

FILE NO. 990576

ORDINANCE NO. 114-99

1 (Parking and Traffic)

2 AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE
3 (TRAFFIC CODE) BY ADDING ARTICLE 20, ADDING A VANPOOL PARKING PERMIT
4 PROGRAM.
5

6 Note: All sections are new.

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1, Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby
9 amended by adding Article 20 as follows:

10 **SEC. 700. LEGISLATIVE PURPOSE.** This Article is enacted to encourage and
11 promote vanpool formation for commutes to the City and County of San Francisco. Because there
12 is a need to decrease traffic congestion, to encourage the most efficient use of fuels, and to reduce
13 the amount of commuter parking, it is in the public interest to encourage the formation and
14 continuation of vanpools as an integral part of the public transportation system. In order to provide
15 adequate parking for vanpool vehicles, it is necessary to enact parking regulations which provide the
16 opportunity for groups of seven or more employees in a vehicle to park near their place of
17 employment.
18
19

20 For reasons set forth in this Article, a system of preferential vanpool parking is enacted hereby
21 for the City and County of San Francisco.

22 **SEC. 701. LEGISLATIVE FINDINGS. (a) General findings.** The Board of
23 Supervisors finds, as a result of public input, evidence generated by professional consulting engineers
24 and planners and derived from other sources, that a system of preferential vanpool parking will serve
25

1 to promote the formation of vanpool groups, and thus promote the general public welfare.

2 **(b) Specific Findings.** The following specific legislative findings of the Board of Supervisors
3 in support of preferential vanpool parking are set forth as illustrations of the need compelling the
4 enactment of this Article. They are intended as illustrations only and do not exhaust the subject of
5 the factual basis supporting its adoption:
6

7 (1) The provision of convenient preferential vanpool vehicle parking is an incentive to the
8 formation of ride-sharing groups;

9 (2) Many downtown and Civic Center area office buildings lack adequate off-street parking
10 facilities to provide preferential vanpool parking on their premises; and
11

12 (3) The formation of vanpool groups tends to reduce the total number of employee vehicles
13 entering San Francisco.

14 **SEC. 702. DEFINITIONS. (a)** "Vanpool vehicle" shall mean any motor vehicle, other
15 than a motor truck or truck tractor, designed for carrying more than six but not more than 15 persons
16 including the driver, which is maintained and used primarily for the non-profit work-related
17 transportation of adults for the purpose of ride-sharing.
18

19 **(b)** "Vanpool permit parking area" shall mean an area designated as herein provided wherein
20 vanpool vehicles displaying a valid permit as described herein will be exempt from time restrictions
21 and parking meter fees established pursuant to this Article.

22 **(c)** "Vanpool group" shall mean a group of seven or more individuals who establish that they
23 commute by motor vehicle to the vanpool permit parking area.
24

25 **(d)** The masculine form, as used in this Article, if applicable as shown by the context thereof,

1 will apply to female persons.

2 (e) "Motor vehicle" shall include an automobile, van, truck, or other motor-driven form of
3 transportation not in excess of 6,000 pounds gross weight.

4 (f) "Person" shall mean a natural person.

5
6 **SEC. 703. DESIGNATION OF VANPOOL PERMIT PARKING AREA.** The
7 Board of Supervisors shall, upon recommendation of the Director of Parking and Traffic, consider
8 for designation as vanpool permit parking areas those areas meeting and satisfying the objective
9 criteria therefor established in this Article. It may, in its discretion, then designate by resolution,
10 certain areas as vanpool permit parking areas in which vehicles displaying a valid parking permit may
11 stand or be parked without limitation by parking time restrictions or parking meter fees established
12 by this Article. Said resolutions shall also state the applicable time limitation and period of the day
13 for its application.

14
15 **SEC. 704. EXEMPTION FOR VANPOOLS.** Any vanpool displaying a vanpool
16 parking permit shall be allowed to park for unlimited periods in any of the following zones between
17 7 AM and 6 PM Monday through Friday:

18 (a) Designated vanpool parking areas described in Section 703; and

19 (b) At parking meters or time limit zones with a time limit of 60 minutes or greater.

20
21 This Section does not apply to any zone for which State law or ordinance absolutely prohibits
22 stopping, parking or standing of all vehicles; or which the law or ordinance reserves for special types
23 of vehicles; or in green, white, blue or yellow zones or in Residential Permit Parking areas.

24
25 **SEC. 705. DESIGNATION CRITERIA.** (a) An area shall be deemed eligible for

1 consideration as a vanpool permit parking area if a parking study by DPT based on objective criteria
2 establishes that the area is eligible for vanpool permit parking.

3 (b) In determining whether an area may be designated as a vanpool permit parking area, the
4 Director of Parking and Traffic and the Board of Supervisors shall take into account factors which
5 include, but are not limited to, the following:
6

7 (1) The extent of the desire and need for vanpool permit parking.

8 **SEC. 706. DESIGNATION PROCESS.** Upon receipt of an application from an
9 organized vanpool group for designation as a vanpool permit parking area, the Director of Parking
10 and Traffic shall undertake, or cause to be undertaken, such surveys or studies deemed necessary to
11 determine whether the area is eligible for vanpool permit parking and to obtain information relative
12 to those designation criteria listed in Section 705 of this Article. Such surveys and studies shall be
13 completed within 90 days of receipt of a petition calling for such surveys and studies to be
14 undertaken.
15

16 Within 30 days of the completion of surveys and studies to determine whether designation
17 criteria are met, the Director of Parking and Traffic shall notice, as herein provided, a public hearing
18 or hearings on the subject of the eligibility of the area under consideration for vanpool permit parking.
19 Said hearing or hearings shall also be conducted for the purpose of ascertaining boundaries for the
20 proposed vanpool permit parking area as well as the appropriate time limitation on parking and the
21 period of the day for its application.
22

23 Notice of public hearing or hearings provided for herein shall be published in the official
24 newspaper of the City and County of San Francisco at least 10 days before the hearing date and
25

1 circulated generally in the neighborhood. The notice shall clearly state the purpose of the hearing,
2 the location and boundaries tentatively considered for the proposed vanpool permit parking area and,
3 if applicable, the proposed permit fee to be charged therefor. During such hearing or hearings, any
4 interested person shall be entitled to appear and be heard, subject to appropriate rules of order
5 adopted by the Director of Parking and Traffic.
6

7 **SEC. 707. RECOMMENDATION OF THE DIRECTOR OF PARKING AND**
8 **TRAFFIC.** Within 60 days of the completion of the hearing or hearings conducted with regard to
9 a particular institutional perimeter area, the Director of Parking and Traffic shall recommend by
10 written report to the Board of Supervisors, based on the record of such hearing or hearings and the
11 surveys and studies performed, whether to designate the area under consideration as a vanpool permit
12 parking area.
13

14 In the report of the Director of Parking and Traffic, he shall set forth the evidence generated
15 as a result of surveys and studies performed, significant subjects and concerns raised at the public
16 hearing or hearings conducted, the findings relative to those designation criteria listed in Section 705
17 of this Article deemed applicable to the vanpool area and conclusions as to whether the findings
18 justify preferential vanpool parking for that particular area, the proposed boundaries of the vanpool
19 permit parking area, proposed time limitation and period of the day for its application, and a proposed
20 number of permits to be issued for the amount of parking available.
21

22 The designation process and designation criteria set forth in this Article shall also be utilized
23 by the Director of Parking and Traffic and the Board of Supervisors in determining whether to
24 remove designation as a vanpool parking area.
25

1 **SEC. 708. VANPOOL GROUP APPLICATION FOR PERMIT AND**
2 **VANPOOL CERTIFICATION.** Application for a vanpool parking permit and certification of
3 a vanpool shall be made in accordance with procedures established by the Director of Parking and
4 Traffic after consultation with the RIDES for Bay Area Commuters or similar counterpart.
5

6 Certification portion of the group application shall include, but is not limited to, signatures
7 of seven or more individuals who certify that:

8 **(a)** They are in a vanpool that commutes together to and from their place of employment;

9 **(b)** They each understand that parking in the designated restricted permit area can be allowed
10 only when seven or more individuals arrive to work in a certified motor vehicle;
11

12 **(c)** They understand that parking space availability cannot be guaranteed to permit-bearing
13 certified vanpool groups by the City and County of San Francisco; and

14 **(d)** Their place of employment is within one mile radius of the vanpool parking permit area.

15 Upon receipt of the vanpool group application, RIDES for Bay Area Commuters or other
16 designated representative shall verify the facts of the application and determine whether to approve
17 of or reject the application. Each permit application shall be subject to final approval by the
18 Department of Parking and Traffic.
19

20 **SEC. 709. ISSUANCE, COST AND DURATION OF PERMITS.** Vanpool
21 parking permits shall be issued by the Director of Parking and Traffic to each vanpool group applicant
22 approved by RIDES for Bay Area Commuters or other designated representative, and the Department
23 of Parking and Traffic. No more than one permit shall be issued to each approved vanpool group.
24

25 The permits shall be designed by the Department of Parking and Traffic and shall state all the

1 vehicles for which the permit shall be valid.

2 The Director of Parking and Traffic shall issue rules and regulations not inconsistent with this
3 Article governing the manner in which the permits are issued. The Director of Parking and Traffic
4 shall also determine the most appropriate length of the time such permits should remain valid.
5 Permits may be renewed at a predetermined time with the completion of recertification procedures
6 in the manner required by the Director of Parking and Traffic. The recertification process for each
7 vanpool permit shall not be less than six months.
8

9 Schedule and amount of payment for said permits shall be established by the Director of
10 and approved by resolution of the Board of Supervisors.
11 Parking and Traffic. The fees shall be calculated based upon the Department of Parking and Traffic's
12 fiscal and administrative costs incurred in the vanpool permit parking program over the term of the
13 permit.

14 Payment for a vanpool parking permit shall be made to the Department of Parking and Traffic
15 either in cash or check after the application for said permit has been approved and before said permit
16 is issued.

17 **SEC. 710. POSTING OF VANPOOL PERMIT PARKING AREA.** Upon the
18 adoption by the Board of Supervisors of a resolution designating a vanpool permit parking area, the
19 Director of Parking and Traffic shall cause appropriate signs to be erected in the area, indicating
20 permanently thereon the time limitation, period of day for its application and conditions under which
21 permit parking shall be exempt therefrom.
22

23 **SEC. 711. VANPOOL PERMIT PARKING EXEMPTION.** A vanpool motor
24 vehicle on which is displayed a valid vanpool parking permit as provided for herein shall be permitted
25

1 to stand or be parked in the vanpool permit parking area for which the permit has been issued without
2 being limited by time restrictions or parking meter fees established pursuant to this Article. All other
3 motor vehicles parked within a vanpool permit parking area shall be subject to the time restrictions
4 adopted as provided in this Article as well as the penalties provided herein.
5

6 A vanpool parking permit shall not guarantee or reserve to the holder thereof an on-street
7 parking space within the designated vanpool permit parking area.

8 **SEC. 712. PENALTY PROVISION.**

9 (a) It shall be unlawful and a violation of this Article, unless expressly provided to the
10 contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time
11 limitations established pursuant hereto. Said violation shall be an infraction punishable by a fine not
12 exceeding \$100.
13

14 (b) It shall be unlawful and a violation of this Article for a person to falsely represent that he
15 or she is eligible for a parking permit or to furnish false information in an application therefor
16 submitted to either RIDES for Bay Area Commuters or the Department of Parking and Traffic.
17

18 (c) It shall be unlawful and a violation of this Article for a person holding a valid parking
19 permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other
20 than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation
21 of this Article both by the person holding the valid parking permit and the person who so uses or
22 displays the permit on a motor vehicle other than that for which it is issued.
23

24 (d) It shall be unlawful and a violation of this Article for a person to copy, produce or
25 otherwise bring into existence a facsimile or counterfeit parking permit or permits without written

1 authorization from the Director of Parking and Traffic. It shall further be unlawful and a violation
2 of this Article for a person to knowingly use or display a facsimile or counterfeit parking permit in
3 order to evade time limitations on parking applicable in a vanpool permit parking area.

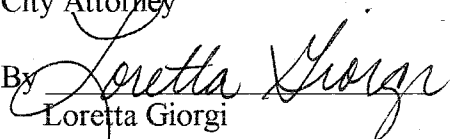
4 (e) The violations as set forth in the preceding subsections (b), (c) and (d) shall be infractions
5 punishable by a fine not exceeding \$500.

6
7 **SEC. 713. REVOCATION OF PERMIT.** The Director of Parking and Traffic is
8 authorized to order revocation and surrender of the vanpool parking permit of any person or group
9 found to be in violation of this Article. Failure to surrender a revoked vanpool parking permit when
10 requested by the Director shall constitute a violation of law and of this Article.

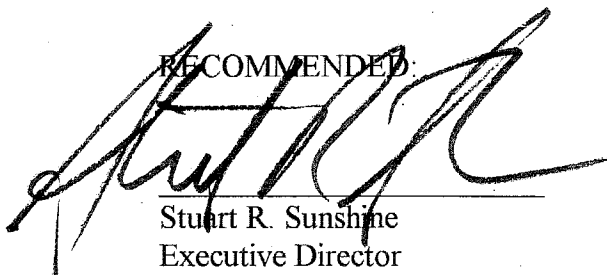
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12 **SEC. 714. SEVERABILITY.** The provisions of this Article are severable, and if any
13 provision, clause, sentence or other part thereof is held illegal, invalid or inapplicable to any person
14 or circumstances, such illegality, invalidity or inapplicability shall not affect or impair any of the
15 remaining portions of this Article or their application to other persons or circumstances.

16
17
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE
20 City Attorney

21 By 
22 Loretta Giorgi
Deputy City Attorney

RECOMMENDED:


Stuart R. Sunshine
Executive Director



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 990576

Date Passed:

Ordinance amending Traffic Code by adding Article 20 (Sections 700 through 714, inclusive), adding a Vanpool Parking Permit Program.

April 19, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Teng,
Yaki, Yee

Absent: 1 - Newsom

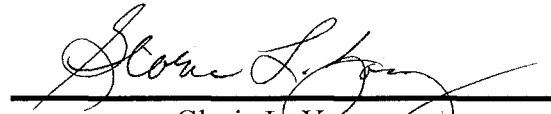
April 26, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Leno, Newsom, Yaki, Yee, Ammiano, Becerril, Bierman, Brown, Katz,
Kaufman

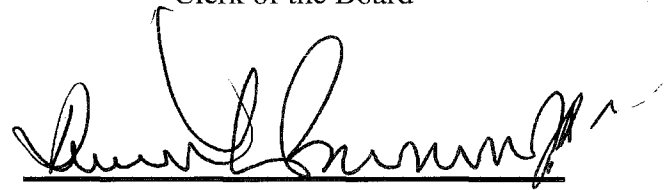
Absent: 1 - Teng

File No. 990576

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on April 26, 1999 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

MAY - 7 1999
Date Approved


Mayor Willie L. Brown Jr.