

# Accessible Parking Policy Advisory Committee

## Notes from the meeting on March 26, 2013

The sixth Accessible Parking Policy Advisory Committee meeting took place from 10 a.m. to 12 p.m. on March 26, 2013, at One South Van Ness Avenue, 7th floor, Union Square conference room.

### Attendees

#### Committee members

Ed Reiskin, Carla Johnson, Andrew Conway, Ann Flemer, Dorene Giacomini, Vera Haile, Henry Karnilowicz, Jessie Lorenz, Bob Planthold (by phone), Cristina Rubke, Stu Smith, Jeff Spicker, Roland Wong, Dee Dee Workman

#### Facilitator

Richard Weiner

#### Staff to committee

Kate Breen, Lisa Foster, John Knox White, James Lee, Lea Militello, Annette Williams, Bryant Woo

## Meeting outcome: final policy recommendations

Note: the policy descriptions below were added after the meeting based on prior materials<sup>1</sup> and committee discussions. Committee members emphasize that these policies function together as a package.

### Blue zones

#### Increase blue zones to at least 4% of metered spaces (100% support)<sup>2</sup>

The committee strongly recommends increasing the number of blue zones to improve parking access for people with disabilities. The SFMTA currently has 700 on-street blue zones, representing 2.4% of metered spaces. The SFMTA will need to install at least 470 new blue zones to meet the minimum 4% recommendation.

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<sup>1</sup> The Accessible Policy Options Evaluation has longer descriptions of each option (some options were further defined in committee discussions after this document was completed). It is available here: <http://sfpark.org/wp-content/uploads/2013/02/Accessible-parking-policy-options-evaluation-III.pdf>

<sup>2</sup> “Support” includes “strongly endorse” and “support with reservations”

### **Mayor's Office on Disabilities (MOD) reviews City blue zone placement guidelines, exploring options to enable blue zones in more locations (100% support)**

Under current ADA and City guidelines,<sup>3</sup> many locations in need of blue zones will not be eligible. The committee recommends that the MOD look at whether it makes sense to change City guidelines in order to ensure adequate feasible space for blue zones.

## **Enforcement**

### **Improve enforcement (100% support)**

The SFMTA should explore options to improve placard enforcement and implement best practices. This could include: increasing the number of PCOs on the Disabled Placard Detail, increasing stings, conducting outreach regarding placard enforcement, and beginning a volunteer program.

### **Conduct enforcement on those who certify placards, targeted using new data from item 7 (81% support)**

The committee recommends that police officers use the DMV's new placard certifier database to target medical providers that seem to be issuing more placards than one would expect, and to then determine if those providers are issuing placards in violation of the law.

## **Placard issuance**

### **Clarify placard eligibility requirements: add a functional definition to the "limited mobility" criteria (88% support)**

The committee recommends further defining the following eligibility criterion from the DMV's placard application: "disease or disorder which substantially impairs or interferes with mobility".<sup>4</sup> Examples of functional definitions used in other jurisdictions include "cannot walk 200 feet without stopping to rest" and "uses portable oxygen".

### **Certifier verification program with state database overhaul (RTC model) (81% support)**

The California DMV does not currently have the technical capacity to keep information about medical providers who certify placards in a searchable database. The committee recommends that the DMV upgrade its database to include this information and to verify the medical providers using a system similar to the Bay Area Regional Transit Connection (RTC) Discount Card Program. First-time certifiers would be verified utilizing state medical licensing databases, and subsequent certifications by the same professional would be verified using the provider's previously scanned signature.

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<sup>3</sup> Overview of guidelines here: <http://sfpark.org/wp-content/uploads/2012/11/20121107-Blue-zone-overview.pdf>

<sup>4</sup> DMV application with eligibility requirements available here: <http://www.dmv.ca.gov/forms/reg/reg195.pdf>

### **Photo or other identifier on placards (69% support)**

The committee recommends making a photo available to Parking Control Officers enforcing placard use. This could be achieved by placing a photo on the placard itself, on the placard receipt, or tying a photo to the placard database that PCOs can access.

### **Meter payment**

#### **Placard holders pay regular rate at meter (allowed in jurisdictions that have accessible payment options including phone payment) (69% support)**

Based on experiences in other cities, meter payment is the most effective way to reduce disabled placard abuse and improve parking access because it removes the financial incentive to cheat.<sup>5</sup> Thirty-five states already have some form of meter payment policy for vehicles with placards.<sup>6</sup> The committee recommends requiring placard holders to pay at the meter, but only allowed in jurisdictions that provide accessible payment options including phone payment at all meters. This policy would include placing meters in blue zones that are in metered areas.

#### **Revenue from metered blue zones used for accessibility improvements (100% support)**

The committee recommends that the SFMTA track revenue from metered blue zones, and work with the disability community to channel funds into appropriate accessibility improvements.

### **Time limits**

#### **Placard holders have four-hour time limits at regular and blue meters, unless posted time limit is longer (81% support)**

For placard holders, meter time limits would be four hours citywide, except in locations with longer or no time limits. State policy could be set to allow local jurisdictions that meet certain criteria to institute time limits of no shorter than four hours for placard holders.

#### **Placard holders stay up to 30 minutes at green zones/meters (81% support)**

Green zones are for short-term parking, with time limits of 10 to 30 minutes. Qualified merchants pay to establish green zones, and they are intended to support local business and reduce double-parking by opening up spaces in front of businesses like dry cleaners and florists.

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<sup>5</sup> See Accessible Policy Options Evaluation (<http://sfpark.org/wp-content/uploads/2013/02/Accessible-parking-policy-options-evaluation-III1.pdf>) and Accessible Parking Policies and Practices in Other Jurisdictions (<http://sfpark.org/wp-content/uploads/2013/01/Accessible-parking-policies-and-practices-in-other-jurisdictions1.pdf>)

<sup>6</sup> October 16, 2012, memo from the California Senate Office of Research

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To ensure that green zones function as intended, the committee recommends that a time limit be set for placard holders in green zones. Loading and unloading time does not count towards time limits and green zones are generally directly in front of the relevant business.

### 1. Meeting opening

The facilitator reviewed the agenda and meeting purpose.

### 2. SFMTA Director of Enforcement presentation

Lea Militello, SFMTA Director of Security, Investigations, and Enforcement, spoke about her experience spending an entire day working with the Disabled Placard Detail on a plainclothes sting operation in the Tenderloin and her ideas regarding improving the placard enforcement.

- The SFMTA Enforcement team met at 6:30 a.m. and found drivers arriving and parking on their way to work.
- It quickly became apparent that on any given block in the area almost one out of every two to three meters was occupied by a vehicle with a disabled parking placard.
- In the field, teams of two PCOs saturate the sting areas. Every car with a placard is run through the database. Unless the card comes back as stolen, deceased, or canceled, all the team can do is wait for the car owner to return to the vehicle and confirm that the placard holder is not nearby.
- We ran a few hundred placards, but in the end we only confiscated 13 of them.
- Often, placards that bring back a date of birth of the 1910s and 1920s raise a red flag. In the event that there is a mismatch between the location of a car's registration and the user's residence, PCOs can only wait for the car driver to return to the vehicle. Because this is time consuming, they will continue their rounds, but return periodically to check on the vehicle.
- In just one day, I personally witnessed several incidents where PCOs were subject to hostility and verbal abuse.
- One driver drove his vehicle directly at me and a PCO. As soon as he saw my PCO's badge, he ripped down the placard, and slammed on the gas while turning the wheel toward us, forcing us to jump out of the way. I would not ask our PCOs to do this work alone; they need to be in two-person teams.



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- Based on the input I've heard at committee meetings and my review of our placard enforcement program, I am considering the following changes:
  - Add four PCOs to the Disabled Placard Detail
  - Increase stings from three days a week to four. We have found that stings are the most effective way for us to catch placard abuse.
  - Keep the Placard Detail PCOs in plain clothes at all times
  - Get unmarked cars so PCOs aren't in vehicles with the City seal

### 3. Presentation on draft subcommittee recommendations

A member of the subcommittee presented on the group's draft recommendations to the full committee as outlined in the [March 12 subcommittee meeting notes](#).<sup>7</sup>

The subcommittee highlighted that the committee's purpose is to increase the availability of accessible parking for those who need it and that no single policy would accomplish that goal. The recommended package reduces incentives for people to abuse placards and increases the blue zone parking supply, enforcement, and placard issuance oversight. Staff prepared a chart of policy package scenarios and the subcommittee discussed each of the recommendations separately and in some cases came up with new recommendations. In the end, the recommendation is:

- Increase the number of blue zones.
- The Mayor's Office on Disability (MOD) review the current city blue zone guidelines to potentially enable blue zones in more locations
- Certifiers of placards should be verified by a state database
- Adding a photo or barcode to the placard should be considered to facilitate PCO verification of the placard holder versus the person parking in a space
- A minimum 4 hour time limits at regular meters (unless the posted time is longer), and allowing placard holders to stay up to 30 minutes at all green zones
- Payment at meter in jurisdictions with accessible parking meter payment options
- Discounted rate in metered blue zones
- Revenue from meters in blue zones should be used to invest in accessibility features of the parking and transportation system
- Improving enforcement

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<sup>7</sup> Available at: <http://sfpark.org/resources/march-12-subcommittee-meeting-notes-accessible-parking-policy-advisory-committee/>



#### 4. Final policy recommendations

The Facilitator explained that the group would use “gradations of agreement” as agreed upon at the beginning of the process to evaluate the recommendations: If 50% of votes were classified as “have significant concerns” or “Would block if I could”, then that item would not move forward as a final recommendation. Any policy option that had eight or more votes in the first three categories was approved and dissension/concerns identified.

The final votes are summarized in the following table.<sup>8</sup> All of the policy options recommended by the subcommittee passed per these rules as final recommendations by the full committee. However, policy option #13— charging a discount rate at meters in blue zones— had more opposition than support. After a short discussion about this issue, it did not make sense to include that option as a recommendation. All other policy options passed with significantly more people supporting than opposing.

Policy option	Strongly endorse	Support with reservations	On the fence	Have significant concerns	Would block if I could
1. Increase blue zones to at least 4% of metered spaces	15	1			
1a. MOD reviews City blue zone placement guidelines, exploring options to enable blue zones in more locations	15	1			
3. Clarify placard eligibility requirements: add a functional definition to the “limited mobility” criteria	12	2		1	
7. Certifier verification program with state database overhaul (RTC model)	7	6	1	1	
Photo or other identifier on placards	5	6	2	3	
8. Placard holders have four-hour time limits at regular and blue meters, unless posted time limit is longer	11	2	2		1
9a. Placard holders stay up to 30 minutes at green zones/meters	6	7		2	1

<sup>8</sup> Votes cast per absentee ballot by three committee members are included in this summary.



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Policy option	Strongly endorse	Support with reservations	On the fence	Have significant concerns	Would block if I could
10. Placard holders pay regular rate at meter (allowed in jurisdictions that have accessible payment options such as phone payment)	8	3	1	2	2
10/11a. Revenue from metered blue zones used for accessibility improvements	15	1			
13. Discounted rate in metered blue zones		5	5	4	2
15. Improve enforcement	15	1			
16. Conduct enforcement on those who certify placards, targeted using new data from item 7	12	1	1		1

Prior to voting, discussion was held on each recommendation from the subcommittee. Some comments below were included in absentee votes.

### Policy 1: Increase blue zones to at Least 4 Percent of Metered Spaces

- This recommendation passed with strong support from the committee.
- One member was concerned that this measure could restrict already limited parking in the city.

### Policy 1A: M.O.D. reviews City blue zone placement guidelines, exploring options to enable blue zones in more locations

- Staff clarified that off-street parking facilities already have blue zone requirements, and that this policy will be focused on on-street spaces.
- A member suggested that the SFMTA add additional blue spaces in its garages where it isn't possible to place sufficient on-street blue zones
- Another member stated that based on his experience as a private garage operator, garage blue spaces are greatly underutilized.
- Committee members suggested that off-street blue spaces could be better utilized if the City makes sure people are aware they exist.

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- Concerns were raised about over-concentrating blue spaces in certain neighborhoods because of the impact on the general parking supply.
- Other members stated that blue zone placement should be dictated by need for accessible parking.
- Broad clarification on how City guidelines are different from ADA regulations was provided.<sup>9</sup>

### **Policy 3: Clarify placard eligibility requirements: add a functional definition to the “limited mobility” criteria**

- This recommendation passed with strong support from the committee.
- A member cautioned that this may defeat the purpose of improving access to people with disabilities.

### **Policy 7: Certifier verification program with state database overhaul (RTC model)**

- A member noted that this would require infrastructure investments and possibly state statute amendments.
- It was further discussed that the DMV currently does not pre-certify medical providers who certify placards and does not check whether their license numbers are valid.
- One member did not know enough about the RTC model, but strongly endorsed more restrictions on certifiers.
- One member had serious concerns related to the funding needed to implement and maintain this system.

### **Policy: Photo or Other Identifier on Placards**

- Due to concerns about the complexity of adding photos to placards and about privacy, there was discussion about the possibility of requiring a photograph on the placard registration card instead.
- Other members noted that the registration currently is a very basic piece of paper, not really an ID card, and adding a photo would greatly increase costs.
- The possibility was discussed of creating a database instead that enforcement personnel could check which would have photo IDs.

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<sup>9</sup> Overview of ADA and City guidelines here: <http://sfpark.org/wp-content/uploads/2012/11/20121107-Blue-zone-overview.pdf>





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- SFMTA enforcement staff expressed concern that the photo of the placard holder would not necessarily match the person driving the car, because the driver may be a caretaker. If this passed at the state level, other jurisdictions may not be sufficiently cautious in avoiding issuing citations to caretakers who are legitimately driving a placard holder who is currently away from the vehicle.

### **Policy 8: Placard holders have four-hour time limits at regular meters, unless posted time limit is longer**

- This recommendation passed with limited discussion.
- One member would rather see that placard holders pay rather than restrict time limits. The payment in itself may be a deterrent from staying in one place all day.

### **Policy 9A: Placard holders stay up to 30 minutes at green zones/meters**

- The committee discussed whether 30 minutes is an appropriate time limit. Some members expressed concern that the limit was too short, while others felt it was too long, given the intended purpose of green zones as very short term parking for specific businesses.
- There was a remaining concern over whether the new policy will apply in other jurisdictions where businesses don't pay for green zones.
- The recommendation passed, but members expressed continued concern that it be implemented as part of a full package of policies, including more blue zones; and that the time limit be set appropriately after more study as to the proper length.

### **Policy 10: Placard holders pay regular rate at meter (allowed in jurisdictions that have accessible payment options such as phone payment)**

- There was extensive discussion about this policy recommendation, with members raising questions and expressing varying degrees of support and opposition.
- It was clarified that the intent of this policy is that it should apply only in jurisdictions where all parking meters have accessible payment mechanisms such as allowing credit card or phone payment.
- Some members were concerned about the policy's impacts on people with disabilities, for whom the physical act of payment would be an added burden.

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- One member said that she came to the table ready to protect her (disability) community and opposed to meter payment. After looking at the research and talking to a lot of people in her community, she changed her mind. For a person with a functional disability, the placard is not currently fulfilling the need it was meant to fill and not meeting the needs of the community it was meant to serve. Keeping in mind that this policy is one piece of the package, this package will serve our community better.
- One member stated that the original reason for the disabled placard meter payment exemption was the potential physical challenges to paying at parking meters, and for some people with disabilities this is no longer as relevant due to accessible payment technology.
- Some members said that phone payment convenience fees be waived for placard holders, because phone payment may be a necessity rather than a convenience. There was also discussion of allowing use of the SFMTA Parking Card through PaybyPhone technology, for people who do not have credit cards.
- One member noted that in the 35 states that require placard holders to pay at meters, meter payment has been the most important policy in reducing placard abuse and increasing parking availability.
- A member expressed the importance of generating revenue to pay for accessibility improvements, and that this was the only recommendation that would do so.
- There was concern that if some jurisdictions require placard holders to pay meter fees, and others do not, there could be confusion.
- It was stated that staff talked to disability rights advocates and city staff in cities whose meter payment policies were different than surrounding areas, and that they said confusion by out of town drivers has not been a big issue.
- Of the two “would block if I could” votes,
  - One member expressed strong concern that this policy would negatively affect seniors and those with lower incomes, and stated that it is bad public policy.
  - One member supported meter payment for most placard holders, but favored a payment exemption for those who physically can’t pay at a meter. Part of the reason is that this would work for jurisdictions with older meter technology.

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- Overall, the committee stressed the importance of evaluating this recommendation as part of a broader package, and evaluating its impact on different people once it is implemented.

### **Policy 10/11A: Revenue from metered blue zones used for accessibility improvements**

- This passed with strong support.
- A committee member suggested revenue also be used for public education about accessible parking.
- Another member would not want to see a blanket policy of “access improvements” but more specific language about what are the improvements.

### **Policy 13: Discounted rate in metered blue zones**

- Please note that the vote results for policy option 13 were ambiguous: nobody strongly endorsed it, five people supported it with reservations, five were on the fence, four had significant concerns, and two said they would block it if they could. Overall, this can be interpreted as five supporting votes, five neutral votes, and six opposing votes. After this vote, a few committee members spoke up, saying that it did not make sense that an item with more opposition than support could become a recommendation. With this concern in mind, this option is not included in the recommendations.
- Even though the vote could strictly be interpreted as passing because of the number of neutral votes, this option is not included in the recommendations because more members opposed this option than supported it.
- The two members who voted “would block if I could” said that with this policy, already scarce blue zones would be in even higher demand and even more scarce. This would concentrate placard abuse problems in blue zones.
- Concern that providing a discount at blue meters is not consistent with new approach, wherein physical disability and income are not intertwined via policy.
- One member suggested that requiring any payment should substantially reduce fraud, even if there’s a discount.

### **Policy 15: Improve enforcement**

- There was discussion of whether the policy is too general and not specific enough.
- One member explained that the subcommittee did not want to box the committee into recommendations on this matter that are too specific and prescriptive as there is a lot of detailed staff work to be done to identify the precise solutions.

### Policy 16: Conduct enforcement on those who certify placards, targeted using new data from item 7

- The member who voted “would block if I could” said that stings should not be conducted in physicians' offices.
- A committee member clarified this would be carried out at the local level.
- One member stated that state law already authorizes local communities to conduct this type of investigation, including accessing files as needed from the DMV.
- It was clarified that while the information exists to provide this data, it was not digital and would require a local jurisdiction to go through thousands of hard-copy forms to collate and identify the needed certifier information.

## 5. Communications and implementation steps after recommendations

Staff to the committee gave an overview of the communications approach for these recommendations. The approach will include the following steps:

- Lay the groundwork (April to June 2013)
  - Present to MDC and MAAC
  - Form a communications working group
  - Finalize plans and develop outreach materials
  - Discuss with local policymakers
- Build public support (June to October 2013)
  - Conduct extensive public outreach
  - Discuss with local policymakers
  - Reach out to the media
  - Gather resolutions of support
- Find state legislative sponsor (October/November 2013)
  - Implement items that don't require legislative change (June 2013 to December 2015)
  - New blue zones
  - Improve enforcement
- Shepherd legislative process (November 2013 to January 2015)
  - New state law takes effect; begin local implementation (January 1, 2015)

Committee members voiced support for enlisting the help of a public relations firm to help develop talking points and other ways to share the findings and next steps with the general public. A member suggested that a video could be produced featuring committee members talking about their experience developing the recommendations.

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A member pointed out that we've heard a lot of research, data, and had lots of discussion. Keep in mind that most people won't have seen all this information when they see the recommendations, and we will need to figure out how to provide them with this information in a very short time and avoid knee-jerk reactions. The communications strategy may be worthy of some thoughts on how we close that knowledge gap.

### 6. Closing and next Steps

There was no public comment. Next steps were outlined during the communications discussion.

