

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Finance and Information Technology

BRIEF DESCRIPTION:

Amend Transportation Code, Division II, to repeal the Carpool Vehicle permit program, consolidate references to Residential Parking Program permits, correct previously omitted language establishing graduated fees for residential parking permits in excess of four per address, prohibit issuance of residential parking permits to vehicles over 6,000 pounds, change the fee for one-day residential parking permits depending on the quantity ordered, and clarify the requirements for residential parking permits issued to businesses.

SUMMARY:

- The SFMTA does not administer a carpool parking permit program; therefore, references to such a program in the Transportation Code should be repealed.
- Language establishing a restriction on issuing RPP permits to oversized vehicles and a graduated fee structure for more than four RPP permits per address were inadvertently removed in previous Transportation Code amendments and should be reinstated.
- In order to encourage bulk purchase of one-day flexible RPP permits and thereby reduce administrative processing time, a three-tiered bulk rate fee is proposed, reducing the price per permit for multiple permits purchased in a single order.
- Businesses operating within an RPP area are entitled to one permit per address. This legislation formalizes the practice of authorizing permits for both property owners and lessees of commercial property within RPP areas.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code, Division II Amendment

APPROVALS:

DATE

DIRECTOR _____

12/18/13

SECRETARY _____

12/18/13

ASSIGNED SFMTAB CALENDAR DATE: January 7, 2014

PURPOSE

Amend Transportation Code, Division II, to repeal the Carpool Vehicle permit program, consolidate references to Residential Parking Program permits, correct previously omitted language establishing graduated fees for residential parking permits in excess of four per address, prohibit issuance of residential parking permits to vehicles over 6,000 pounds, change the fee for one-day residential parking permits depending on the quantity ordered, and clarify the requirements for residential parking permits issued to businesses.

GOAL

Amending the Transportation Code as stated above will further the following goals of the Strategic Plan:

- Goal 1 – Create a safer transportation experience for everyone
- Goal 3 – Improve the environment and quality of life in San Francisco

DESCRIPTION

Carpool Program

The SFMTA does not administer an on-street parking permit program for Carpool vehicles and therefore, references to such a program should be repealed.

Graduated RPP Permit Fee

The Transportation Code limits the number of RPP permits issued to four per household without additional approval from the SFMTA. Previously the Transportation Code provided that five or more permits were subject to an incrementally higher fee (twice the annual fee for the fifth permit, three times the annual fee for the sixth permit, etc.). This structure was inadvertently removed from the Transportation Code and this legislation seeks to reestablish these fees.

Oversized Vehicles

RPP permits historically have been limited to vehicles with a gross weight of less than 6,000 pounds. The purpose of this change is to exclude recreational and other large vehicles which are not used as a primary means of transportation from RPP permit eligibility. This restriction was inadvertently removed from the Transportation Code and this legislation seeks to reestablish this requirement.

One Day Flexible RPP Permits

In early 2013, the SFMTA implemented a new one day RPP permit that allows customers to pre-purchase the permit and scratch off the date to activate it for use as needed. Prior to this, customers were required to provide the specific date for use at point of sale. Customer feedback has been positive, however, concern has been raised regarding the \$16 per day fee. Allowing customers to pre-purchase these permits in bulk reduces the per permit price and the SFMTA is proposing a graduated permit fee based on the number of permits purchased per order. The permit fee will be \$12 per permit for orders of one to five permits; \$10 per permit for six to 15 permits; and \$8 per permit for 16 to 20. One day permits are limited to 20 per address every 12 months.

Business Permits

Businesses operating within an RPP area are entitled to one permit per address, this legislation formalizes the practice of authorizing permits for both property owners and lessees of commercial property located within RPP areas.

ALTERNATIVES CONSIDERED

Carpool and RPP Business Permits

It was determined that leaving references to a non-existent Carpool program and current language regarding business permits would continue to result in customer confusion and it was preferred to amend the Code.

RPP One-Day Permit Tiered Fee Structure

Leaving the existing \$16 permit rate for these permits could result in unnecessary trips to the Customer Service Center by customers and an overall increase in processing time for these permits. Establishing a fee structure to reduce the number of overall orders and transactions is preferable.

Oversized vehicles and RPP Incremental Fee

These provisions were inadvertently removed from the Transportation Code previously and did not reflect a change in policy direction at that time. This language should be reinstated to reflect the current policy.

FUNDING IMPACT

Increased revenue associated with the change to one day RPP permits fee structure and the reinstatement of the graduated fee for RPP permits over four per household is expected to be negligible and will offset administrative costs associated with these programs. Other amendments in this resolution are technical in nature and have no fiscal impact.

PUBLISHED NOTICE AND PUBLIC HEARING

Pursuant to Charter Section 16.112 and Section 10 of the SFMTA Board of Directors' Rules of Order, published notice was provided in the City's official newspaper that the Board of Directors will hold a public hearing on January 7, 2014, to consider changes to Residential Parking permit fees including decreasing the fee for one-day permits depending on the quantity ordered and reestablishing graduated fees for permits issued in excess of four per address, and eliminating the Carpool Permit fee. In compliance with these requirements, the advertisement ran in the San Francisco Chronicle for a five-day period beginning on December 16, 2013.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The SFMTA, under the authority granted by the Planning Department, determined that some of the proposed changes are not a "project" for purposes of environmental review under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(c)(2) since the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Further, modifications to fees, fares, rates and charges are subject to the California Environmental Quality Act (CEQA). CEQA provides a statutory exemption from environmental review for the establishment, modification, structuring, restructuring or approval of rates, tolls, fares, and other charges pursuant to California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273, if these rates, tolls, and other charges will be used to meet operating expenses, including employee wage rates and fringe benefits, or purchase or lease supplies, equipment, or materials.

The SFMTA, under the authority granted by the Planning Department, determined that some of the proposed changes that involve rates, tolls, fares, and other charges are statutorily exempt from environmental review under the above cited provisions.

The SFMTA's determination is on file with the Secretary to the SFMTA Board of Directors. The proposed action is an Approval Action as defined by the S. F. Administrative Code Chapter 31.

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

RECOMMENDATION

The SFMTA recommends that the SFMTA Board of Directors amend Transportation Code, Division II, to repeal the Carpool Vehicle permit program, consolidate references to Residential Parking Program permits, correct previously omitted language establishing graduated fees for residential parking permits in excess of four per address, prohibit issuance of residential parking permits to vehicles over 6,000 pounds, change the fee for one-day residential parking permits depending on the quantity ordered, and clarify the requirements for residential parking permits issued to businesses.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The San Francisco Transportation Code contains references to a Carpool parking permit program that is non-existent; and

WHEREAS, Prior amendments to the San Francisco Transportation Code inadvertently eliminated restrictions for oversized vehicles receiving RPP permits as well as a graduated fee structure for permits approved in excess of four per address; and

WHEREAS, The SFMTA has introduced a one day flexible RPP permit that can be pre-purchased by customers which, by allowing purchase in bulk quantities, reduces the processing costs per permit at higher volumes; and

WHEREAS, The current definitions and requirement to obtain RPP permits for businesses operating with an RPP area are unclear, outdated and a source of confusion for SFMTA staff and customers; and,

WHEREAS, Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was provided in the City's official newspaper for a five-day period beginning on December 16, 2013, that the Board of Directors will hold a public hearing on January 7, 2014, to consider changes to Residential Parking permit fees including decreasing the fee for one-day permits depending on the quantity ordered and reestablishing graduated fees for permits issued in excess of four per address, and eliminating the Carpool Permit fee; and,

WHEREAS, Some of the proposed modifications to the Transportation Code are subject to environmental review under the California Environmental Quality Act (CEQA); and,

WHEREAS, The SFMTA, under the authority granted by the Planning Department, determined that some of the proposed changes are not a "project" for purposes of environmental review pursuant to Title 14 of the California Code of Regulations Section 15060(c)(2) since the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and,

WHEREAS, The SFMTA, under the authority granted by the Planning Department, determined that some of the proposed changes that involve rates, tolls, fares, and other charges are statutorily exempt from environmental review pursuant to California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273, because the anticipated revenues will be used to meet operating expenses, including employee wage rates and fringe benefits, or purchase or lease supplies, equipment, or materials; and,

WHEREAS, A copy of the SFMTA's determination is on file in the office of the Secretary for the SFMTA Board of Directors, and this approval is an Approval Action as defined by San Francisco Administrative Code Chapter 31; therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, to repeal the Carpool Vehicle permit program, consolidate references to Residential Parking Program permits, correct previously omitted language establishing graduated fees for residential parking permits in excess of four per address, prohibit issuance of residential parking permits to vehicles over 6,000 pounds, change the fee for one-day residential parking permits depending on the quantity ordered, and clarify the requirements for residential parking permits issued to businesses.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 7, 2014.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code - Various Parking Related Fees and Residential Parking Permit Requirements]

Resolution amending the Transportation Code, Division II, to repeal the Carpool Vehicle permit program, consolidate references to Residential Parking Program permits, correct previously omitted language establishing graduated fees for residential parking permits in excess of four per address, prohibit issuance of residential parking permits to vehicles over 6,000 pounds, change the fee for one-day residential parking permits depending on the quantity ordered, and clarify the requirements for residential parking permits issued to businesses.

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 900 of Division II of the Transportation Code is hereby amended by revising Sections 901, 902, and 905 and repealing Section 908, to read as follows:

SEC. 901. DEFINITIONS.

As used in this Article, the following words and phrases shall have the following meanings:

(a) **Contractor Permit.** A permit issued by the SFMTA that authorizes specified vehicles to Park at Parking Meters without making payment, and exempts such vehicles from certain Parking time restrictions.

(b) ~~——~~ **Carpool Group.** ~~A group of at least three and no more than six individuals who certify that they commute by motor vehicle to their work at the Institution from which they have requested a Carpool Permit.~~

~~(c) — **Carpool Permit.** A permit issued by the SFMTA that authorizes specified vehicles to Park in a Carpool Permit Parking Area subject to specified restrictions.~~

~~(d) — **Carpool Permit Parking Area.** Designated areas of Streets that are immediately adjacent to property owned or leased by an Institution in which Carpool Vehicles displaying a valid permit will be exempt from Parking restrictions established pursuant to this Article.~~

~~(e) — **Carpool Vehicle.** A motor vehicle not in excess of 6,000 pounds gross weight certified by a Transportation Broker as eligible to display a Carpool Permit to Park in a Carpool Permit Parking Area when used by at least three employees of the Institution to commute to and from work. A Carpool Vehicle shall include a Vanpool Vehicle.~~

~~(f) **Car Share Organization.** A public, private, or non-profit entity that provides preapproved members access to a citywide network of at least ten (10) motor vehicles in the City and County of San Francisco and meets the requirements set forth in the Transportation Code.~~

~~(g) **Car Share Vehicle.** A motor vehicle for which a Car Share Vehicle Parking Permit is issued by the SFMTA that authorizes the vehicle to Park in a designated on-street car share Parking Space.~~

~~(h) **On-Street Car Share Vehicle Parking Permit.** A permit issued by the SFMTA that authorizes such vehicle to Park in a designated on-street car share Parking Space without being subject to enforcement of Car Share Vehicle parking restrictions.~~

~~(i) **Educational Institution.** Any school or other place of learning providing a preschool, elementary or secondary level of study.~~

~~(j) **Institution.** A place of employment with more than 200 employees or an Educational Institution located in a primarily residential neighborhood, including but not limited to such facilities as an accredited college, university, hospital or sanitarium.~~

~~(k)~~ **City Vehicle.** A motor vehicle not in excess of 6,000 pounds gross weight owned by the City and County of San Francisco and used for official government business by a City employee.

~~(l)~~ **SFMTA Parking Permit.** A permit issued by the SFMTA that authorizes specified City vehicles, or City employees' personal vehicles, when used for official government business to Park at Parking Meters without making payment, and exempts such vehicles from certain Parking restrictions.

~~(m)~~ **Permittee.** The natural person, sole proprietorship, partnership, association, corporation, governmental or non-profit agency that is the named holder of a permit issued pursuant to this Article 900, and such person or entity's successors or assigns in interest. Only a natural person is eligible for a Residential Parking Permit.

~~(n)~~ **Person.** A natural person, sole proprietorship, partnership, association, corporation, governmental or non-profit agency, except that for the purposes of a Residential Parking Permit and a Carpool Permit, a "Person" shall mean a natural person.

~~(o)~~ **Residential Parking Permit.** A permit issued by the SFMTA to a specified vehicle that authorizes such vehicle to Park in the Residential Parking Permit Area without being subject to enforcement of Residential Parking Permit Area time restrictions.

~~(p)~~ **Residential Parking Permit Area.** A residential area designated pursuant to Section 905 wherein Resident Motor Vehicles displaying a valid Residential Parking Permit shall be exempt from specified Parking time restrictions.

~~(q)~~ **Special Traffic Permit.** A permit issued by the SFMTA that authorizes the obstruction of traffic for construction activities other than the Parking of vehicles at a specified construction site and subject to all permit conditions imposed by the SFMTA.

~~(r)~~ **Transportation Broker.** The authorized representative of an Institution, including but not limited to the principal or administrator of an Educational Institution, who has

primary responsibility for implementing the SFMTA's Parking permit program for that Institution and who is designated as the Institution's primary liaison with the SFMTA for all issues related to on-street Parking permits issued pursuant to this Article 900.

(s) **Vanpool Permit.** A permit issued by the SFMTA that authorizes specified Vanpool Vehicles to Park in a Vanpool Permit Parking Area subject to specified restrictions.

(t) **Vanpool Vehicle.** Any motor vehicle, other than a motor truck or truck tractor, designed for carrying more than six but not more than 15 Persons including the driver, which is maintained and used primarily for the non-profit work-related transportation of adults for the purpose of ride-sharing.

SEC. 902. GENERAL PERMIT CONDITIONS.

The following general provisions apply to all permits issued under this Article.

(a) **Application and Renewal.** Permit applications must be submitted on a form supplied by the SFMTA. All required application and any other fees must be paid and all permit requirements satisfied before a permit may be issued. The SFMTA may require any information of the applicant which it deems necessary to carry out the purposes of this Article. Permits may be renewed annually in compliance with any renewal procedures established by the SFMTA.

(b) **Display of Permit.** Permittees must maintain the permit at the site of the permitted activity and available for inspection in accordance with any requirements for permit display as may be established by the SFMTA, and shall make all permits available for inspection upon request by an employee of the Police Department or SFMTA.

(c) **Prior Payments Required.** No permit shall be issued or renewed until the applicant has paid all permit fees that are due to the SFMTA. No permit shall be issued to any applicant who is responsible for payment of one or more delinquent citations for violation of

any provision of this Code or the Vehicle Code until all fines and fees associated with the citation are paid in full.

(d) Permit Fees. Fees for permits issued pursuant to this Code are as follows:

**Table 902(d)
Permit Fee Schedule**

| | Effective July 1, 2012 | Effective July 1, 2013 |
|---|-----------------------------------|-----------------------------------|
| Special Traffic Permit (§ 903) | | |
| Base Permit Fee: | \$176.25 | \$179.75 |
| Daily Fee: | \$36.25 | \$37.00 |
| Late Fee: | \$201.25 | \$201.25 |
| Removal/Relocation Fee | | |
| Removal or relocation of each sign: | \$50.00 | \$50.00 |
| Removal or relocation of each pole: | \$75.00 | \$75.00 |
| Parking Space for the temporary relocation of colored curbs zones: | \$200.00 | \$200.00 |
| Parking Space for permanent relocation of colored curb zones, including painting: | \$350.00 | \$350.00 |
| Temporary Exclusive Use of Parking Meters (§ 904) | | |
| Base Permit Fee: per 25 linear feet of construction frontage per day, including weekends and holidays: | \$6.00 | \$7.00 |
| Residential Area Parking Permit (§ 905) | | |
| Residence and Commercial Property Owners/Leasees[±] <u>Resident/Business/School/Fire Station/Foreign Consulate/Medical & Childcare Provider Base Permit Fee:</u> | | |
| (one year): | \$104.00 | \$109.00 |

| | Effective July 1, 2012 | Effective July 1, 2013 |
|--|-----------------------------------|-----------------------------------|
| (<u>Less than</u> 6 months): | \$52.00 | \$54.00 |
| Permit Transfer Program: | \$16.00 | \$16.00 |
| Temporary/Visitor Permit | | |
| 1-Day Flex Permit Daily: | \$15.00 | \$16.00 |
| <u>1-5 permits per order</u> | | \$12.00 each permit |
| <u>6-15 permits per order</u> | | \$10.00 each permit |
| <u>15-20 permits per order</u> | | \$8.00 each permit |
| <u>Short-Term Permits</u> | | |
| 2 weeks: | \$35.00 | \$37.00 |
| 4 weeks: | \$52.00 | \$54.00 |
| 6 weeks: | \$69.00 | \$72.00 |
| 8 weeks: | \$88.00 | \$93.00 |
| Health Care Worker/Foreign Consulate/Childcare Provider Permits | | |
| First six months of permit year: | \$104.00 | \$109.00 |
| Last six months of permit year: | \$52.00 | \$54.00 |
| Yearly Educational Institution Permits: | \$104.00 | \$109.00 |
| Permit Transfer Fee: | \$15.00 | \$16.00 |
| Contractor Permit (§ 906) | | |
| Base Permit Fee | | |
| Annual/Renewal: | \$876.00 | \$920.00 |
| <u>Less than</u> 6 Months: | \$438.00 | \$460.00 |
| Permit Transfer Fee: | \$36.00 | \$37.00 |
| Vanpool Permit (§ 907) | | |
| Base Permit Fee | | |
| (per year): | \$104.00 | \$109.00 |
| (<u>Less than</u> 6 months): | \$52.00 | \$54.00 |
| Carpool Permit (§ 908) | | |

| | Effective July 1, 2012 | Effective July 1, 2013 |
|--|-----------------------------------|---------------------------------|
| Base Permit Fee | | |
| (per year): | \$104.00 | \$109.00 |
| (6 months): | \$52.00 | \$54.00 |
| SFMTA Permit (§ 910) | | |
| Annualized Parking Meter Use Fee calculation as set forth in Section 910 | | |
| On-Street Car Share Vehicle Permit (§ 911) | | |
| Base Permit Fee | | |
| Zone 1 | \$2,700.00 (\$225 per month) | \$2,700.00 (\$225 per month) |
| Zone 2 | \$1,800.00 (\$150 per month) | \$1,800.00 (\$150 per month) |
| Zone 3 | \$600.00 (\$50 per month) | \$600.00 (\$50 per month) |
| Vehicle Press Permit (§ 912) | | |
| Base Permit Fee: The permit fee shall only be increased pursuant to the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors. | \$52.00 effective January 1, 2013 | \$54.00 |
| Farmer's Market Parking Permit (§ 801(c)(17)) | | |
| Base Permit Fee (quarterly): | \$162.00 | \$170.00 |
| Temporary Street Closures Permits (Division I, Article 6) | | |
| Neighborhood Block Party | | |
| More than 60 days in advance: | \$154.00 | \$158.00 |
| Fewer than 60 days in advance: | \$205.00 | \$210.00 |
| Fewer than 30 days in advance: | \$410.00 | \$420.00 |
| Fewer than 7 days in advance: | \$461.00 | \$473.00 |

| | Effective July 1, 2012 | Effective July 1, 2013 |
|--------------------------------|-------------------------------|-------------------------------|
| All Other Events | | |
| More than 60 days in advance: | \$509.00 | \$522.00 |
| Fewer than 60 days in advance: | \$617.00 | \$632.00 |
| Fewer than 30 days in advance: | \$724.00 | \$741.00 |
| Fewer than 7 days in advance: | \$831.00 | \$852.00 |

(e) **Indemnification.** The permit application for Special Traffic Permits issued pursuant to Section 903, and permits for the Temporary and Exclusive Use of Parking Meters issued pursuant to Section 904, shall require the applicant to acknowledge that the Permittee, by acceptance of the permit, agrees to indemnify and hold the City and County of San Francisco, its departments, commissions, boards, officers, employees and agents ("Indemnitees") harmless from and against any and all claims, demands, actions or causes of action which may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit regardless of the negligence of the Indemnitees.

(f) **Rules and Regulations.** Compliance with all applicable rules and regulations and with all permit conditions shall be a material condition for the issuance or renewal of a permit.

(g) **Permit Revocation.** The Director of Transportation is authorized to revoke the permit of any Permittee found to be in violation of this Article and, upon written notice of revocation, the Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

SEC. 905. RESIDENTIAL PARKING PERMIT.

(a) **General Permit Requirements.**

(1) The Director of Transportation shall issue a Residential Parking Permit for use by a specified vehicle upon receipt of a written application from a qualifying property resident. No more than one Parking permit shall be issued to each vehicle for which application is made.

(2) The Parking privileges of a Residential Parking Permit do not extend to any vehicle with a gross weight in excess of 6,000 pounds, or any trailer, trailer coach, utility trailer, or any other type of vehicle as defined in the California Vehicle Code, whether separate from or attached to a motor vehicle displaying a Residential Parking Permit.

(3) A Residential Parking Permit does not guarantee or reserve to the Permittee an on-street parking space within a Residential Parking Permit Area.

(4) A Residential Parking Permit may be issued to residents of a Residential Parking Permit Area for motor vehicles registered out-of-state, provided that the applicant documents the resident's active military duty status.

(5) Each Residential Parking Permit shall be valid until the date indicated on the permit.

(6) Each Residential Parking Permit shall visibly indicate the particular Residential Parking Permit Area and the license number of the vehicle for which it was issued.

(b) **Permit Privileges.** Any vehicle that displays a valid Residential Parking Permit shall be permitted to Park in the Residential Parking Permit Area for which the permit has been issued notwithstanding posted time restrictions, but is not exempt from Parking restrictions established pursuant to any authority other than this Section 905.

(c) **Number of Permits.** No more than four Residential Parking Permits shall be issued to a single address. Residents may file a request for waiver of this limitation with the SFMTA to obtain additional permits. Factors to be considered by the Director of Transportation when determining whether or not to grant a permit include, but are not limited

to, the availability of on-street Parking in the requestor's residential area and demonstrated need. The Director of Transportation shall maintain public records for all waivers granted, including all documentation provided in support of approval. The annual fee for additional permits shall be twice the base annual permit fee for the fifth permit, three times the base annual permit fee for the sixth permit, and four times the base permit fee for any permits over six.

(d) **Application Requirements.**

(1) Each application for a permit or renewal of a permit shall contain information sufficient to:

(A) Identify the applicant;

(B) Identify the residence or real property address within a Residential Parking Permit Area;

(C) Establish that the applicant owns the property (has at least a one-quarter interest in the property) or leases the property (pays rent or other remuneration for use of the real property as the applicant's residence or place of business); and

(D) Identify the license number and provide proof of current California registration of the motor vehicle for which ~~for which~~ the permit would be issued.

(2) Residential Parking Permits may be issued for motor vehicles only upon application of the following Persons:

(A) A legal resident of the Residential Parking Permit Area who has a motor vehicle that is both registered in his or her name, and registered at his or her address within that Residential Parking Permit Area, or a legal resident of the Residential Parking Permit Area who has a motor vehicle for his or her exclusive use and under his or her control where said motor vehicle is registered or leased to his or her employer or a vanpool agency and he or she presents a valid employee identification card or other proof of employment that is acceptable to the SFMTA.

(B) A legal resident of a Residential Parking Permit Area who has become a resident within the past 30 days, or who has recently acquired a new vehicle.

(C) A Person who owns or leases commercial property and actively engages in business activity within a Residential Parking Permit area. However, a permit shall only be issued if the applicant presents a valid business ~~tax~~-registration or tax exemption certificate required by Article 12 of the San Francisco Business and Tax Regulations Code. No more than one permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a Person. The authority to qualify for a Residential Parking Permit pursuant to this subsection is transferable to a bona fide employee of the business. A business may purchase up to three additional permits for delivery vehicles provided that the vehicles are registered to the business' address and display commercial plates.

(D) A legal resident of a Residential Parking Permit Area for use by a bona fide visitor. Such a visitor permit shall have all the rights and privileges of a regular permit. Visitor permits shall be available for purchase on a daily or weekly basis. The issuance of daily visitor permits shall be limited to twenty permits that may be purchased by a residential address during any permit year.

(E) A full-time student who is a legal resident of the Residential Parking Permit Area who presents a valid current full-time class schedule issued by an Educational Institution located within the City.

(e) **Procedure for Designating Residential Parking Permit Areas.**

(1) Upon receipt of a petition on a form prescribed by the SFMTA by residents of at least 250 residential units in the residential area proposed for designation or residents living in 50 percent of the residential units in the area proposed for designation, the

City Traffic Engineer shall direct surveys or studies as necessary to determine whether a residential area is suitable as a Residential Parking Permit Area.

(2) The City Traffic Engineer shall make recommendations to the SFMTA Board of Directors regarding the proposed designation of new Residential Parking Permit Areas. Such recommendation shall include the proposed time restriction for Parking and the proposed days and times of enforcement. Before making any such recommendation to the SFMTA Board, the City Traffic Engineer shall ensure that the proposed area meets the following minimum qualifications for a Residential Parking Permit Area:

(A) A Residential Parking Permit Area must contain a minimum of one mile of street frontage.

(B) Objective criteria must establish that the proposed Residential Parking Permit Area is affected for extended periods by the Parking of motor vehicles that are not registered to an address within the proposed Residential Parking Permit Area.

(3) Nothing in this Section is intended to limit the SFMTA's ability to recommend a Residential Parking Permit Area on its own initiative for public hearing and approval by the SFMTA Board of Directors.

(f) **Criteria for Designating Residential Parking Permit Area.** In determining whether to recommend that a residential area be designated as a Residential Parking Permit Area, the City Traffic Engineer shall take into account factors which include but are not limited to the following:

(1) The extent of the desire and need of the residents for Residential Parking Permits and their willingness to bear the resulting administrative costs even if the SFMTA does so on its own initiative.

(2) The extent to which legal on-street Parking Spaces are occupied during the period proposed for Parking restrictions;

(3) The extent to which vehicles Parking in the area during the times of the proposed Parking restrictions are not registered to residents of proposed Residential Parking Permit Area; and

(4) The extent to which Motor Vehicles registered to Persons residing in the residential area cannot be accommodated by the number of available off-street Parking Spaces.

(g) **Additional Residential Parking Permits.**

(1) **Health Care Worker Permits.** The Director of Transportation is authorized to issue additional Parking Permits to residents of a Residential Parking Permit Area for use of Persons who, on a regular basis, provide health care or other related services essential to the well-being of the resident applicant, upon the certification by a licensed physician that such services are required. The Parking Permit issued to a resident for use by such Persons shall count towards the four Residential Parking Permits that may be issued to a single address pursuant to subsection (c).

(2) **Fire Station Permits.** Upon the request of the Fire Chief, the Director of Transportation shall issue to the officer in charge of a fire station within a residential Parking area that quarters more than one unit not more than 10 transferable Parking Permits and to the officer in charge of a fire station within a residential Parking area that quarters one unit, not more than five transferable Parking Permits for the exclusive use of uniformed members assigned to the station on a temporary basis because of staffing shortages. The Fire Chief shall adopt rules and regulations for the distribution of permits, consistent with this Code.

(3) **Educational Institution Permits.**

(A) Upon written request, the Director of Transportation shall issue transferable Parking permits to the Transportation Broker of an Educational Institution with at least 15 certificated employees or Persons regularly employed as classroom teachers and

located within a Residential Parking Permit Area valid between the hours of 8:00 a.m. to 6:00 p.m. on school days for the use of persons employed as teachers at such Institution who reside outside of the Residential Parking Permit Area.

(B) The Director of Transportation is authorized to issue a maximum of 15 annual permits per Educational Institution. The total number of permits issued to an Educational Institution under this Section 905 does not exceed the number of unrestricted on-street Parking available between an extension of each property line of said Institution to the middle of the Street upon which the Institution directly abuts, as determined by survey of the City Traffic Engineer.

(C) Upon written request from the Educational Institution documenting the need for more than 15 permits, the Director of Transportation may issue up to an additional five permits if the total number may not exceed the limitation in subsection 905(g)(3)(B) above, and if Parking occupancy in the Residential Parking Permit Area surrounding the Educational Institution is low enough to accommodate the additional permits. Regardless of parking availability on surrounding Streets, a qualifying Educational Institution shall be entitled to at least five permits.

(D) Each Parking permit issued pursuant to this Section 905(g)(3) shall be valid for one year and may be renewed annually. In distributing permits for a particular Educational Institution, the Transportation Broker shall give consideration to those teachers who are regularly carpooling to work.

(E) In addition to permits issued under subsection 905(g)(3)(A), the Director of Transportation may issue City-wide permits for teachers and school administrators employed by the San Francisco Unified School District (SFUSD) whose duties require them to travel to more than one school site and who have been approved by the Superintendent of the SFUSD, or his or her designee. For purposes of this Section, "school administrators" shall be

defined as those administrators who provide on-site, direct support to schools that have been identified as low-performing by SFUSD, the State of California, or the federal government. The permit shall exempt the holder from Residential Parking Permit Area regulations on weekdays between the hours of 8 a.m. and 6 p.m. when performing official functions for the SFUSD, and shall be valid for one year.

(4) **Foreign Consulate Permits.** One Residential Parking Permit may be issued upon application to foreign consulates located within a Residential Parking Permit Area, and up to a maximum of two additional Parking permits per consulate for the exclusive use of vehicles registered to the Consulate with the Department of Motor Vehicles.

(5) **Childcare Permits.** The Director of Transportation is authorized to issue a transferable Parking Permit to residents of a Residential Parking Permit Area for use of Persons who, on a regular basis, provide childcare services essential to the well-being of a child 12 years old or under who resides with the resident. Before a Parking Permit can be issued for a specific block, a resident(s) will be required to submit a petition on a form prescribed by the SFMTA from either ten residential units or fifty percent of the residential units on the block, whichever represents the smaller number of residential units, supporting the issuance of a Childcare Parking Permit. No single address shall be permitted to be issued or possess more than one Parking Permit for use by such Persons at any one time. The Parking Permit issued to a resident for use by such Persons shall count towards the four Residential Parking Permits that may be issued to a single address pursuant to subsection (c).

(h) **Procedure for Rescinding or Modifying Residential Parking Permit Areas.**

(1) Upon receipt of a petition on a form prescribed by the SFMTA by residents of at least fifty percent of the residential units in the designated residential area proposed to be rescinded, or the designated residential area proposed to be modified with

respect to existing parking restriction hours, effective times, or the residential area covered, the SFMTA shall direct surveys or studies as necessary to determine whether the residential area designation should be rescinded or modified.

(2) Nothing in this Section is intended to limit the SFMTA's ability to recommend on its own initiative for public hearing and approval by the SFMTA Board of Directors a Residential Parking Permit Area to be rescinded or modified with respect to existing parking restriction hours, effective times, or the residential area covered.

~~SEC. 908. CARPOOL VEHICLE PERMITS.~~

~~(a) — **Designation of Carpool Permit Parking Area.** The SFMTA may designate an area directly abutting an Institution as a Carpool Permit Parking Area in which vehicles of the employees of the Institution that display a valid permit may Park. For the purpose of a Carpool Permit, an Educational Institution must have at least 25 employees to be eligible for a Carpool Permit Parking Area.~~

~~(b) — **Designation Criteria.** The City Traffic Engineer shall conduct appropriate surveys and studies to develop information on the proposed Carpool Permit Parking Area, including but not limited to:~~

~~(1) — The extent of the desire and need of the Institution's management for Carpool Permit Parking.~~

~~(2) — The extent of the desires and needs of the Institution's employees for Carpool Permit Parking.~~

~~(3) — The extent to which the Institution has an active transportation system management implementation plan.~~

~~(4) — The availability of off street Parking facilities to accommodate Carpool Vehicles.~~

~~(5) — The availability of alternative modes of transportation to carpools such as vanpools and public transit.~~

~~(6) — The suitability of adjacent on-street parking to accommodate a Carpool Permit Parking Area, including the absence of Parking Meter Spaces, Residential Parking Permit Area regulations, tow-away zones, blue zones and yellow zones immediately adjacent to the Institution.~~

~~(c) — **Designation Process.** Carpool Permit Parking Areas shall be designated by resolution of the SFMTA Board of Directors. The resolution shall indicate the location, hours of enforcement and applicable Parking exemption for Carpool Vehicles. No Parking Spaces with Parking Meters, Residential Parking Permit Areas, tow-away regulations, or color curb markings shall be modified or rescinded to accommodate a Carpool Permit Parking Area.~~

~~(d) — **Carpool Group Application for Permit and Carpool Certification.**~~

~~(1) — A single application for a permit or renewal of a permit for each Carpool Group shall be made directly to the Transportation Broker by employees of an Institution in accordance with SFMTA approved procedures.~~

~~(2) — Applications shall at a minimum contain information sufficient to identify each carpool member, their residence address, the license numbers of the motor vehicles for which application is made, the place of employment and phone extension of each carpool member and their working shift time.~~

~~(3) — The certification portion of the group application shall include signatures of each member of the proposed Carpool Group certifying that:~~

~~(A) — They are in a carpool that commutes together to and from their place of employment.~~

~~(B) — They each understand that using a Carpool Permit to Park in the Carpool Permit Parking Area is only allowed when three or more individuals get to or from work in a single motor vehicle that is listed on the Carpool Permit.~~

~~(C) — They understand that a Carpool Permit is not a guarantee of the availability of on-street Parking for Carpool Vehicles.~~

~~(4) — Upon receipt of the Carpool Group application, the Transportation Broker shall verify the facts of the application and make a recommendation to SFMTA as to whether to approve or reject the application.~~

~~(5) — The City Traffic Engineer shall issue a single permit to an approved Carpool Group on which all vehicles that are authorized to use the permit and the expiration date of the permit shall be visibly displayed.~~

~~(e) — **Permit Privileges.** A Carpool Vehicle displaying a valid Carpool Permit shall be permitted to Park within the Carpool Permit Parking Area for which the permit has been issued without regard to parking restrictions posted on signs that display the words: "Except Vehicles with Carpool Permits." Carpool Vehicles shall not be exempt from any other Parking restrictions, or from the requirement of payment for Parking Meters. A Carpool Permit does not guarantee any on-street Parking availability within the Carpool Permit Parking Area.~~

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

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 7, 2014.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency