

TRANSPORTATION, COMMUNICATIONS, AND PUBLIC WORKS POLICY COMMITTEE
SUPPLEMENTAL Legislative Agenda
January 2012

Staff: Jennifer Whiting (916) 658-8249

7. Broken Parking Meters

Bill Summary:

This bill would allow a vehicle to park in any parking space with an inoperable parking meter or parking payment center for up to the posted time limit. The bill allows a city to enact and enforce an ordinance that provides for a different policy (example – no parking at an inoperable parking meter), provided the city post the rule with “signs or markings”. Defines “inoperable parking meter” and “parking payment center” for the purposes of the section.

Background:

State law allows local jurisdictions to regulate parking within their jurisdiction. Each jurisdiction regulates on street parking a little differently. Some cities have parking meters, some do not. Some cities allow people to park at broken parking meters, some do not. Those that do have parking meters generally have a maintenance program for the repair/replacement of broken parking meters. However, there is some time lag in the reporting and responding to a broken parking meter.

The sponsors of the bill have identified this as a major point of confusion for their members. Their original approach would have required signs to be posted in each jurisdiction clarifying the policy. After some initial discussion with League staff and other city lobbyists, they have revised their proposal to what is outlined above.

League staff sent out an informal survey to our membership to assess how cities currently approach this issue. While very few cities responded – and some that did reported that they have no parking meters – staff did notice one issue that rose above others: the problem of intentionally jammed parking meters. Please see staff comments for more on this issue.

Staff Recommendation:

Discuss possible positions and amendments. Some amendments suggestions are:

- Explore a way to address intentionally jammed parking meters
- Include a two or three year sunset date
- Exclude any parking with an attendant available

Committee Recommendation:

Board Action:

Fiscal Impact:

If a city chose to enforce a different policy than the statewide policy, there would be costs associated with signage/markings. There is also the potential for revenue losses associated with an increased incidence of jammed parking meters.

Existing League Policy:

The League supports all efforts to retain maximum control of the local street and road system.

Comments:

Parking with an attendant. The bill defines “parking payment center” as “an electronic parking meter serving one or more parking spaces that dispenses time receipts that must be displayed in a conspicuous location on or in the vehicle or otherwise authorizes parking for payment of a fee”. As many public parking structures use parking payment centers that would be covered by definition, staff recommends that it be amended to exempt parking spots that have a parking payment center and a parking attendant available.

Intentionally jammed parking meters. As staff noted above, cities have raised concerns about this bill increasing the incidence of intentionally jammed parking meters. As it is nearly impossible to catch someone who intentionally jams a parking meter, it is a difficult problem to address. One city reported that they encourage people to contest parking tickets received at jammed meter, and usually dismiss them unless the same vehicle regularly parks at meters jammed with paper, foreign objects, wood etc. However, this policy is very subjective and difficult to legislate.

Sunset date. Staff considers this a prime candidate for a sunset date to allow for review of the impacts should the legislation be implemented. Two or three years should provide evidence as to the incidence of jammed parking meters.

Sponsors willing to negotiate. To their credit, the sponsors approached the League early in the year (before introduction), and have been willing to negotiate with cities. Staff suggests that if there are amendments that would keep the League neutral, there is a high likelihood that they would be considered and incorporated.

Potential Support-Opposition:

Potential Support:

Automobile Club of Southern California

Potential Opposition:

California Public Parking Association