

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: JUL 18, 2017

NUMBER: 7.07 – TRAFFIC

SUBJECT: PARKING ENFORCEMENT PROCEDURES

RELATED POLICY: N/A

ORIGINATING DIVISION: TRAFFIC

NEW PROCEDURE:

PROCEDURAL CHANGE: **EXTENSIVE CHANGES**

SUPERSEDES: DP 7.07 – 8/16/2013

I. PURPOSE

This Department procedure establishes guidelines for the administration, processing and enforcement of parking violations.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

Traffic Division's Parking Enforcement Unit has primary responsibility for enforcing the City's parking regulations, as well as enforcement of all statutory parking violations.

Police Department personnel will continue to provide support to Parking Enforcement personnel in the field and take action on observed violations.

IV. ISSUANCE OF A PARKING VIOLATION NOTICE

A. Parking violation notices are used primarily to regulate parking on City streets and City property. A Parking Citation form (PD-1505) may be used to issue parking violations by marking the boxes on the face of the citation and circling the dollar amount of the fine. Information needed to complete the form is included on the flap of the citation book.

1. The field marked “AGY” on the Parking Citation form represents the issuing agency. It is imperative that Department members, other than Parking Enforcement personnel, enter only the letter “S” in this field. No other markings shall be entered into this field. The “S” designation identifies the San Diego Police Department as the issuing agency.
 2. In July 1993, Assembly Bill 408 became law decriminalizing parking citations. The California Vehicle Code outlines the civil procedures for the appeal and collection process of parking citations. Initial reviews (first level) of parking citations are conducted by the Parking Administration of the City Treasurer, as allowed by law as the processing agency. Administrative hearings (second level) are conducted by contracted Hearing Officers. Final reviews (third level) are conducted by the Superior Court. By law, issuing officers are not required to appear for any level of the appeal process. Trial by Declarations are no longer conducted for parking citations; therefore, Department members are no longer required to place a division designator any place on the Parking Citation form.
 3. Citation Form Use
 - a. Traffic Warning forms (PD-519) and Notice to Appear forms (PD-177) are not to be used for parking violations.
 - b. The Parking Citation form (PD-1505) is to be used exclusively for vehicle parking violations of the San Diego Municipal Code or the California Vehicle Code. Sections 4000(a) CVC and 4462(b) CVC are not parking violations and are not to be enforced using the Parking Citation form (PD-1505).
 4. Only one violation may be placed on each Parking Citation form (PD-1505).
 5. If the vehicle is occupied, the driver's name, address, and driver's license number should be written on the remarks line. This additional information will assist in identifying those persons driving a vehicle that is not registered to them.
- B. To encourage the turnover of parking spaces, and discourage those individuals who would rather receive one citation per day than move their vehicle, a multiple citation policy has been adopted.
1. Vehicles parked in metered or signed zones with hourly restrictions (e.g., one-, two-, or three-hour zones) may be issued multiple citations up to a maximum of two like citations per day. The posted time limits of one hour and more shall dictate the frequency of the citations (i.e., vehicles parked in a two-hour zone may receive an additional citation after two

hours, vehicles parked in a three-hour zone must have three hours between the first and second citation). Zones of one hour or less require one hour to have passed between the first and second citation. A maximum of three parking citations per vehicle per day, at any given location, may be issued.

2. Vehicles cited for parking violations may be issued one additional citation for the same violation each day. The following violations may not receive a second citation:

NEW	a.	86.0126 SDMC	Expired Meter
	b.	22507.8 CVC	Disabled Parking Only
	c.	22500 (i) CVC	Bus Zone
	d.	22502 (a) CVC	Right Wheels Over 18" From Curb
	e.	22502 (e) CVC	One Way Street, Left Wheels Over 18" From Curb
	f.	22521 CVC	Within 7 ½" of Railroad Track
	g.	22522 CVC	Sidewalk Access Ramp
NEW	h.	86.0102 SDMC	Out of Stall
	i.	86.0103 SDMC	One Way Street-Over 18" From Curb
NEW	j.	86.0111 SDMC	Wheel Cramping-Hill
	k.	86.0113 SDMC	Private Property
	l.	86.0124 SDMC	Out of Stall-Meter
NEW	m.	86.0132 SDMC	City Property-Out of Stall
	n.	86.0137(g) SDMC	Vehicle not Move 1/10 mile in 72 Hours
NEW	o.	86.0137(h) SDMC	Inoperable Vehicle Parked Over 4 Hours
	p.	5204 (a) CVC	Current Registration Not Displayed
	q.	22500 (l) CVC	Sidewalk Access Ramp
	r.	86.0137(i) SDMC	Unattached Trailer
NEW	s.	86.0152 SDMC	Misuse of Disabled Placard

V. EXEMPTIONS FROM PARKING CITATIONS

San Diego Municipal Code Section 81.0104 requires drivers of City vehicles to comply with all parking regulations. However, vehicles with the following descriptions are exempt from parking citations either by law or by policy:

A. Official Vehicles

1. Official vehicles displaying "exempt" license plates may park at meters without payment. They are also permitted to park longer than the time limit posted on meters and posted time-restricted zones, such as 15-minute or 2-hour zones. This exemption does not apply to commercial loading zones, red zones, bus stops, taxi stands, and passenger (white) zones that are otherwise reserved for special types of vehicles or specific activities. All other violations are subject to citation.

2. Department vehicles not displaying “exempt” license plates are not authorized to park at meters without payment. Individual or unit designed placards are not covered by law or Department policy. These unofficial and unauthorized placards displayed in vehicles do not exempt members from parking regulations and as such, parking citations will be issued.
3. Official vehicles displaying US Government license plates may park at meters without payment; however, they are subject to citations for violation of 86.0127 SDMC-Overtime at Meters. In all other circumstances, government vehicles should receive standard enforcement.

NEW

- B. Emergency vehicles - during emergency responses or rescue missions (e.g., law enforcement vehicles, firefighting equipment, or ambulances), as directed by Sections 165 and 21055 CVC.
- C. Private service vehicles - plumbers, electricians and other maintenance or repair personnel who are on emergency calls may park longer than the limit on the meter. The meter, however, must be fed the entire time. If the meter shows a violation, a parking citation shall be written. If the repairs will take longer than one day, meter placards must be obtained. Meter placards may be obtained from Development Services at (619) 446-5150.
- D. Commercial vehicles - commercial vehicles may park in commercial loading (yellow) zones for the purpose of loading or unloading for 20 minutes. Commercial vehicles involved in the transportation of passengers (e.g., taxi cabs and buses) are allowed only three minutes of active loading/unloading in commercial loading (yellow) zones. Officers may exercise discretion for non-commercial vehicles parked temporarily in loading zones, if they are actively engaged in loading or unloading large, heavy items.
- E. Utility vehicles - utility vehicles, publicly or privately owned, are exempt from many parking regulations, providing:
 1. The vehicles are required to complete the construction or repair;
 2. The work being performed is upon, in, over, under or adjacent to the vehicle;
 3. The vehicle is not creating an immediate hazard and the location of the work being performed is prominently displayed;
 4. There are warning devices displayed (e.g., cones, barricades with lights). Sections 22512 CVC and 81.0105 SDMC specifically allow these exemptions.

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F. News Media Vehicles

NEW

1. The Media Services Unit shall issue a blue news media placard to news media vehicles. The placard will bear an expiration date. If the placard is expired, it is not valid and will not be honored.
 - a. The placard shall include the number of the media credential holder to whom it is assigned.
 - b. A record shall be maintained of those placards issued by the Media Services Unit.
2. Only news media vehicles displaying a valid blue placard are exempt from the following parking restrictions:
 - a. Yellow zones;
 - b. White zones;
 - c. Green zones;
 - d. Timed zones; and,
 - e. Parking meters.
3. Complaints regarding parking citations issued to news media vehicles shall be investigated by the issuing officer's supervisor. A request for dismissal will be processed in the same manner as other requests for dismissal.

G. Temporary signs - violations of temporary "No Parking" or "Tow Away" signs are enforced on a complaint basis only. Violations of street sweeping signs are an exception. These are enforced by the Storm Water Department.

NEW

1. The officer must determine that the signs were posted 24 hours prior to any enforcement action per, 82.30(a)(3) SDMC.
2. The posting time should be provided by the complainant, whose name and company name should be included on the citation and/or impound form in the remarks section.
3. Refer to Department Procedure 7.08, Vehicle Towing/Impound and Release Procedures, for information regarding the impounding of vehicles for temporary sign violations.

- H. Disabled persons' license plates - the Department of Motor Vehicles issues several forms of identification for vehicles transporting disabled persons. The most common is the plastic disabled person placard. It can be transferred from vehicle to vehicle and should be suspended from the rear view mirror or, if there is no rear view mirror, placed on the dashboard of the vehicle. The Department of Motor Vehicles furnishes an identification card to the owner of the placard. This can be verified if fraudulent use of the placard is suspected.
1. Disabled Person (DP) and Disabled Veteran (DV) license plates are reflectorized and generally contain the DP or DV designation and five numbers.
 2. Environmental (personalized) license plates with a disabled person's sticker are no longer issued by the DMV. Disabled persons driving vehicles with environmental license plates must also display the disabled person placard.
 3. Disabled persons driving vehicles with any of the above are exempt from having to put money in meters, the restrictions of preferential residential parking areas, and from time limitations in all other zones where length of time is the only limitation. This exemption does not apply to loading zones, red zones, bus stops, taxi stands, and passenger (white) zones that are otherwise reserved for special types of vehicles or specific activities. Placards or plates issued by foreign jurisdictions are granted the same parking privileges.
- I. Disabled persons' parking stall - disabled persons' parking spaces on public property and on publicly-owned, but privately leased, property are installed at various locations throughout the City. Enforcement is the primary responsibility of the Parking Enforcement Unit. Police personnel shall issue citations when such violations come to their attention.

Disabled persons or anyone transporting those persons in a vehicle that is equipped with a lift, ramp, or assistive equipment may park in not more than two adjacent stalls or spaces on a street or highway or in a public or private off-street parking facility, per 22511.85 CVC.

Disabled persons or handicapped zones are indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space and a sign posted immediately adjacent to, and visible from, each stall or space, consisting of a profile view of a wheelchair with an occupant in white on a blue background.

VI. 72-HOUR/INOPERABLE VEHICLE/HEAVY DUTY COMMERCIAL VEHICLES

A. 86.0137(g) SDMC states that no person shall store or cause to be stored any vehicle upon any street. A vehicle shall be considered to be stored when it has been left standing on a street without having been moved more than 1/10th of a mile within a 72-consecutive hour period (Refer to Department Procedure 7.08, Vehicle Towing/Impound and Release Procedures for information regarding impounds for 72-hour violations).

NEW

B. 86.0137(h) SDMC states that no person shall leave standing any inoperable vehicle on any street for more than four consecutive hours. A vehicle is considered to be inoperable when it is wrecked, burned, dismantled, lacks a motor, transmission or wheels, is on blocks, or is otherwise incapable of being driven upon the highway in conformity with the requirements of the Vehicle Code (Refer to Department Procedure 7.08, Vehicle Towing/ Impound and Release Procedures for information regarding impounding vehicles for inoperable violations).

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C. 86.0149 SDMC states that no person shall park any heavy-duty commercial vehicle (manufacturer's gross vehicle weight rating of 10,001 pounds or more) on a street in any residential district. The following exceptions apply:

1. While loading or unloading property;
2. When the vehicle is parked in connection with, and in aid of, the performance of a service to, or on a property in, the block in which such vehicle is parked; or,
3. When the vehicle is parked immediately in front of, or alongside, a premise actively devoted to industry.

VII. PROCEDURES FOR ISSUANCE OF PARKING CITATIONS ON PRIVATE PROPERTY

Field units may legally issue parking citations to unauthorized vehicles parked on private property in chronic or aggravated situations when a complaint is received from the property owner or person in control of the property, and the property is lawfully posted, advising that citations may be issued.

A. Enforcement of fire lanes and handicapped spaces does not require citizen complaints. Fire-Rescue Department personnel also enforce these violations during routine inspections (Refer to Department Procedure 7.08, Vehicle Towing/Impound, and Release Procedures for information regarding the impounding of vehicles from private property).

- B. Retired Senior Volunteer Patrol (RSVP) personnel may be utilized to provide disabled parking enforcement, enforcing violations of handicapped parking that occur on private property (shopping centers, etc.), when such spaces are properly posted and designated with blue signs and markings pursuant to 22511.8 CVC.

VIII. PEDICAB PARKING ENFORCEMENT

The San Diego Municipal Code provides authority to cite pedicabs for parking violations. As a result, pedicab owners or operators are subject to the same rights and responsibilities related to motor vehicle parking violations. Officers may cite a pedicab for the same violations applicable to a motor vehicle, except those provisions that, by their nature, can have no application.

The San Diego Municipal Code allows for Pedicab Parking Zones. Pedicab Parking Zones may be established in areas with a high concentration of pedicabs. The zones will be clearly marked and will indicate the number of pedicabs allowed in each zone and time restrictions, if applicable. Zones are designated to provide a safe place for pedicabs to stop, rest, and wait for a fare.

Officers shall cite pedicabs using a standard parking violation notice (PD-1505). The parking fees shall correspond to parking fees established for motor vehicles.

- A. The DMV file code should be left blank.
- B. The STATE box should indicate "PC" for pedicab.
- C. The LIC# and VIN# boxes should list the five digit pedicab identification number located on the rear of the pedicab or stamped on the frame near the seat tube or trailer draw bar.
- D. The EXP DATE box should be left blank.
- E. The MAKE should indicate the manufacturer of the pedicab if available. If the manufacturer is unknown, it should be left blank.
- F. The BODY box should indicate "Pedicab" if the cab is a three-wheel pedicab or "Pedicab Trailer" if the cab is a pedicab trailer attached to a bicycle.

If the pedicab is occupied, the operator's name and address should be written on the remarks line. This additional information will assist in identifying those persons operating a pedicab not owned by them.

If a pedicab parking violation is not listed on the parking citation, the violations should be hand written on the parking citation as "70 OTHER" with a brief description of the violation and a corresponding fee.

IX. PARKING ENFORCEMENT PROCEDURES INVOLVING PARKING ENFORCEMENT OFFICERS

- A. Department members shall refrain from requesting Parking Enforcement Officers to meet with citizens to discuss recently issued parking citations. Officers shall, instead, inform citizens of the citation appeals process listed on the reverse side of the parking citations form.
- B. Off-duty Department members shall not attempt to contact Parking Enforcement Officers through Police Communications Division or through the use of a police radio to return to the scene where a parking citation was issued to meet and discuss a citation issued to a personal vehicle.

X. MISCELLANEOUS

- A. All registrations expire on the last date of the month for expired registration enforcement purposes. Enforcement action is not to be taken until one full calendar month after expiration. For example, if the registration expires any day in June, enforcement would begin on August 1st of that year.
- B. Pearl Harbor Survivor plates are new seven digit plates; three letters, "PHS", followed by four numbers. Purple Heart plates are six digit plates; four numbers followed by two letters, "PH". When issuing citations to these plates, DMV file code "S" is to be used. No parking exemptions are afforded vehicles bearing these plates.
- C. When issuing parking citations to vehicles displaying dealer plates, write or enter the dealer plate number, not the Vehicle Identification Number (VIN). Record only the large numbers shown on the license plate. Do not include the sub-plate numbers in the lower right-hand corner (123A). The DMV file code will be "D" and, since these license plates move from vehicle to vehicle, the complete VIN should be entered in the remarks section.
- D. Any attended or unattended vehicle parked (or standing) in a fire lane designated by the Fire-Rescue Department with a red curb and stenciled with "FIRE LANE" or a sign adjacent to and visible from the designated place may be issued a parking citation 86.0116 SDMC). Unattended vehicles in violation may be towed only when obstructing emergency vehicle access.
- E. Vehicles parked in a passenger loading zone will be allowed the legal limit of three minutes only if actively loading or unloading passengers. Vehicles parked in passenger zones in front of hotels, preschools, elementary schools and convalescent homes will be allowed ten minutes.