



To: SFMTA Board of Directors  
Gwyneth Borden, Chair  
Amanda Eaken, Vice Chair  
Steve Heminger, Director  
Fiona Hinze, Director  
Sharon Lai, Director  
Manny Yekutieli, Director

From: Jeffrey Tumlin, Director of Transportation *JT*

Through: Tom Maguire, Director Streets Division *TM*

Date: October 1, 2021

Subject: Parking Enforcement Update

This memorandum serves as a follow-up to the May 4, 2021 presentation outlining the plan to resume parking enforcement for vehicles with expired registered over six months, parking over 72 hours, and five or more overdue citations, in addition to proposals to expand fee discount and waiver programs to provide relief for people with low incomes and experiencing homelessness. In addition to providing an update on enforcement activities, the following specific requests for follow-up from Board Members are addressed:

1. What efforts are made to provide alternatives to towing vehicles?
2. How do we distinguish inhabited vehicles from others that are towed?
3. What is the fiscal impact of expanding citation waivers to 200% of poverty level?
4. How can we improve enrollment in discount and waiver programs?
5. Has the Office of Racial Equity & Inclusion evaluated towing policies?

## Background

In March 2020, when the city-wide Shelter-in-Place order was issued, most parking enforcement activities were suspended, including towing of vehicles not considered a hazard. At the time, it was believed this would last only several weeks. In June 2020, parking enforcement resumed for most regulations, including street cleaning, meters, and residential parking, in order to support parking availability for businesses and institutions and improve conditions in residential neighborhoods.

Prior to resuming towing for unpaid citations, expired registration, and parking more than 72 hours, SFMTA staff engaged with a coalition of advocacy groups and developed a list of recommendations to expand fee waivers and discounts to provide additional relief to people with low-incomes and experiencing homelessness. These recommendations were implemented in early June and are discussed in more detail below. The SFMTA already had administered the most comprehensive payment alternative and fee discount programs in the country for parking-related fees and remains committed to these efforts to minimize impacts of towing on our most vulnerable citizens. These programs include Community Service and Payment Plan programs for parking citations available to the general public and reduced or waived



enrollment fees for low-income customers. The Agency also provides discounts for first-time vehicle tows, as well as ongoing discounts or waivers for booted or towed vehicles for people with low incomes or experiencing homelessness.

The suspension of parking enforcement was very specific to the initial Covid crisis. As we continue to recover and the economy reopens, we have resumed most services, and whether it be returning transit service or enforcing parking regulations, including towing, we are doing so in the most thoughtful way possible focusing on ways to minimize financial burdens during this challenging time. As with so much of what we do, we must balance competing needs and priorities to keep our City moving, our streets and sidewalks safe, our neighborhoods livable and preserving access to businesses. In doing so, however, we remain committed to collaborating with our City partners to address the needs of our vulnerable populations.

### **City-Wide Approach to Addressing Vehicularly Housed Residents**

SFMTA Parking Enforcement works closely with the Department of Homelessness and Supportive Housing (DHS) and the Healthy Streets Operations Center (HSOC) to provide proactive outreach to people living in their vehicles. The primary goal of this work is to connect people living in their vehicles with health care, services, and alternative housing options. The population of people living in vehicles often has different needs than the population of people living in tents or otherwise on the streets. A large barrier for many of the people accessing services in the homelessness response system is figuring out where they would store their vehicle while accessing services. Others may not want to leave their vehicle for shelter, if such shelter is even available.

In November 2019, the City implemented a Vehicle Triage Center (VTC) pilot program located at SFMTA property in a parking lot near 2340 San Jose Avenue. Program participants, referred by the DHS's Homeless Outreach Team (HOT) Team, were able to store or reside in vehicles while accessing services. This program, managed by a non-profit, provided space for 29 recreational or passenger vehicles. Available services included bathrooms, showers, laundry, electricity, as well as 24/7 site monitoring, case management and medical treatment. The pilot program ended in March 2021, as the site was slated for development of affordable housing. Over the 18-month period, 78 clients were served with an average stay of 103 days.

The Fiscal Year 2022-2023 City budget includes funding for set-up and ongoing administration of two long-term VTC sites. The first site will be located in the Bayview and is slated to open in the Fall/Winter of 2021. The evaluation of a location for a second site on the west side of the City is ongoing.

The first VTC will be located at the Boat Launch Parking Lot at Candlestick Point Recreation Area. The location of this facility will prioritize support for the large encampment located on and around the Hunters Point Expressway, as well as in the surrounding neighborhoods. The site will provide a safe place to park and live in the vehicle and provide social services, hygiene facilities, potable water, electricity and 24/7 staff support. Prior to the opening of the Safe Parking Program, HSOC and HOT will conduct regular outreach to people living in vehicles in this area and facilitate the outreach and placement of people into the safe parking program.

As part of the commitment to the community, following this outreach process, HSOC will coordinate with City departments to resolve remaining encampments and address any reemergence of encampment activity. SFMTA staff will replace missing or damaged parking regulation signs and begin enforcing parking regulations in the area to prevent re-encampment.

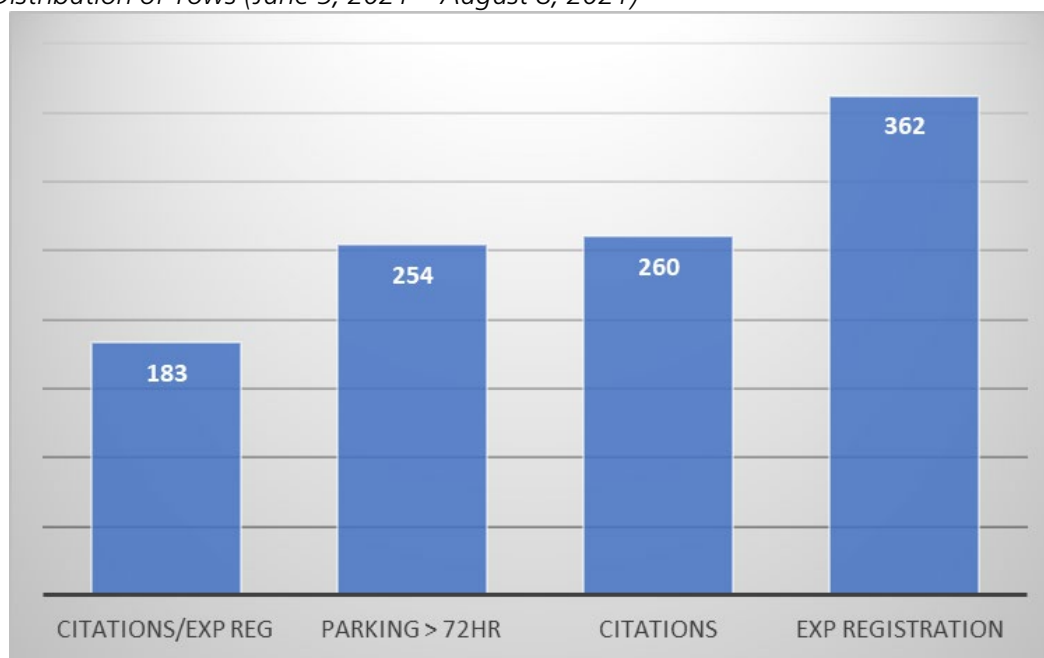
### Update on Parking Enforcement Activities

In early June 2020, SFMTA resumed enforcement of parking longer than 72 hours, expired registration and towing and booting of vehicles with five or more overdue citations. This work commenced with special consideration for vehicles appearing to be used for shelter. Parking Control Officers (PCO) look to see if the vehicle is occupied or appears to be used for shelter. When a vehicle’s owner is present the officer attempts to contact them and advise them of programs offered by SFMTA related to their citations. In addition, whether officers make contact or not, officers on site for 72-hour complaints will mark the vehicle to confirm the vehicle is or is not in violation. Vehicles not in violation will have no further action taken.

A similar process is followed for vehicles found to have overdue citations or expired registration and appear to be inhabited. If contact can be made with a vehicle’s occupants they are advised of penalty relief programs offered by the SFMTA to get their vehicle out of tow jeopardy. In these cases, PCOs coordinate directly with the City’s HOT Team to request support to these residents, providing information on services and options to become compliant with parking regulations.

In the first 60 days of resuming enforcement, a total of 1,059 vehicles were towed. This compares to an average of 1,329 vehicles towed for a 60-day period prior to the pandemic.

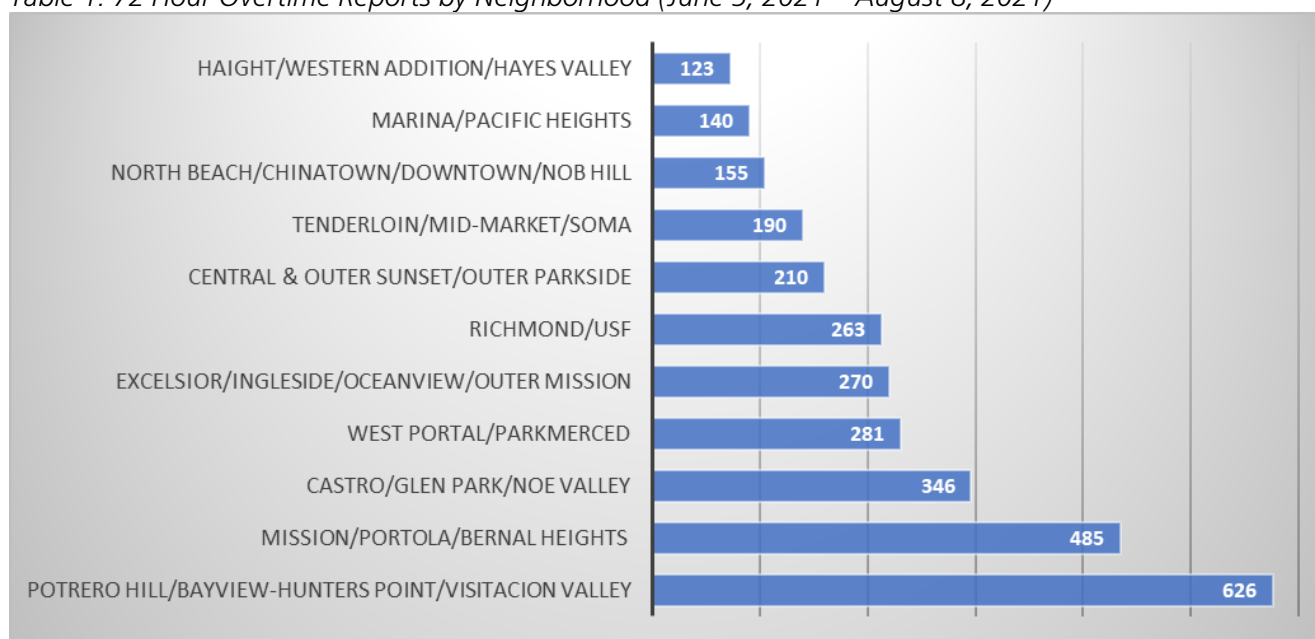
Table 1: Distribution of Tows (June 5, 2021 – August 8, 2021)



## Response to Neighborhood Requests

The California Vehicle Code authorizes local jurisdictions to adopt regulations prohibiting the parking of vehicles on streets or highways for 72 hours. This regulation has been adopted locally in San Francisco Transportation Code Section 7.2.29. This regulation serves not only the purpose of preventing long-term storage of vehicles on City streets but is also used for recovery of stolen vehicles as well as the removal of vehicles that are simply abandoned by owners. Enforcement is generally limited to responding to resident reports. In the first 60 days of resuming enforcement, 3,089 reports were received, resulting in 254 vehicles towed (8.5%) The overwhelming majority of these reports originated from residents in the southeastern part of the City, consistent with historical trends. Many areas in these neighborhoods have no parking regulations, such as street cleaning, which serves as a mechanism to promote turnover. The table below provides the distribution of reports by district. A detailed map can be found in Attachment 1.

*Table 1: 72-Hour Overtime Reports by Neighborhood (June 5, 2021 – August 8, 2021)*



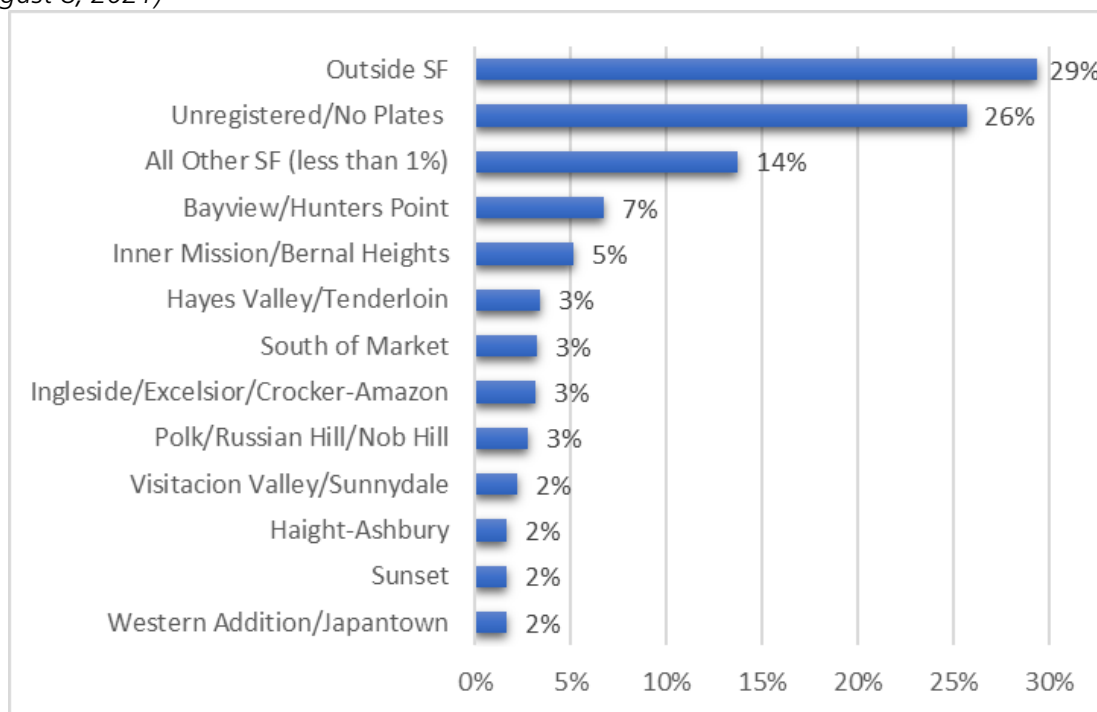
Enforcement during this time has prioritized the removal of vehicles that appear to be abandoned, with PCOs working closely with the HOT Team when coming across vehicles that appear to serve as shelter. A two-day grace period has also been added, bringing the total time to relocate the vehicle to five days, with the ability to request an additional five days if needed.

## Availability of Demographic Data Associated with Towed Vehicles

Information related to the income or ethnicity of owners of vehicles that are towed is not available for parking enforcement. Vehicles are issued citations or towed without the owner being present and in locations that do not necessarily correspond to the owner’s place of residence. Registered owner (RO) addresses can be used to determine whether residents in some neighborhoods have a higher proportion of

vehicles that are towed, however, in reviewing RO data for vehicles towed during this time, we found that 55% of these vehicles were unregistered or registered out-of-state, providing no information at all about the owners. The table below provides more detail on the analysis of the information available for vehicle towed for parking more than 72 hours, expired registration and five or more citations.

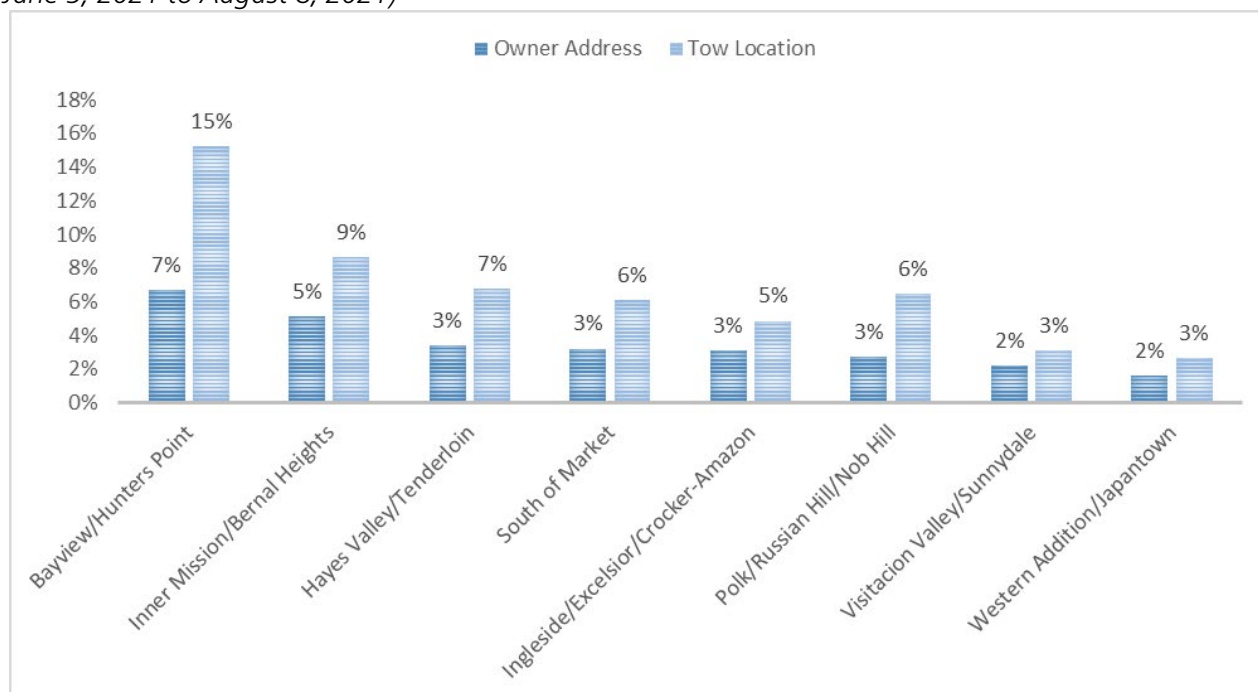
*Table 3: Registered Owner Address of Towed Vehicles for 72 Hours/Registration/Citations (June 4, 2021 and August 8, 2021)*



The table below provides a summary of the location of vehicles towed by neighborhood compared to the address of the RO of the vehicle. The overall number of vehicles towed is the highest in the Bayview/Hunters Point and Bernal Heights neighborhoods, consistent with the higher volume of neighborhood reports associated with abandoned vehicles. The lack of parking regulations in these areas lends itself to a higher likelihood of abandoned vehicles.

These areas also have higher rates of vehicles owned by residents being towed for these violations. SFMTA staff are in the process of developing a comprehensive outreach and education strategy to educate vehicle owners of their options to enroll in payment or community service or other programs to reduce the impact of towing in these areas.

Table 4: Location of Tow/Compared to RO Address for 72 Hours/Registration/Citations (June 5, 2021 to August 8, 2021)



### Recent Actions to Provide Relief/ Reduce Towing

As noted above, the SFMTA offers the nation’s most comprehensive program to provide relief for the most vulnerable populations as it relates to parking citations and towing. As part of our engagement over the past year with stakeholder groups, these programs have been expanded with additional changes planned in the near future to minimize the impact of towing. A summary of these changes is detailed below.

#### Completed

- One-time waiver of all outstanding citations for people experiencing homelessness, and the removal of late penalties on subsequent violations
- Added a warning notice to citations at/or near eligibility for boot or tow due to outstanding citations
- Added a notice to all citations issued for expired registration of the potential for towing at six months or more
- Extended notification for vehicle parked in one location from 3 days to 5 days, with additional extension of 5 days upon request
- Waived late penalties with enrollment (and successful completion) of low-income community service plans – reducing the number of service hours required
- Increased the per-hour credit for Community Service to \$17

### Planned

- Allow people experiencing homelessness receive credit for the Community Service program by receiving support services from participating providers
- Transitioning payment plan administration to Treasurer’s Office, leveraging their existing system to provide improved communication, including text message or e-mail reminders
- Evaluating a pilot program where vehicle owners can sign-up to receive a text message alert when their vehicle is subject to towing for certain violations
- Implementing a customer service portal to provide e-mail and text message notifications for parking citation issuance, payment deadlines, protest decisions, and notice when five or more citations have been issued

### **Expanding Citation Waivers**

As part of the expanded relief program, the SFMTA is now offering a one-time waiver of all parking citations for people experiencing homelessness. We were asked to evaluate the potential fiscal impact of expanding this waiver to anyone at or below 200% of the Federal Poverty Level (FPL). The table below summarizes the outstanding citations within the five-year maximum statutory collection period.

*Table 5: Outstanding Citations Eligible for Collection*

<b>Fiscal Year</b>	<b>Citations Issued</b>	<b># Open</b>	<b>\$ Open</b>
2017	1,325,256	149,729	29,500,688
2018	1,339,336	161,584	31,815,486
2019	1,306,501	167,728	33,629,999
2020	896,408	143,881	28,980,240
2021	1,085,352	340,764	52,316,742
<b>TOTAL</b>	<b>5,952,853</b>	<b>963,686</b>	<b>176,243,154</b>

According to census data, approximately 20% of San Francisco residents are below 200% of FPL. Assuming 20% of citations were issued to people with low incomes, the potential fiscal impact of expanding this waiver to all citations issued for the past five years would be \$35.2 million and \$16.3 million for the past two years. This estimate would be at the high end and does not consider what percentage of these citations would have gone unpaid regardless of a waiver. Budget reductions would be necessary in other SFMTA service areas to implement this expansion.

The SFMTA is committed to improving participation in the existing relief programs, partnering with community organizations and engaging the Office of Racial Equity and Inclusion to ensure that our strategies are culturally specific and reflect our racial equity strategies.

### **Next Steps**

The SFMTA is taking additional steps to evaluate the overall efficacy of towing practices in San Francisco, including labor and operating costs and fees.

### Tow Program Benchmark Study

The Controller's City Services Audit Division has been engaged to conduct an evaluation of towing practices in other municipalities, such as Los Angeles, Berkeley, Oakland, San Diego, New York, Chicago, etc. The study will look at the following:

- Volume/types of tows
- Contract/service approach
- Budget
- Fee structure model (cost recovery or limited)
- Availability of low-income/ waivers & other discount options

This study will help inform the structure and costs associated with the next Towing Services contract, as well as provide greater insight into the way jurisdictions structure their public fees for towing operations. This study is expected to be completed in early 2022.

### Towing Fee and Discount Program Eligibility Evaluation

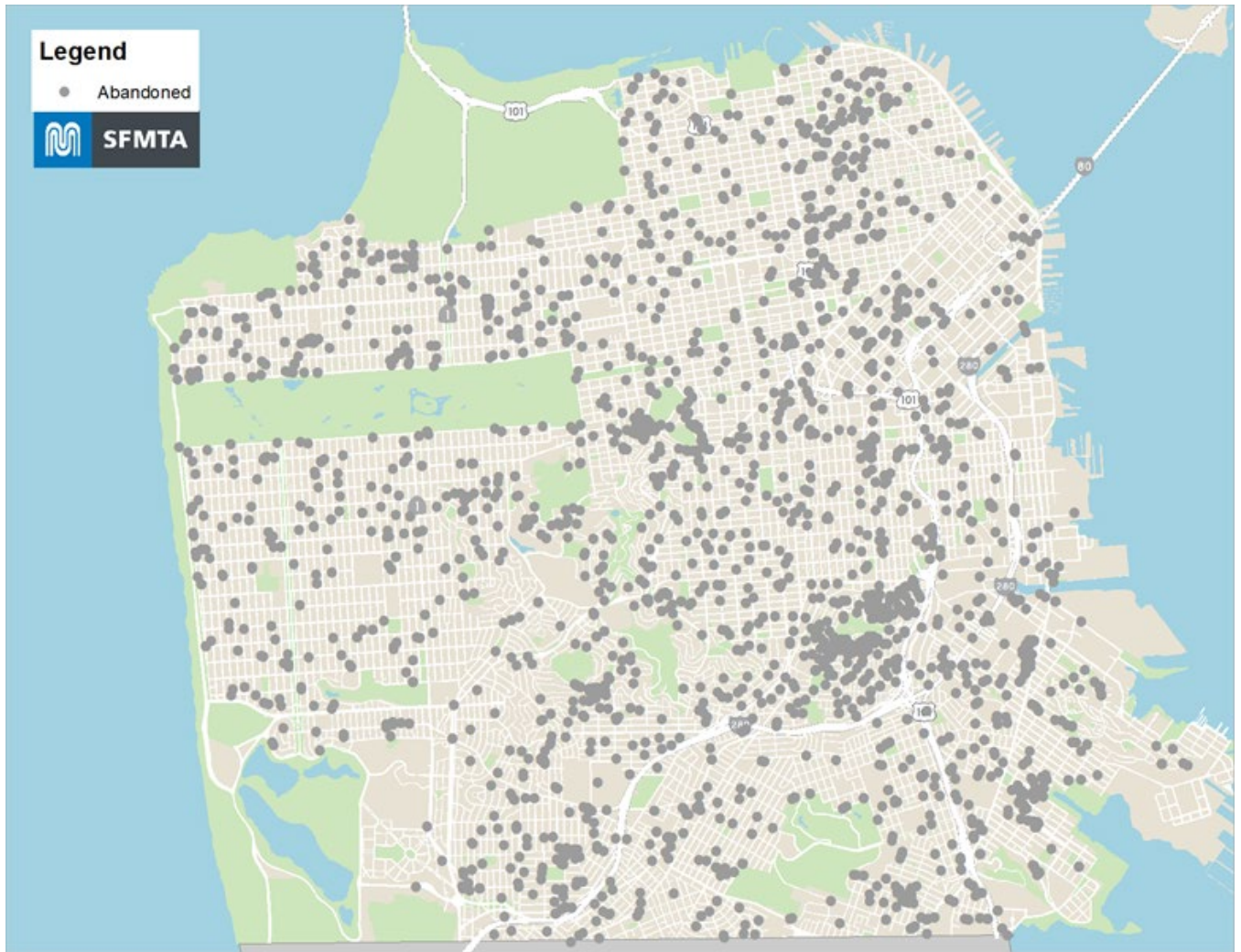
In preparation for the Fiscal Year 2023 and 2024 budget process, staff will be updating all cost recovery models and assessing the impact of changes to the discount program thresholds. This information will be presented to the Board in the context of the overall budget to examine the trade-offs.

### **Summary**

Parking enforcement plays a vital role in managing our streets and ensuring compliance with state and local regulations. At the same time, the SFMTA has demonstrated, through the ongoing implementation of new and expanded discount programs, its commitment to providing relief to vulnerable populations, while balancing the need to deter illegal parking behavior in our neighborhood and commercial districts. We look forward to continuing this dialogue with the Board of Directors and stakeholders on this important topic.



Attachment 1: 72-Hour Abandoned Vehicle Reports (June 4, 2021 – August 8, 2021)



Attachment 2: Distribution of Tow Locations/Vehicle Owner Address (June 4, 2021 – August 8, 2021)

