

AMENDED IN ASSEMBLY JUNE 13, 2012

AMENDED IN ASSEMBLY MAY 31, 2012

AMENDED IN SENATE APRIL 10, 2012

SENATE BILL

No. 1388

Introduced by Senator DeSaulnier

(Coauthors: Senators Price and Wyland)

(Coauthors: Assembly Members Jeffries and Bonnie Lowenthal)

February 24, 2012

An act to amend Section 22508 of, and to add Section 22508.5 to, the Vehicle Code, relating to parking.

LEGISLATIVE COUNSEL'S DIGEST

SB 1388, as amended, DeSaulnier. Parking: parking meters.

Existing law prohibits a local authority from establishing parking meter zones and fixing the rate or fees for those zones, except by ordinance. Existing law further authorizes a local authority to, by ordinance, cause streets and highways to be marked with white lines designating parking spaces and require vehicles to park within the parking spaces.

This bill would ~~delete the prohibition on~~ *authorize* a local authority ~~from fixing to fix~~ the rate of fees for those zones, ~~except by ordinance based upon criteria identified by the local authority in the ordinance,~~ and would authorize a local authority to accept payment of parking meter fees by e-mobile device. The bill also would authorize a local authority to adopt an ordinance or resolution prohibiting or restricting the parking of a vehicle at an inoperable parking meter or inoperable parking payment center, as defined. The bill would authorize parking

at an inoperable parking meter for up to the posted time limit if no ordinance or resolution has been adopted to prohibit it.

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22508 of the Vehicle Code is amended
 2 to read:

3 22508. (a) A local authority shall not establish parking meter
 4 zones *or fix the rate of fees for those zones* except by ordinance.
 5 *The rate of fees may be variable, based upon criteria identified by*
 6 *the local authority in the ordinance.* An ordinance establishing a
 7 parking meter zone shall describe the area that would be included
 8 within the zone.

9 (b) A local authority may by ordinance cause streets and
 10 highways to be marked with white lines designating parking spaces
 11 and require vehicles to park within the parking spaces.

12 (c) An ordinance adopted by a local authority pursuant to this
 13 section with respect to any state highway shall not become effective
 14 until the proposed ordinance has been submitted to and approved
 15 in writing by the Department of Transportation. The proposed
 16 ordinance shall be submitted to the department only by action of
 17 the local legislative body and the proposed ordinance shall be
 18 submitted in complete draft form.

19 (d) An ordinance adopted pursuant to this section establishing
 20 a parking meter zone or fixing rates of fees for that zone shall be
 21 subject to local referendum processes in the same manner as if the
 22 ordinance dealt with a matter of purely local concern.

23 (e) A local authority may accept but shall not require payment
 24 of parking meter fees by a mobile device.

25 SEC. 2. Section 22508.5 is added to the Vehicle Code, to read:

26 22508.5. (a) Except as provided in subdivision (b), a vehicle
 27 may park, for up to the posted time limit, in any parking space that
 28 is subject to an inoperable parking meter or an inoperable parking
 29 payment center.

30 (b) Local authorities may, by ordinance or resolution, prohibit
 31 or restrict the parking of vehicles at inoperable parking meters or
 32 inoperable parking payment centers. No ordinance or resolution
 33 adopted by a local authority pursuant to this section shall become

1 effective until signs or markings giving adequate notice of the
2 restriction or prohibition on parking have been placed at parking
3 locations, parking meters, or parking payment centers.

4 (c) For purposes of this section:

5 (1) “Inoperable parking meter” means a meter located next to
6 and designated for an individual parking space, which has become
7 inoperable and cannot accept payment in any form or cannot
8 register that a payment in any form has been made.

9 (2) “Inoperable parking payment center” means an electronic
10 parking meter or pay station serving one or more parking spaces
11 that is closest to the space where a person has parked and that
12 cannot accept payment in any form, cannot register that a payment
13 in any form has been made, or cannot issue a receipt that is required
14 to be displayed in a conspicuous location on or in the vehicle.

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