

Accessible Parking Policy Advisory Committee

Notes from meeting on January 22, 2013

The fourth Accessible Parking Policy Advisory Committee meeting took place from 10 a.m. to 12 p.m. on Tuesday, January 22, 2013 at one South Van Ness Avenue, 6th floor, Candlestick conference room.

Attendees

COMMITTEE MEMBERS

Ed Reiskin, Carla Johnson, Andrew Conway, Pete Curran, Ann Flemer, Vera Hale (replacing Edna James), Stanley Karnilowicz, Jessie Lorenz, Bob Planthold, Bonnie Lewkowicz, Cristina Rubke, Stu Smith, Jeff Spicker, Dee Dee Workman

FACILITATOR

Richard Weiner

STAFF

Kate Breen, Lisa Foster, James Lee, Lea Militello, Jay Primus, Annette Williams, Bryant Woo

1. Opening

The committee approved the notes from the December 18 meeting as written.

2. Q&A regarding policies and practices in other jurisdictions

Staff reported briefly that SFMTA staff have been working on contacting advocates in other cities to discuss their experience of the process of updating disabled placard policies. They need more responses before sharing the report.

Committee member said that the committee should keep in mind that some policies that work elsewhere may not work in California.

3. Proposed approach to applying evaluation criteria to policy options

Staff presented the following schedule:

Meeting	Steps
January 22 full committee	<ul style="list-style-type: none">• Committee develops a list of policy alternatives to consider
February 5 subcommittee	<ul style="list-style-type: none">• Staff presents policy options analysis for subcommittee review• Subcommittee makes recommendations to hone the list
February 26 full committee	<ul style="list-style-type: none">• Review policy options analysis, including any further research needed• Committee develops a honed list of options for further evaluation

Meeting	Steps
March 12 subcommittee	<ul style="list-style-type: none"> Staff presents further analysis for subcommittee review Subcommittee develops draft recommendations
March 26 full committee	<ul style="list-style-type: none"> Committee reviews analysis and develops final recommendations

Staff will evaluate each policy according to the agreed-upon criteria, both in an overview chart and in a written section.

A member asked what will happen after this committee has done its work. The answer depends on what kind of changes the recommendations require, but will likely involve bringing the recommendations before the SFMTA Board of Directors and possibly the Board of Supervisors.

After a comment from a member of the public, the question was raised as to whether the committee was properly applying sunshine laws regarding public comment. Staff indicated this committee is considered a “passive meeting body” per the Sunshine Ordinance; and even though the agency is therefore not required to open these meetings for public comment, it has been decided that public comment will be allowed at the end of each meeting.

4. Subcommittee presentation on policy options for committee to consider

Subcommittee members gave background on the proposed list of policy options to consider. They emphasized that the committee's work is to come up with effective solutions that will solve problems, and that the list is just ideas for further consideration, not recommendations. The subcommittee had pared down 18 different suggested policy recommendations to about 15, merging a few of them, and then adding a few more.

5. Discussion and decision on list of policy options

PARAMETERS FOR DISCUSSION

The facilitator reminded everyone that the options being discussed at the current meeting are not being endorsed today, but rather being discussed to see if they are worth pursuing with further analysis.

Since there is limited time available to discuss many policy options, the facilitator asked committee members to read through them and then vote for the five most important topics to discuss for ten minutes each. These would be topics that need deeper, more detailed discussion.

Votes for discussion items are outlined in the table below.

#	Description	Votes to discuss	Discuss today? (those not discussed moved forward automatically for analysis)
1	Increase the number of blue zones to equal 4% of metered spaces	9	Yes
2	Place one blue zone per block	7	If possible
3	Limit placard certifiers to MDs, osteopaths, and podiatrists	1	
4	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.	4	
5	Administer placard issuance via a process similar to paratransit. After submitting an application, most applicants receive a second-level assessment.	8	Yes
6	Rethink qualifying disabilities and related eligibility time frames for placards.	8	Yes
7	Require more frequent certification for people over 75	0	
8	Implement meter time limits of no less than four hours for placard holders	7	If possible
9	No extended time limits in green zones	3	
10	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.	0	
11	All placard holders pay regular rate at meters.	1	
12	All placard holders pay a discounted rate at meters.	8	Yes
13	Low income placard holders pay a discounted rate at meters, and other placard holders pay the regular rate.	3	
14	Empower all PCOs to write placard-related citations, not just those who are part of the specially-trained Disabled Placard Detail.	0	
15	Conduct monthly stings on those displaying placards.	7	If possible
16	Use traffic cameras to enhance enforcement.		
17	Conduct enforcement on those who certify placards.	0	

Clarifications and suggestions:

10: should refer to fixed route rather than paratransit (there is no discount on paratransit fares)

1: add “where physically possible and ADA compliant” (i.e. not on steep streets)

#1: Add an option for “one blue curb space per block” instead of “4% of metered parking spaces”

#16 (new): Add another policy option wherein after a certain age (possibly 75), placard holders would need to recertify more often to diminish the possibility of people misusing the placards belonging to the deceased.

#6: change to time limit without specifying how long the time limit would be. It was decided that including a specific time limit is important in order to conduct more detailed analysis of this option.

#1: BLUE ZONES

(Increase the number of blue zones to equal 4% of metered spaces)

- My understanding is that 4% is going to be required by ADA.
- Where are those blue zones going to be put? There would be equity questions about disbursement, and we should try and avoid having them all put in downtown clusters.
- SFMTA staff: There are some concerns about being able to meet the 4% quota in the city due to ADA and City requirements for blue zones (see the [blue zone overview sheet](#) for more information). We are limited to flat areas of the city; and in some of the flattest parts like downtown, we have a lot of tow away zones, which also can't be made into blue zones per City requirements. We might need flexibility about where we could put them in order to accomplish the 4% requirement.
- They have to be spread out, not concentrated only in areas where they can easily be put.
- Meter space is not the same as curb space. Off-street parking lots, such as in Marina district, can be used as well.
- Staff: City-owned, metered lots are already required to meet a certain percentage of blue zone spaces, and already meet those requirements.
- The top of the hill is often flat. Metered spaces are becoming fewer as parklets and bulb-outs are built.
- Staff: Bulb-outs include compliant curb ramps, often in places that didn't have compliant ramps before. The bulb-outs do cut the number of parking spaces, but they open up the opportunity to put in new blue zones next to the new curb ramps.
- This proposal would also directly result in the loss of metered spaces.

5: RETHINK QUALIFYING DISABILITIES AND RELATED ELIGIBILITY TIME FRAMES FOR PLACARDS

- We need a hierarchical list of current qualifying disabilities. Staff said the committee's [disabled placard overview sheet](#) includes this information, and the DMV's [placard application](#) includes full details.
- I think this an interesting thing to look at for long-term health of program but I'm cautious about what we can do here.
- A placard is largely a means by which a disabled person can be recognized. You could have a mobility issue without being on the list of permanent disabilities. On the other hand, we know there are abuses (example: I know someone with a permanent placard who has plantar fasciitis, which is a curable condition). How can we narrow down the list?
- The latter half of this policy option is about functional mobility, the first half is about diagnosis.
- Permanent vs. temporary distinctions already exist, and those with temporary placards do have to give them up. Not sure what this would add.
- Placard abuse falls into two categories: misusing a legitimately acquired placard, or fraudulently obtaining one. The latter is probably less common, so focusing on issuance won't eliminate placard abuse.
- There may be people getting placards who don't need them for the length of time they have them, or are going through an unnecessary bureaucratic process to retain them.

#6: IMPLEMENT METER TIME LIMITS OF NO LESS THAN FOUR HOURS FOR PLACARD HOLDERS

- There is strong argument that some people with disabilities need more time—it can take longer for people with mobility disabilities to conduct their business. If we're going to impose time limits, they should be longer than for people without placards.
- I know people who are severely disabled who park all day at work.
- People who are working full time and can drive can probably pay.
- I wouldn't want this to hinge on full-time commuter parking. But I can imagine having back-to-back appointments in one area, and I may not be able to get everything done in four hours or six hours due to circumstances beyond my control.
- I have a hard time with the idea of creating two classes of disabled people (those with and without disposable income). I can't find anywhere this is being done where it wouldn't be taking away privileges that now exist.
- Establishing a time limit and having everyone pay takes away the danger of creating two classes of disabilities based on income.
- If you can do things like reload the meter by phone remotely, would that solve the problem? Or do you still have to move your car? Answer: to abide by time limits, you have to move your car.
- I'm the guy that gets a ticket for parking over the time limit; it's just the consequence of parking in an urban area. The lack of time limit for disabled placards creates an incentive for abuse.

- I understand that the time limits on parking spots near the ballpark were intended to prevent people from parking there to attend the game. It's a situation ripe for abuse by placard holders.
- Everybody should pay a reduced fee, like on transit. Not because of income, but because of disability, period.

#12: EMPOWER ALL PCOS TO WRITE PLACARD-RELATED CITATIONS

- Staff: All PCOs cite vehicles parked in blue zones without placards. They also write citations for expired placards; but they then alert the Disabled Placard Detail to confiscate the placard, which requires extra time to find the person, and training to know how to interact with the person and how to write the report. For placard misuse, we need a team of two to provide a witness and to help avoid assault.
- Why isn't a cell phone camera picture adequate along with the report? Why do we need two people?
- A cell phone picture wouldn't capture what people are saying. A lot of time it's the story that points out misuse.
- It would be good to know what led to those protocols.
- Have there been incidents of assaults on PCOs? All the time. People try to drive away; a PCO was hit by a vehicle. The ticket is expensive and people will do a lot to avoid them. Not just a perception, the safety issue is real.
- Do you have a program in place for people to report suspected abusers, or is enforcement only based on on-street observations?
- Yes, we follow up on tips all the time. People can call 311 or 415.553.1200.
- The Disabled Placard Detail team is trained never to ask people what their disability is.
- How many citations per year? How many are fraudulent?
- We confiscate an average 400-500 per quarter. But not all of it is misuse. Some are expired and are not followed by a citation because the person has the updated placard in the glove compartment.
- Placard misuse fine is \$966. Approximately 57% of these citations are protested, and 12% of those protests go all the way to the CA Superior Court. But our PCOs are very careful with their work and reporting, and only 11% of all the placard citations get overturned in the end. It costs \$1.8 million to run the Disabled Placard Detail every year, and we collect just over \$1 million in citation fines after dismissals and those that never get paid.
- *Note: for more information about placard enforcement, see slides 16-20 of the [accessible parking overview presentation](#).*

#2: LIMIT PLACARD CERTIFIERS TO MDS, OSTEOPATHS, AND PODIATRISTS

- How can a midwife know that a person should be qualified for a permanent placard?
- I think physician's assistant should be included.
- There are businesses that have placards: medical supply, churches. If you certify that the primary function of your business is to transport the disabled, then you qualify. DMV doesn't check to make sure an applicant is telling the truth; but if someone accuses the person of a false claim, they could be charged with perjury.

#8: CREATE A TWO-TIERED PLACARD PROGRAM WHEREIN THOSE WHO PHYSICALLY CANNOT PAY AT A METER ARE EXEMPT FROM PAYMENT

- Different placards would distinguish the types of disability.
I proposed this because it's been implemented in other states successfully. The original legislation exempting disabled placard holders from meter payment was concerned with physical ability to pay, not affordability. Two-tier systems have curbed abuse in other places.
- The two main reasons for misusing placards are to avoid payment and to avoid time limits. This solution got rid of that first incentive to abuse placards.
- I think because this is so popular it requires further analysis, but it may require deeper analysis in terms of who belongs to a protected class; can you remove someone from a legally protected class? Not clear whether these other jurisdictions have successfully done that analysis.
- I'd be curious about implementation of the assessment of physical ability to pay.
- Doctor would be the one to assess that.
- Good to rethink why we have this to begin with, but we should know more about the process.
- If there's something on the placard that describes the problems with dexterity, it could create safety issue in terms of people knowing how vulnerable I am to attack, robbery, etc.
- Are we going to look at the larger issues? Like how much it costs to park, or homeless people and drug users in front of meters that make them unattractive as places to park. (No, not part of this committee's work.)
- If we reduce placard abuse significantly, the City wouldn't need such high meter rates to keep spaces open.

6. Closing

PUBLIC COMMENT

- This is taking away a hard-won right in order to address fraud. Focus should be on enforcement and limiting fraud— investigation should happen at the front end.
- The city and people with disabilities all want people who are using our parking places illegally to stop doing it.
- When comparing with other cities and states, we have to remember that the Bay Area is unique; there are many disabled people who move here because this is where our rights history started. We need to accommodate this growing community.
- It's almost impossible to find a place to park. BART is an option but elevators were broken in the downtown stations for three days in a row last week.
- We do not want to be penalized because of fraud.

OTHER COMMENTS

- I didn't see any proposals to put person's gender and age and photo on the placard. Chicago had that. That type of placard would really help with the abuse.
- Identifying genders may be a dubious approach, given the range of gender identities.
- The [policies and practices in other jurisdictions document](#), which you received in your packet today, contains many interesting approaches. We will send more information about community involvement in some of these jurisdictions next week.

MEETING EVALUATION

- Good job facilitating and giving people space to talk.
- Is there a place on the website for public comment/question? There is an email address on website. Lisa can compile comments and send them to the committee.
- When considering enforcement stings at the certifier level, I hope the subcommittee considers that this is a voluntary good-faith effort on the part of the medical community. We don't want undercover people in doctors' offices creating trouble.