

AMENDED IN SENATE JUNE 30, 2016

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2586

Introduced by Assembly Member Gatto

February 19, 2016

An act to amend Section 22507.6 of, to add ~~Sections 22508.6 and~~ *Section 22508.7* to, and to repeal and amend Section 22508.5 of, the Vehicle Code, relating to parking.

LEGISLATIVE COUNSEL'S DIGEST

AB 2586, as amended, Gatto. Parking.

Existing law authorizes parking, for up to the posted time limit, in any parking space that is regulated by an inoperable parking meter or an inoperable parking payment center, as defined, until January 1, 2017. Existing law prohibits, until January 1, 2017, a local authority from enacting an ordinance or resolution prohibiting or restricting the parking of vehicles under the above circumstances.

This bill would delete the January 1, 2017, date of repeal for the above provisions, and thus extend those provisions indefinitely.

~~This bill would prohibit a person providing valet parking services in a business district from prohibiting a vehicle from parking in any otherwise available parking space regulated by a parking meter, or from stopping or standing for the purpose of loading or unloading passengers in any space or area that has been designated for that purpose.~~

This bill would prohibit a local authority that contracts with a private entity to enforce parking regulations from promoting designated incentives in connection with the issuance of violation notices.

~~Because a violation of provisions relating to vehicles, with certain exceptions, is an infraction, the bill would impose a state-mandated local program by creating a new infraction applicable to providers of valet parking services.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

1 SECTION 1. Section 22507.6 of the Vehicle Code is amended
 2 to read:
 3 22507.6. (a) Local authorities may, by ordinance or resolution,
 4 prohibit or restrict the parking or standing of vehicles on designated
 5 streets or highways, or portions thereof, for the purpose of street
 6 sweeping. An ordinance or resolution relating to the parking or
 7 standing of commercial vehicles in a residential district shall not
 8 be effective with respect to any commercial vehicle making pickups
 9 or deliveries of goods, wares, or merchandise from or to any
 10 building or structure located on the restricted street or highway,
 11 or for the purpose of delivering materials to be used in the repair,
 12 alteration, remodeling, or reconstruction of any building or
 13 structure for which a building permit has previously been obtained.
 14 The ordinance or resolution shall not be effective until the street
 15 or highway, or portion thereof, has been sign-posted in accordance
 16 with the uniform standards and specifications of the Department
 17 of Transportation, or local authorities have caused to be posted in
 18 a conspicuous place at each entrance to the street a notice not less
 19 than 17 inches by 22 inches in size, with lettering not less than one
 20 inch in height, setting forth the day or days and hours parking is
 21 prohibited. As used in this section, “entrance” means the
 22 intersection of any street or streets comprising an area of restricted
 23 parking for street-sweeping purposes on the same day or days and

1 hours with another street or highway not subject to that parking
2 restriction, or subject to parking restrictions on different days and
3 hours.

4 (b) Notwithstanding subdivision (a), it is the intent of the
5 Legislature that if a local authority prohibits or restricts the parking
6 or standing of vehicles on designated streets or highways, or
7 portions thereof, for the purpose of street sweeping, the local
8 authority, as soon as the street sweeping has concluded, shall ensure
9 that the designated streets, highways, or portions thereof are
10 promptly made available to motorists, regardless of the posted
11 hours.

12 SEC. 2. Section 22508.5 of the Vehicle Code, as amended by
13 Section 1 of Chapter 71 of the Statutes of 2013, is repealed.

14 SEC. 3. Section 22508.5 of the Vehicle Code, as added by
15 Section 2 of Chapter 71 of the Statutes of 2013, is amended to
16 read:

17 22508.5. (a) A vehicle may park, for up to the posted time
18 limit, in any parking space that is regulated by an inoperable
19 parking meter or an inoperable parking payment center.

20 (b) A local authority shall not, by ordinance or resolution,
21 prohibit or restrict the parking of vehicles in a space that is
22 regulated by an inoperable parking meter or inoperable parking
23 payment center.

24 (c) For purposes of this section:

25 (1) "Inoperable parking meter" means a meter located next to
26 and designated for an individual parking space, which has become
27 inoperable and cannot accept payment in any form or cannot
28 register that a payment in any form has been made.

29 (2) "Inoperable parking payment center" means an electronic
30 parking meter or pay station serving one or more parking spaces
31 that is closest to the space where a person has parked and that
32 cannot accept payment in any form, cannot register that a payment
33 in any form has been made, or cannot issue a receipt that is required
34 to be displayed in a conspicuous location on or in the vehicle.

35 ~~SEC. 4. Section 22508.6 is added to the Vehicle Code, to read:~~

36 ~~22508.6. A person providing valet parking services in a~~
37 ~~business district is prohibited from doing either of the following:~~

38 ~~(a) Prohibiting a vehicle from parking in an otherwise available~~
39 ~~parking space regulated by a parking meter.~~

1 ~~(b) Prohibiting a vehicle from stopping or standing for the~~
2 ~~purpose of loading or unloading passengers in any space or area~~
3 ~~that has been designated for that purpose.~~

4 ~~SEC. 5.~~

5 ~~SEC. 4.~~ Section 22508.7 is added to the Vehicle Code, to read:

6 22508.7. A local authority, when contracting with a private
7 entity to enforce parking regulations, shall not promote any of the
8 following activities in connection with the issuance of violation
9 notices:

10 (a) Provide any monetary or other incentive, such as the promise
11 of a future contract for the issuance of a specified or higher number
12 of violation notices.

13 (b) Increase any violation fine in order to cover the cost of the
14 contracted enforcement service.

15 ~~SEC. 6. No reimbursement is required by this act pursuant to~~
16 ~~Section 6 of Article XIII B of the California Constitution because~~
17 ~~the only costs that may be incurred by a local agency or school~~
18 ~~district will be incurred because this act creates a new crime or~~
19 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
20 ~~for a crime or infraction, within the meaning of Section 17556 of~~
21 ~~the Government Code, or changes the definition of a crime within~~
22 ~~the meaning of Section 6 of Article XIII B of the California~~
23 ~~Constitution.~~