

**THIS PRINT COVERS CALENDAR ITEM NO.: 10.3**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Finance and Information Technology

**BRIEF DESCRIPTION:**

Amending Transportation Code, Division II, Sections 302 and 303 to reduce the Trial Courts Courthouse Construction fee for parking violations as a result of the fulfillment of the City's bond indebtedness on the Civic Center Courthouse on April 1, 2021.

**SUMMARY:**

- State law authorizes the City to establish a courthouse construction fund for the purpose of assisting in the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings.
- Since state law requires the City to place certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into the courthouse construction fund, the Board of Supervisors established the Trial Courts Courthouse Construction Fund in order to implement this law.
- In Resolution No. 713-92, the Board of Supervisors authorized an additional penalty of \$2.50 for every parking offense, \$1.50 of which was dedicated to offset the bond indebtedness on the Civic Center courthouse.
- On April 1, 2021, the City's bond indebtedness on the Civic Center Courthouse concluded and there is an ordinance pending before the Board of Supervisors to eliminate the Trial Courts Courthouse Construction Fund.
- Since the City has retired its debt on this courthouse facility, the proposed Transportation Code legislation will reduce the corresponding fee which is added to parking citations.
- After reducing the fee by \$1.50, the base fine parking fine will be rounded up by fifty cents for those fines below the state maximum of \$100 for a total decrease of \$1, and those above \$100 will be rounded down by fifty cents for a total decrease of \$2.
- Pursuant to the SFMTA Board's Rules of Order and Charter Section 16.112, advertisements were placed in the City's official newspaper to provide notice of the December 7, 2021 meeting.

**ENCLOSURES:**

1. SFMTAB Resolution
2. Transportation Code Amendment

**APPROVALS:**

DIRECTOR  \_\_\_\_\_

SECRETARY  \_\_\_\_\_

**DATE**

December 1, 2021

December 1, 2021

**ASSIGNED SFMTAB CALENDAR DATE:** December 7, 2021

**PAGE 2.**

**PURPOSE**

Amending Transportation Code, Division II, Sections 302 and 303 to reduce the Trial Courts Courthouse Construction fee for parking violations as a result of the fulfillment of the City's bond indebtedness on the Civic Center Courthouse on April 1, 2021.

**STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES**

This action supports the following SFMTA Strategic Plan Goal:

10. Position the agency for financial success. Ensure that near-term resource allocation is efficient and secure reliable revenue to meet the city's long-term transportation vision

This action supports the following SFMTA Transit First Policy Principle:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.

**DESCRIPTION**

California Government Code Sections 76100 and 70625 authorized the Board of Supervisors (BOS) to establish a Courthouse Construction Fund for the purpose of assisting the City and County of San Francisco in the acquisition, rehabilitation, construction, and financing of courtrooms. Since state law requires the City to place certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into the courthouse construction fund, the Board of Supervisors established the Trial Courts Courthouse Construction Fund in order to implement this law. In Resolution No. 713-92, the Board of Supervisors authorized an additional penalty of \$2.50 for every parking offense, \$1.50 of which was dedicated to offset the bond indebtedness on the Civic Center courthouse.

On April 1, 2021, the City's bond indebtedness on the Civic Center Courthouse concluded and there is an ordinance pending before the Board of Supervisors to eliminate the Trial Courts Courthouse Construction Fund. Since the City has retired its debt on this courthouse facility, the proposed Transportation Code legislation will reduce the corresponding \$1.50 fee assessed on citations for parking violations. Funds collected from this fee after April 1, 2021 through June 30, 2021 were used to support other expenditures in the Courthouse Construction Fund including the lease of 575 Polk Street. Any collections made in FY21-22 will be returned to the General Fund to offset other revenue-side shortfalls of the Courthouse Construction Fund.

In order to eliminate the \$1.50 fee, parking fines below the below the state law maximum of \$100 will be rounded up by fifty cents for a total decrease of \$1, and those above the \$100 state law maximum will be rounded down by fifty cents for a total decrease of \$2. Maintaining fine levels as whole numbers streamlines the administrative of processing and payment of parking fines.

**PAGE 3.**

## **STAKEHOLDER ENGAGEMENT**

This is an administrative action based on the close-out of the state mandated fee. No stakeholder engagement was conducted.

## **PUBLIC OUTREACH**

Pursuant to Charter Section 16.112, advertisements were placed in the City's official newspaper regarding this public hearing. The advertisements ran in the San Francisco Examiner on November 24-26, 2021, November 28, 2021 and December 1, 2021 to provide notice that the SFMTA Board of Directors will hold a public hearing on December 7, 2021 to consider the changes to parking fines.

## **ALTERNATIVES CONSIDERED**

This action is required due to the fulfillment of the City's bond indebtedness on the Civic Center Courthouse on April 1, 2021.

## **FUNDING IMPACT**

The \$1.50 Local Courthouse fee currently collected is a pass-through to the City's General Fund, and thus reducing the applicable fines will not result in a fiscal impact. It is estimated that the rounding of various fines up by fifty cents will result in an approximately \$100,000 increase in parking fine revenue through Fiscal Year 2022.

## **ENVIRONMENTAL REVIEW**

On October 22, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the Local Courthouse Assessment Fee Modification is not a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

## **OTHER APPROVALS RECEIVED OR STILL REQUIRED**

None.

The City Attorney's Office has reviewed this calendar item.

**PAGE 4.**

**RECOMMENDATION**

Staff recommends that the SFMTA Board of Directors amend Transportation Code, Division II, Sections 302 and 303 to reduce the Trial Courts Courthouse Construction fee for parking violations as a result of the fulfillment of the City's bond indebtedness on the Civic Center Courthouse on April 1, 2021.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, State law authorizes the City to establish a courthouse construction fund for the purpose of assisting in the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings; and

WHEREAS, Since state law requires the City to place certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into the courthouse construction fund, the Board of Supervisors established the Trial Courts Courthouse Construction Fund in order to implement this law; and

WHEREAS, In Resolution No. 713-92, the Board of Supervisors authorized an additional penalty of \$2.50 for every parking offense, \$1.50 of which was dedicated to offset the bond indebtedness on the Civic Center courthouse; and

WHEREAS, On April 1, 2021, the City's bond indebtedness on the Civic Center Courthouse concluded and there is an ordinance pending before the Board of Supervisors to eliminate the Trial Courts Courthouse Construction Fund; and

WHEREAS, Since the City has retired its debt on this courthouse facility, the proposed Transportation Code legislation will reduce the corresponding fee which is added to parking citations; and

WHEREAS, After reducing the fee by \$1.50, the base fine parking fine will be rounded up by fifty cents for those fines below the state maximum of \$100 for a total decrease of \$1, and those above \$100 will be rounded down by fifty cents for a total decrease of \$2; and

WHEREAS, Pursuant to Charter Section 16.112, advertisements were placed in the City's official newspaper, the San Francisco Examiner, regarding this public hearing which ran on November 24-26, 2021, November 28, 2021 and December 1, 2021 to provide notice that the SFMTA Board of Directors will hold a public hearing on December 7, 2021, to consider the changes to parking fines associated with this action; and

WHEREAS, On October 22, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the Local Courthouse Assessment Fee Modification is not a "project" under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Sections 302 and 303 to reduce the Trial Courts Courthouse Construction fee for parking violations as a result of the fulfillment of the City's bond indebtedness on the Civic Center Courthouse on April 1, 2021.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 7, 2021.

---

Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

[Transportation Code – Trial Courts Courthouse Construction Fees]

**Resolution amending Division II of the Transportation Code to revise parking citation fine amounts as a result of the fulfillment of the City’s bond indebtedness on the Civic Center Courthouse.**

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 Section 302 and 303, to read as follows:

**SEC. 302. TRANSPORTATION CODE PENALTY SCHEDULE.**

Violation of any of the following subsections of the Transportation Code shall be punishable by the fines set forth below.

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2020**	FINE AMOUNT Effective July 1, 2021**
<b>PEDESTRIANS AND SIDEWALKS</b>			
Div I 7.2.10	Pedestrian Crossings	\$76	\$77
Div I 7.2.11	Electric Assistive Personal Mobility Devices	\$100	\$100
Div I 7.2.12	Bicycle Riding Restricted	\$100	\$100
Div I 7.2.13	NUV Violation	\$100	\$100
<b>ON-STREET PARKING</b>			
Div I 7.2.20	Residential Parking	\$95	<u>\$9796</u>
Div I 7.2.22	Street Cleaning	\$83	<u>\$8584</u>
Div I 7.2.23(a)	Parking Meter- Downtown Core	\$94	<u>\$9695</u>
Div I 7.2.23(b)	Parking Meter-Outside Downtown Core	\$84	<u>\$8786</u>
Div I 7.2.25	Red Zone	\$110	<u>\$110108</u>
Div I 7.2.26	Yellow Zone	\$110	<u>\$110108</u>
Div I 7.2.27	White Zone	\$110	<u>\$110108</u>
Div I 7.2.28	Green Zone	\$90	<u>\$9089</u>

<b>TRANSPORTATION CODE SECTION</b>	<b>DESCRIPTION</b>	<b>FINE AMOUNT Effective July 1, 2020**</b>	<b>FINE AMOUNT Effective July 1, 2021**</b>
Div I 7.2.29	Parking for Three Days	\$75	<u>\$7574</u>
Div I 7.2.30(a)	Overtime Parking Downtown Core	\$94	<u>\$9695</u>
Div I 7.2.30(b)	Overtime Parking Outside Downtown Core	\$84	<u>\$8786</u>
Div I 7.2.30(c)	Overtime Meter Parking Downtown Core	\$94	<u>\$9695</u>
Div I 7.2.30(d)	Overtime Meter Parking Outside Downtown Core	\$84	<u>\$8786</u>
Div I 7.2.32	Angled Parking	\$72	<u>\$7271</u>
Div I 7.2.33	Blocking Residential Door	\$59	<u>\$6059</u>
Div I 7.2.34	Median Dividers and Islands	\$95	<u>\$9796</u>
Div I 7.2.35	Parking on Grades	\$65	<u>\$6059</u>
Div I 7.2.36	100 Feet Oversize	\$110	<u>\$110108</u>
Div I 7.2.37	Motorcycle Parking	\$110	<u>\$110108</u>
Div I 7.2.38	Parking in Stand	\$110	<u>\$110108</u>
Div I 7.2.39	Parking Transit-Only	\$110	<u>\$110108</u>
Div I 7.2.40	Tow-Away Zone- Downtown Core	\$110	<u>\$110108</u>
Div I 7.2.41	Tow-Away Zone- Outside Downtown Core	\$110	<u>\$110108</u>
Div I 7.2.42	Parking Restrictions	\$110	<u>\$110108</u>
Div I 7.2.43	Parking-Public Property	\$79	<u>\$7978</u>
Div I 7.2.44	Misuse Disabled Parking Placard/License	\$866*	<u>\$866864*</u>
Div I 7.2.45	Temporary Parking Restriction	\$83	<u>\$8584</u>
Div I 7.2.46	Temporary Construction Zone	\$83	<u>\$8584</u>
Div I 7.2.47	Remove Chalk	\$110	<u>\$110108</u>
Div I 7.2.48	Repairing Vehicle	\$102	<u>\$104102</u>
Div I 7.2.49	Permit on Wrong Car	\$110	<u>\$110108</u>
Div I 7.2.50	Invalid Permit	\$110	<u>\$110108</u>
Div I 7.2.51	Parking Marked Space	\$65	<u>\$6766</u>
Div I 7.2.52	On-Street Car Share Parking	\$110	<u>\$110108</u>
Div I 7.2.54	Large Vehicle	\$110	<u>\$110108</u>
Div I 7.2.55	No Parking Zone	\$110	<u>\$110108</u>
<b>OFF-STREET PARKING</b>			
Div I 7.2.60	Parking Facility Charges	\$72	<u>\$7271</u>
Div I 7.2.61	Entrance/Exit Parking Facility	\$100	<u>\$10099</u>
Div I 7.2.62	Blocking Space Parking Facility	\$76	<u>\$7776</u>
Div I 7.2.63	Speeding within Parking Facility	\$100	<u>\$10099</u>
Div I 7.2.64	Block Charging Bay	\$110	<u>\$110108</u>
Div I 7.2.65	Overtime Parking - Off-Street Parking Meter	\$79	<u>\$7978</u>
Div I 7.2.66	Misuse Disabled Parking Placard/ License Plate	\$866*	<u>\$866864*</u>
Div II 1009	SFMTA Property	\$110	<u>\$110108</u>



<b>TRAFFIC REGULATIONS</b>			
Div I 7.2.70	Obstruction of Traffic-Vehicle	\$110	\$110
Div I 7.2.71	Obstruction of Traffic Without Permit	\$687	\$702
Div I 7.3.3	Obstruction of Traffic Without Permit	\$1,000, or six months in jail, or both (4th or more offenses within one year)	\$1,000, or six months in jail, or both (4th or more offenses within one year)
Div I 7.2.72	Driving in Transit-Only Area	\$89	\$91
Div I 7.2.73	Driving Through Parades	\$100	\$100
Div I 7.2.74	Streetcar Right-of-Way	\$100	\$100
Div I 7.2.75	Passing Safety Zones	\$100	\$100
Div I 7.2.76	Removal of Vehicles-Collision	\$100	\$100
Div I 7.2.77	Weight Restricted Streets	\$100	\$100
<b>COMMERCIAL VEHICLES</b>			
Div I 7.2.80	Vehicles for Hire Parking	\$110	<del>\$110</del> 108
Div I 7.2.81	Advertising Sign	\$110	<del>\$110</del> 108
Div I 7.2.82	Selling from Vehicle	\$110	<del>\$110</del> 108
Div I 7.2.83	Truck Loading Zone	\$110	<del>\$110</del> 108
Div I 7.2.84	Commercial Vehicle Parking Restrictions	\$110	<del>\$110</del> 108
Div I 7.2.86	Idling Engine While Parked	\$100	<del>\$100</del> 108
Div I 7.2.87	Commercial Passenger Vehicle Street Restrictions	\$110	<del>\$110</del> 108
Div. I 7.2.88	For Sale Sign	\$72	<del>\$72</del> 71
<b>TRANSIT VIOLATIONS</b>			
Div I 7.2.101	Fare Evasion	\$125	\$125
Div I 7.2.102	Passenger Misconduct	\$125	\$125
Div I 7.2.103	Fare Evasion – Youth Violation	\$64	\$64
Div I 7.2.104	Passenger Misconduct – Youth Violation	\$64	\$64
<b>SHARED MOBILITY DEVICE SERVICES VIOLATIONS</b>			
Div I 7.2.110	Shared Mobility Device Service Parking (Shared Mobility Device Service That Does Not Hold an SFMTA Permit or Authorization)		
	First offense	\$100	\$100
	Second offense within one year of first offense	\$200	\$200
	Third or subsequent offense with one year of first offense	\$500	\$500
Div I 7.2.110	Operating a Shared Mobility Device Service without a Permit or Authorization		
	First offense		\$2500
	Second offense within one year of the first offense		\$5000
Div I 7.2.110	Shared Mobility Device Service Parking (Shared Mobility Device Service Operators that Hold a SFMTA Permit or Authorization)	\$100	\$100
Div I 7.2.111	Powered Scooter Share Parking (Powered Scooter Share Operators That Do Not Hold A SFMTA Permit)		

	First offense	\$100	\$100
	Second offense within one year of first offense	\$200	\$200
	Third or subsequent offense within one year of first offense	\$500	\$500
Div I 7.2.111	Powered Scooter Share Parking (Powered Scooter Share Operators That Hold a SFMTA Permit)	\$100	\$100

\* This fine includes a 10% additional penalty assessment as mandated by California Vehicle Code 40203.6.

**\*\* Note:**

The California State Legislature has imposed additional fees applicable to all parking citations. As a result, the total fine amount for parking citations includes the following fees: \$4.50 for the state courthouse construction fee, ~~\$2.50~~1.00 for the local courthouse construction fee, and \$3 for the Trial Court Trust Fund fee.

**SEC. 303. CALIFORNIA VEHICLE CODE PENALTY SCHEDULE.**

Violation of any of the following subsections of the Vehicle Code (VC) shall be punishable by the fines set forth below. The fine amounts listed in this Section 303 shall apply to any citation issued using a former Traffic Code section number that is listed next to the corresponding Vehicle Code section below.

CODE	DESCRIPTION	FINE AMOUNT Effective July 1, 2020**	FINE AMOUNT Effective July 1, 2021**
VC4000A	No Evidence of Current Registration	\$209	\$209
VC4461C	Displaying Placard Not Issued to Person	\$866*	<del>\$866</del> <u>\$864</u> *
VC4462B	Improper Registered Plates	\$121	\$121
VC4463C	Fraudulent Display of Placard	\$866*	<del>\$866</del> <u>\$864</u> *
VC4464	Altered Plates	\$121	\$121
VC5200	Display License Plates	\$121	\$121
VC5201A	Plates/Mounting	\$121	\$121
VC5201B	Failure to Replace Temporary License Plates	\$121	\$121
VC5201C	Plate Cover	\$121	\$121
VC5202	No Plates	\$121	\$121
VC5204A	Tabs	\$121	\$121
VC21113A	School/Pub Ground	\$89	<del>\$91</del> <u>\$90</u>
VC21211 (38N)	Bicycle Path/Lanes	\$162	\$162
VC22500A	Parking in Intersection	\$110	<del>\$110</del> <u>\$108</u>
VC22500B	Parking in Crosswalk	\$110	<del>\$110</del> <u>\$108</u>
VC22500C	Safety Zone	\$110	<del>\$110</del> <u>\$108</u>
VC22500D	15 ft. Fire Station	\$110	<del>\$110</del> <u>\$108</u>

CODE	DESCRIPTION	FINE AMOUNT Effective July 1, 2020**	FINE AMOUNT Effective July 1, 2021**
VC22500E	Driveway	\$110	<del>\$110</del> 108
VC22500F	On Sidewalk	\$110	<del>\$110</del> 108
VC22500G	Excavation	\$76	<del>\$76</del> 76
VC22500H	Double Parking	\$110	<del>\$110</del> 108
VC22500I	Bus Zone	\$350	<del>\$350</del> 356
VC22500J	Tube or Tunnel	\$76	<del>\$76</del> 76
VC22500K	Bridge	\$76	<del>\$76</del> 76
VC22500L	Wheelchair Access	\$400	\$416
VC22500.1 (32.4.A)	Parking in Fire Lane	\$95	<del>\$95</del> 96
VC22502A	Over 18 inches From Curb	\$76	<del>\$76</del> 76
VC22502B	Wrong Way Parking	\$76	<del>\$76</del> 76
VC22502E	One-Way Road/Parking	\$76	<del>\$76</del> 76
VC22505B	Unauthorized Stopping	\$76	<del>\$76</del> 76
VC22507.8A	Parking in Blue Zone Without Placard/Plate	\$400	\$416
VC22507.8B	Blocking Access to Blue Zone	\$400	\$416
VC22507.8C	Parking in the Crosshatch Area Adjacent to a Blue Zone	\$400	\$416
VC22514	Fire Hydrant	\$110	<del>\$110</del> 108
VC22515A	Unattended Motor Vehicle	\$110	<del>\$110</del> 108
VC22515B	Unsecured Motor Vehicle	\$110	<del>\$110</del> 108
VC22516	Locked Vehicle	\$89	\$91
VC22521	Railroad Tracks	\$110	<del>\$110</del> 108
VC22522	W/3 ft Wheelchair Ramp	\$298*	\$298*
VC22523A	Abandoned Vehicle/Highway	\$241	\$246
VC22523B	Abandoned Vehicle/Public or Private Prop	\$241	\$246
VC22526A	Blocking Intersection	\$110	<del>\$110</del> 108
VC22526B	Blocking Intersection While Turning	\$110	<del>\$110</del> 108
VC23333	Park/Veh Crossing	\$162	\$162

\* This fine includes a 10% additional penalty assessment as mandated by California Vehicle Code 40203.6.

\*\* **Note:**

The California State Legislature has imposed additional fees applicable to all parking citations. As a result, the total fine amount for parking citations includes the following fees: \$4.50 for the state courthouse construction fee, ~~\$2.50~~1.00 for the local courthouse construction fee, and \$3.00 for the Trial Court Trust Fund fee.

Section 2. Effective Date. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

Section 3. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
JOHN I. KENNEDY  
Deputy City Attorney

n:\legana\as2021\2200121\01557813.docx

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 7, 2021.

\_\_\_\_\_  
Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency