

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 12-024

WHEREAS, The Transportation Code prohibits riding bicycles on sidewalks, vehicles obstructing traffic and double parking, which are all subject to a citation and fine amount set by the SFMTA; and,

WHEREAS, These fines, however, at \$50, \$50 and \$80 respectively, are substantially lower than the penalties for similar violations included in the Transportation Code that were modified in 2010; and,

WHEREAS, Both double parking and obstruction of traffic create potentially unsafe conditions for driving and often result in traffic slowdowns for public transit throughout the City; and,

WHEREAS, Bicycles on the sidewalk cause similar safety hazards, as well as obstructions to pedestrian traffic, especially for citizens using mobility assistance equipment and children in strollers; and,

WHEREAS, The proposed modifications will raise these three fine amounts to \$100 each to correct that oversight; and,

WHEREAS, The Department of City Planning has determined that changes in various fines, fees, rates and charges, as itemized in the attachment to this Resolution, including increases to the fines for double parking, obstruction of traffic and riding bicycles on sidewalks are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273; and,

WHEREAS, The Department of City Planning's determination is on file with the Secretary of the Board of Directors; and,

WHEREAS, The proposal was approved by the Policy and Governance Committee on January 20, 2012, and forwarded to the SFMTA Board for consideration; and,

WHEREAS, Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, advertisements were placed in the City's official newspaper for a five-day period beginning on January 31, 2012, to provide notice that the Board of Directors will hold a public hearing on February 21, 2012, to consider the above modifications; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends the San Francisco Transportation Code, Division II, by amending Sections 302 and 303 to increase the penalty amount for obstructing traffic, double parking, and riding bicycles on sidewalks.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 21, 2012.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Increasing Penalties for Obstructing Traffic, Double Parking, and Riding Bicycles on Sidewalks]

Resolution amending San Francisco Transportation Code, Division II, by amending Sections 302 and 303 to increase the penalty for obstructing traffic, double parking, and riding bicycles on sidewalks.

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 amending Sections 302 and 303, to read as follows:

SEC. 302. - TRANSPORTATION CODE PENALTY SCHEDULE.

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

| FORMER CODE SECTION | TRANSPORTATION CODE SECTION | DESCRIPTION | FINE AMOUNT |
|----------------------------------|-----------------------------|--|------------------------|
| PEDESTRIANS AND SIDEWALKS | | | |
| Traffic Code Sections 77, 78 | Div I 7.2.10 | Pedestrian Crossings | \$50.00 |
| Traffic Code Section 104 | Div I 7.2.11 | Electric Assistive Personal Mobility Devices | \$50.00 |
| Traffic Code Section 96 | Div I 7.2.12 | Bicycle Riding Restricted | \$50 100.00 |
| Traffic Code Section | Div I 7.2.13 | NUV Violation | \$50.00 |

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| 100 | | | |
| ON-STREET PARKING | | | |
| Traffic Code Section 315(a) | Div I 7.2.20 | Residential Parking | \$65.00 |
| Traffic Code Section 37(c) | Div I 7.2.22 | Street Cleaning | \$55.00 |
| Traffic Code Section 202.1 | Div I 7.2.23(a) | Parking Meter-Downtown Core | \$65.00 |
| Traffic Code Section 202 | Div I 7.2.23(b) | Parking Meter-Outside Downtown Core | \$55.00 |
| Traffic Code Section 38A | Div I 7.2.25 | Red Zone | \$90.00 |
| Traffic Code Sections 38B, 38B.1 | Div I 7.2.26 | Yellow Zone | \$75.00 |
| Traffic Code Section 38C | Div I 7.2.27 | White Zone | \$90.00 |
| Traffic Code Section 38D | Div I 7.2.28 | Green Zone | \$65.00 |
| Traffic Code Section 37(a) | Div I 7.2.29 | Parking for Three Days | \$90.00 |
| Traffic Code Section 32(c)(1) | Div I 7.2.30(a) | Overtime Parking Core | \$65.00 |
| Traffic Code Section 32(c)(2) | Div I 7.2.30(b) | Overtime Parking Outside Downtown Core | \$55.00 |
| Traffic Code Sections 32.13, 55 | Div I 7.2.32 | Angled Parking | \$50.00 |
| Traffic Code Section | Div I 7.2.33 | Blocking Residential | \$38.00 |

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| 32.21 | | Door | |
| Traffic Code Section 56 | Div I 7.2.34 | Median Dividers and Islands | \$65.00 |
| Traffic Code Section 58(a) | Div I 7.2.35 | Parking on Grades | \$50.00 |
| Traffic Code Section 61 | Div I 7.2.36 | 100 Feet Oversize | \$65.00 |
| Traffic Code Sections 27, 219 | Div I 7.2.37 | Motorcycle Parking | \$90.00 |
| Traffic Code Sections 33.5, 39(b), 66 | Div I 7.2.38 | Parking in Stand | \$90.00 |
| Traffic Code Section 53(a) | Div I 7.2.39 | Parking Transit-Only | \$105.00 |
| Traffic Code Section 32(a)(1) | Div I 7.2.40 | Tow-Away Zone-Downtown Core | \$85.00 |
| Traffic Code Section 32(a)(2) | Div I 7.2.41 | Tow-Away Zone-Outside Downtown Core | \$75.00 |
| Traffic Code Section 32(b) | Div I 7.2.42 | Parking Restrictions | \$75.00 |
| Traffic Code Section 32, 32.1, 32.1.1, 32.1.2, 32.1.3, 32.1.11, 32.1.4, 32.1.7, 32.1.9, 32.1.10, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.4.2(b), 32.5, 32.6, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.11, 32.6.13, 32.6.16, 32.6.18, 32.6.19, | Div I 7.2.43 | Parking-Public Property | \$55.00 |

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| 32.6.20, 32.6.21, 32.6.22, 32.6.23, 32.6.24, 32.6.25, 32.6.26, 32.6.27, 32.6.28, 32.6.29, 32.6.30, 32.6.31, 32.6.32, 32.6.34, 32.6.35 | | | |
| Traffic Code Sections 32.4, 32.4.1 | Div I 7.2.44 | Parking-Candlestick Park | \$55.00 |
| Traffic Code Section 33(c) | Div I 7.2.45 | Temporary Parking Restriction | \$55.00 |
| Traffic Code Section 33.1 | Div I 7.2.46 | Temporary Construction Zone | \$55.00 |
| Traffic Code Section 21 | Div I 7.2.47 | Remove Chalk | \$105.00 |
| Traffic Code Section 65 | Div I 7.2.48 | Repairing Vehicle | \$70.00 |
| Traffic Code Sections 315(c), 412(c), 712(c) | Div I 7.2.49 | Permit on Wrong Car | \$105.00 |
| Traffic Code Sections 315(d), 412(d), 712(d) | Div I 7.2.50 | Invalid Permit | \$105.00 |
| Traffic Code Sections 32.4.2(b), 32.14, 58(c) | Div I 7.2.51 | Parking Marked Space | \$50.00 |
| OFF-STREET PARKING | | | |
| Traffic Code Sections 32.10, 32.11 | Div I 7.2.60 | Parking Facility Charges | \$50.00 |
| Traffic Code Section 32.15 | Div I 7.2.61 | Entrance/Exit Parking Facility | \$100.00 |
| Traffic Code Section | Div I 7.2.62 | Blocking Space | \$50.00 |

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| 32.14 | | Parking Facility | |
| Traffic Code Section 32.16 | Div I 7.2.63 | Speeding within Parking Facility | \$100.00 |
| Traffic Code Section 32.21A | Div I 7.2.64 | Block Charging Bay | \$105.00 |
| | Div II 1009 | SFMTA Property | \$55.00 |
| TRAFFIC REGULATIONS | | | |
| Traffic Code Section 70 | Div I 7.2.70 | Obstruction of Traffic- Vehicle | \$50 100.00 |
| Traffic Code Section 194.3 | Div I 7.2.71 | Obstruction of Traffic Without Permit | \$500.00 |
| Traffic Code Section 194.3 | Div I 7.3.3 | Obstruction of Traffic Without Permit | \$1,000, or 6 months in jail, or both (4th or more offenses within one year) |
| Traffic Code Sections 31, 31.2 | Div I 7.2.72 | Driving in Transit-Only Area | \$60.00 |
| Traffic Code Section 103 | Div I 7.2.73 | Driving Through Parades | \$100.00 |
| Traffic Code Section 121 | Div I 7.2.74 | Streetcar Right-of-Way | \$100.00 |
| Traffic Code Section 122 | Div I 7.2.75 | Passing Safety Zones | \$100.00 |
| Traffic Code Section 25 | Div I 7.2.76 | Removal of Vehicles- Collision | \$100.00 |
| Traffic Code Sections 28.1 | Div I 7.2.77 | Weight Restricted Streets | \$100.00 |

| COMMERCIAL VEHICLES | | | |
|---------------------------------------|---------------|--|--|
| Traffic Code Section 63.2 | Div I 7.2.80 | Vehicles for Hire Parking | \$105.00 |
| Traffic Code Section 63.3 | Div I 7.2.81 | Advertising Sign | \$105.00 |
| Traffic Code Section 68 | Div I 7.2.82 | Selling from Vehicle | \$100.00 (1st offense) \$200.00 (2nd offense w/in 1 year) \$500.00 (3rd offense w/in 1 year) |
| Traffic Code Sections 33.3, 33.3.2 | Div I 7.2.83 | Truck Loading Zone | \$75.00 |
| Traffic Code Sections 63, 63(A), 63.1 | Div I 7.2.84 | Commercial Vehicle Parking Restrictions | \$105.00 |
| Traffic Code Section 60.5 | Div I 7.2.86 | Idling Engine While Parked | \$100.00 |
| Police Code Sections 1183-1183.40 | Div I 7.2.87 | Commercial Passenger Vehicle Street Restrictions | \$100.00 (1st offense); \$200.00 (2nd offense w/in 1 year); \$500.00 (3rd offense w/in 1 year) |
| Police Code Section 710.2 | Div. I 7.2.88 | For Sale Sign | \$50.00 |
| TRANSIT VIOLATIONS | | | |
| Traffic Code Section 127 | Div I 7.2.101 | Fare Evasion | \$100.00 (1st offense) \$250.00 (2nd offense w/in 1 year) \$500.00 (3rd offense w/in 1 year) |
| Traffic Code Section | Div I 7.2.102 | Passenger Misconduct | \$100.00 (1st offense) \$250.00 (2nd offense) |

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|-------------------------------|---------------|-----------------------------|---|
| 128 | | | w/in 1 year) \$500.00 (3rd offense w/in 1 year) |
| Traffic Code Section 128.5 | Div I 7.2.103 | Conversing with Operator | \$50.00 |

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 |
|---------|--|------------|
| VC4461C | Displaying Placard Not Issued to Person | \$935.00 * |
| VC4462B | Improper Registered Plates | \$114.00 |
| VC4463C | Fraudulent Display of Placard | \$935.00 * |
| VC4464 | Altered Plates | \$114.00 |
| VC5200 | Display Lic Plates | \$114.00 |
| VC5201 | Plates/Mounting | \$114.00 |
| VC5201F | Plate Cover | \$114.00 |
| VC5202 | No Plates | \$114.00 |
| VC5204A | Tabs | \$114.00 |

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|-----------------------|--------------------------|------------------------|
| VC21113A | School/Pub Ground | \$60.00 |
| VC21211 (38N) | Bicycle Path/Lanes | \$105.00 |
| VC22500A | Parking in Intersection | \$90.00 |
| VC22500B | Parking in Crosswalk | \$90.00 |
| VC22500C | Safety Zone | \$90.00 |
| VC22500D | 15 ft. Fire Station | \$90.00 |
| VC22500E | Driveway | \$90.00 |
| VC22500F | On Sidewalk | \$105.00 |
| VC22500G | Excavation | \$50.00 |
| VC22500H | Double Parking | \$80 100.00 |
| VC22500I | Bus Zone | \$255.00 |
| VC22500J | Tube or Tunnel | \$50.00 |
| VC22500K | Bridge | \$50.00 |
| VC22500L | Wheelchair Access | \$255.00 |
| VC22500.1 (32.4.A) | Parking in Fire Lane | \$65.00 |
| VC22502A | Over 18 inches From Curb | \$50.00 |
| VC22502B | Wrong Way Parking | \$50.00 |

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|-------------|--|------------|
| VC22502E | One-Way Road/Parking | \$50.00 |
| VC22505B | Signs | \$50.00 |
| VC22507.8A | Parking in Blue Zone Without Placard/Plate | \$935.00 * |
| VC22507.8B | Blocking Access to Blue Zone | \$935.00 * |
| VC22507.8C | Parking in the Crosshatch Area Adjacent to a Blue Zone | \$935.00 * |
| VC22511.57A | Lost, Stolen or Expired Placard/Plate | \$935.00 * |
| VC22511.57B | Misuse of Placard/Plate | \$935.00 * |
| VC22511.57C | Counterfeit, Forged or Altered Placard/Plate | \$935.00 * |
| VC22514 | Fire Hydrant | \$90.00 |
| VC22515A | Unattended Motor Vehicle | \$75.00 |
| VC22515B | Unsecured Motor Vehicle | \$75.00 |
| VC22516 | Locked Vehicle | \$60.00 |
| VC22521 | Railroad Tracks | \$80.00 |
| VC22522 | W/3 ft Wheelchair Ramp | \$280.00 * |
| VC22523A | Abandoned Vehicle/Highway | \$215.00 |
| VC22523B | Abandoned Vehicle/Public or | \$215.00 |

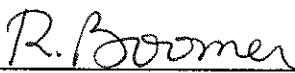
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|----------|--|----------|
| | Private Prop | |
| VC22526A | Blocking Intersection | \$90.00 |
| VC22526B | Blocking Intersection While Turning | \$105.00 |
| VC23333 | Park/Veh Crossing | \$75.00 |

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

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 February 21, 2012.


Secretary to the Board of Directors
San Francisco Municipal Transportation Agency