

### ***Disabled placard valid but not properly displayed***

Pursuant to California Vehicle Code §40226, an issuing agency may charge an administrative fee not to exceed twenty-five dollars (\$25) to process cancellation of a citation in any case where the individual who received the citation can show proof that he or she had been issued a valid placard at the time the citation was received. In such cases, the administrative fee is charged in lieu of collecting a fine for failure to display a disabled placard.

For appeals processed by City staff, the administrative fee charged for processing cancellations under these conditions is currently set at fifteen dollars (\$15) for each citation cancelled.

#### VERIFICATION FROM CONTESTEE

If the contestee states that the disabled placard was not properly displayed then the following documentation should be provided supporting the appeal:

If the contestee is the driver and the placard holder:

1. Letter of Appeal
2. Copy of the driver's *Placard Identification Card*

If the contestee is not the driver and the driver is the placard holder:

1. Signed letter of appeal from the driver
2. Copy of the driver's *Placard Identification Card*
3. Copy of the driver's *Driver's License*

If the contestee is the driver and the driver was transporting a passenger with a disabled placard at the time of the violation:

1. Letter of appeal from the driver
2. Signed letter from the placard holder stating that he/she was being transported by the driver at the time of the violation
3. Copy of the passenger's *Placard Identification Card*
4. Copy of the passenger's *Drivers' License or ID Card*

If the contestee is not the driver and the driver was transporting a passenger with a disabled placard at the time of the violation:

1. Signed letter of appeal from the driver
2. Copy of driver's license
3. Signed letter from the placard holder stating that he/she was being transported by the driver at the time of the violation
4. Copy of the passenger's *Placard Identification Card*
5. Copy of the passenger's driver's license

#### VERIFICATION BY INVESTIGATION

1. Verify that signatures on required "signed letters" match signatures on required copies of signer's *Driver's License*
2. If the authenticity of the *Placard Identification Card* is in doubt then verify through CLETS/AP that the Identification Card information is valid

3. If a copy of the *Placard Identification Card* is not provided but the placard number is provided, then the *Placard Identification Card* information should be obtained and verified by checking CLETS/AP
4. Review citation information to confirm that the vehicle was parked in a disabled person parking stall, parking meter or time limit zones, or residential permit parking area and not parked in a cross-hatch, no parking or tow-away zone, passenger loading zone (over 10 minutes) or commercial loading zone

#### DECISION

The citation should be upheld and the fine reduced to a \$15 processing fee if all of the following are true:

- Disabled Placard was valid on the date the citation was issued
- Disabled Placard holder was a driver or passenger of the vehicle at the time and place cited
- The vehicle was parked in a manner otherwise legal if the Disabled Placard was properly displayed (disabled person parking stall, parking meter or time limit zones, or residential permit parking area)
- The vehicle was not parked in a cross-hatch, no parking or tow-Away zone, passenger loading zone (over 10 minutes) or commercial loading zone

If the vehicle was parked in a cross-hatch, no parking or tow-Away zone, passenger loading zone (over 10 minutes) or commercial loading zone, the review request should also be processed using the guideline for *Curb Painting/Coloring or Not Clearly Marked/Visible* and or any other relevant guideline.

If the vehicle was parked in a parking meter or time limit zones, or residential permit parking area, then the review request should also be processed using the guidelines relevant to those violations.

All other citations should be upheld.

**DISMISSAL AUTHORITY:** California Vehicle Code §40226 (reduction of fine to processing fee)

**Comments:** These requests are often made by the same person, numerous times. It is important to keep in mind that we want to discourage the abuse of Disabled Parking privileges and not discourage the legitimate use.

Disabled Person Placard, Disabled Person License Plates, or Disabled Veteran License Plates properly displayed allow a vehicle to park in designated Disabled Person Parking stalls, at parking meters and time limited zones without restriction to the time limits, and in areas where preferential parking is granted to businesses or residents such as our Residential Permit Parking Areas. Parking at Red Zones, No Parking or Tow-Away Zones, Passenger Loading Zones (over 10 minutes) or Commercial Loading Zones is not allowed.