written by volunteers. City staff report a reduction in placard abuse and misuse has diminished, although it's clear from the number of citations that violations still occur frequently.

COMMENTS AND DISCUSSION:

- How does Houston monitor that the meters are free for the first two hours then not free after that?
- In SF we have tried to use volunteers but for various reasons union contracts have made this impossible locally. The SFMTA has also resisted this idea in the past, worrying that using volunteers is too dangerous. (If Parking Control Officers are being assaulted, what might happen to volunteers?)
- Houston as example of broader question: how many of these different practices could be implemented by SF City and County without changes to state policy?
- We should focus on what will be most effective for addressing the problems we've identified, then figure out feasibility later.
- We're starting with a broad list of suggestions, and with each session we'll be narrowing it down.
- Maybe revenue could be generated from violations and applied towards reducing abuse.
- We should make sure that SFMTA staff, such as enforcement personnel, are available at upcoming meetings as resources on some of these issues.
- All agreed that it would be a good idea for Jessie to forward the broad list of options to her contact at Disability Rights California to conduct an initial legal analysis so that we can be aware of any major legal pitfalls before we pursue different options
- We should also bring some of the proposals to the Mayor's Disability Council (MDC), MDC Physical Access Committee, and the SFMTA Multimodal Accessibility Advisory Committee (MAAC) to get their feedback. We should figure out what the best timing would be for this.
- We need more data to be able to assess the effectiveness of some of these practices from other cities. Also there are so many variables including machinery, timing, staffing, computer coding that make it difficult to predict whether any of these could work here.
- Before we worry about whether meters can be reprogrammed, etc, let's ask: would this be an effective solution to one of the problems we have identified? If yes, then we can ask further questions about feasibility.

The SFMTA plans to select a few relevant places, and talk to local agencies about the outreach process and to the local disability community about how the process and the resulting policies worked for them. There was general agreement that this would be useful.

3. Develop a list of policy options to consider

Five people and the SFMTA submitted policy ideas for consideration, and the job of the subcommittee is to go through the list and identify which items they recommend that the full committee consider for analysis. The goal is not to reach agreement on them, but merely to identify the list of alternatives to consider and analyze.

BLUE ZONES

Both proposals under this heading are to increase the number of blue zones to equal 4% of metered spaces.

Discussion:

This will be required upcoming federal legislation but is not yet adopted.

There was no discussion on this item and it was generally agreed that it should go forward to the committee.

DISABLED PLACARD ISSUANCE

The following items were discussed:

- (1) Limit placard certifiers to MDs, osteopaths, and podiatrists.
- (2) Place placard program under Paratransit Coordinating Council. The Paratransit Coordinating Council has in place programs and policies to issue and regulate transit programs for the disabled and special needs groups under ADA. If possible, mandate policies like those we use for paratransit services where local agencies participate in the issuance, compliance, appeal, and renewal of compliant programs.
- (3) Create additional review for permanent placards, wherein all placard recipients start with a six-month temporary placard certified by the current process. Within six months, those seeking permanent placards must see a state-certified doctor. That means primary care providers wouldn't worry about losing patients by refusing to issue a permanent placard.
- (4) Require placard application every two years regardless of disability.
- (5) Charge a basic fee for placards.

Discussion:

- (5) might not be allowable based on a lawsuit.
 - The theory is that abuse arises because placards are so valuable, but a small fee might not be enough to address this abuse because the placard is so valuable.
 - It was agreed not to move forward with this item.

- Link to the Dare v. California lawsuit: <http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=9th&navby=case&no=9756065> (SFMTA staff addition to notes; this information was not provided at the meeting)
- (4) would create work for the DMV, which has already complained of work load.
 - Why would people with permanent disabilities have to reapply every two years? Income might change, but not disability.
 - Now, placards are reissued automatically every two years. How would this be different? Answer: now the placards are automatically mailed every two years, but there's no reapplication process required.
 - This would require state law change.
 - If a disability is clearly permanent, it's not clear who would benefit from adding this administrative burden. How "permanent" is defined might be closer to the issue.
 - How do you address what could be a long term disability but may not be a permanent disability?
 - We need to make the connection between this solution and the problems it would actually fix. Will renewals correct something structural in the DMV?
- Limiting certifiers is one idea; categorizing by disability is another (some categories might be permanent, some two years, some shorter). Both should be on table somehow.
 - From political standpoint: the disability community has fought for equal rights and equal participation and for the concept that we don't need to be "fixed" but accepted. We don't talk about what kind of disability people have; we come together to work for a barrier-free world. We talk about what things you need to compete on the basis of equality.
- On the other hand, the paratransit certification process in number (2) addresses the issue of categories of disability. The paratransit program has an infrastructure, including an appeal process and screening; the agency goes through the whole process with each application. Appeals are heard by a representative from the PCC, from the SFMTA, and a doctor or nurse practitioner. Probably 50% of appeals are overturned in the consumer's favor. A lot of process, but there is already a system in place, and the disabled community is participating. This is a successful program.
 - The paratransit system is effective for what it's supposed to accomplish. But there are eligible people who don't participate in it because all of the rechecks and medicalization piece of it.
 - Paratransit does have people with permanent status
- How do we know everyone with a permanent placard has a permanent disability? Can we refer this to a doctor/SF Medical Society to find out whether they think this is a burden? Or someone in a State approved agency. Or could it be a contracted doctor as suggested in one of the inputs received by SFMTA?

- This may be going after small gains. DMV goes through death notices to monitor placard—there's already in place a bureaucratic process to prevent the dead from using these placards.
- Those of us with a permanent disability shouldn't have to be recertified.
- But there could be a modified proposal in which you wouldn't have to be recertified – this is intended to address the issue of people receiving placards automatically even if they have passed on or moved to a different location, and then those placards are being misused.
- Reminder: we're not choosing the best alternative, just bringing a list back to the committee
- Remember to think about what the problem is that we are trying to solve.
- Let's put these proposals in that context. Link these solutions to the problems they address.
- Proposal to drop (4)
- General support for removing proposal (4), while adding a new (reworded) one: “Rethink qualifying disabilities and time frame”
- Proposal (2): Placing program under PCC.
 - This might be an implementation question—depending what this group comes up with, the solutions could be the same as what the PCC now does, or very different.
 - We're dealing with very similar issues here and in the PCC. PCC has an existing infrastructure that deals with these issues; it's one way to evaluate disabilities.

METER PAYMENT

Create a two-tiered placard program (idea submitted by two members). Tier one placards are the regular blue placards and enable users to park in blue zones, but do not exempt them from meter payment. Tier two placards both enable blue zone parking and exempt users from meter payment. The pool of placards worth abusing by the average person is significantly reduced, diminishing abuse and enforcement costs.

Discussion:

- This would mean that when you don't qualify for the stricter blue placard, and you're low income, then you're really in trouble if you can't find a blue space.
- Income is a separate issue.
- When the SFMTA instituted taxi scrip on debit cards, they got enormous savings. They discovered people would sell their discounted scrip books; the debit card was more effective for consumer and for the city and proved that there is in fact fraud by consumers. This item should move forward but its description needs to be simplified.
- The word “strict” should be changed.
- 2nd tier might be confusing.
- We should move it forward to the committee. Keep in mind that it would take many years to implement.

Other proposals under this heading include having placard holders pay regular rates at meters, placard holders pay a discounted rate at meters, providing discounted parking for low income people with disabilities, and dedicating blue zone meter parking revenue to mobility improvements.

- I'm not comfortable supporting blanket statements about payment.
- We're not being asked to support these but to decide whether the whole group should discuss them.
- I don't agree with payment but this group has to address the issue.
- What benefits would come from “dedicating blue zone parking revenue to mobility improvement”; what problem does it solve? Some cities used meter revenue to fund education programs. But how does this solve the problems we've identified?
- It's a tenuous link but it says that the disability community gets some benefit if they have to pay.
- It seems more like a way to sell a solution rather than solve it.

This last proposal regarding dedicating revenues was removed and the others regarding meter payment were moved forward to the full committee.

TIME LIMITS

- Make time limits of at least two hours for placard holders. Placard holders may park in time-restricted spaces for no more than two hours in parking areas where the time restriction is less. For example, a twenty-minute space is a two-hour space for the placard holder. A two-hour (or longer) space restriction applies to everyone.
- Make time limits of at least four hours for placards holders
 - In regular metered spaces, placard holders park for up to four hours (or more where time limits are longer).
 - No time limits in blue zones.
 - Double the posted time limit at unmetered spaces (or four hours, whatever is lower).
 - No extended time limit in green zones.

Discussion:

- These proposals don't solve anything for the disability community, only for parking turnover.
- But that's the point; creating turnover creates more parking availability for the disability community and everyone.
- It makes placard less valuable and less prone to abuse.

The group generally disliked the two-hour limit and agreed to move time limit proposal forward but remove some details to engender a fuller look at the time limit issue.

ENFORCEMENT

- Empower PCOs who are not on the special task force to write placard-related citations
- Conduct monthly stings. During rush hour in high use areas, require people to show their placard registration.
- Use traffic cameras to enhance enforcement.

Discussion:

- I'd love to do stings on certification process too, not just on the street enforcement.

It was agreed to move these forward, adding the above suggestion.

PLACARD USAGE RULES

- Do not allow "rider only" placard use. The person with the legitimate placard must get out of the vehicle. The person cannot remain in the car the entire time while their non-disabled traveling companion runs the errand.

Group agreed to remove this item from the list.

GENERAL

- Change state law to allow more flexibility. Change state law to allow cities more flexibility in how they manage accessible parking. This legislation could be written so that cities that meet certain criteria (such as percent of blue zones) are allowed more flexibility in how they manage accessible parking.

Discussion:

- I support that.
- If different cities adopt different rules, how do you know what rules apply when you cross city boundaries?
- Can we require consistent policies in cities of a certain size?
- Isn't that one of our criteria under ease of understandability? Flexibility could mean different things to different people. Not sure how this fits our criterion.
- It's not linked to a particular policy and hard to consider in the abstract.

Agreed to eliminate this proposal for consideration; it may come up later, when we have more specific policies.

4. Identify additional data needs

- Information about community involvement in other cities (agency, disability community experience)
- Legal input from Disability Rights California
- Can we have someone from SFMTA at the meetings who can answer questions?

5. Review draft agenda for January 22 full committee meeting

- Two members were chosen to present the list of policy options to the full committee.
- Adjustments to timing: skip presentation on other jurisdictions (people will read report, can ask questions), add time to discussion of options and to proposed approach to applying evaluation criteria.
- Have effectiveness criteria on wall of meeting room for context.

6. Closing and meeting evaluation

- Let's start on time even if not everyone is present.
- Can we expand these meetings to two hours? Yes, with time for open discussion. All sub-committee meetings will now go from 10 to 12.
- Can we have more unstructured conversation? We learn a lot from these discussions. If we can figure out how to move forward and have these conversations, let's do it. We need to strike a balance between lots of time for conversation and being able to cover all policy options.

Action items

- SFMTA to select a few relevant places and talk to local agencies about the outreach process and the local disability community about how the process and resulting policies worked for them.
- Legal input from Disability Rights California.