

AMENDED IN SENATE AUGUST 19, 2016

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 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~~, a local authority to prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purposes of street sweeping, as specified. Existing law states the intent of the legislature that if a local authority prohibits or restricts the parking or standing of vehicles for that purpose that the local authority shall ensure that the designated street, highway, or portion thereof is promptly made available to motorists as soon as the street sweeping has concluded.

This bill would also permit a local authority to prohibit or restrict the parking or standing of vehicles as described above for other maintenance activities. The bill would instead, by January 1, 2020, require a local authority that prohibits or restricts the parking or standing of vehicles for the purposes of street sweeping or other

maintenance activities to ensure that the street, highway, or portion thereof that is restricted is made available to the motorists as soon as the street sweeping or other maintenance activities have concluded.

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. defined. 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 instead authorize parking for up to two hours under the circumstances described above. The bill would provide that a violation of that conduct is subject to civil penalties and is neither an infraction nor a public offense. The 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 local authority that contracts with a private entity to enforce parking regulations from ~~promoting designated incentives~~ providing any monetary or other incentive in connection with the issuance of violation notices.

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 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~~. *sweeping or other maintenance activities.* An ordinance
7 or resolution relating to the parking or standing of commercial
8 vehicles in a residential district shall not be effective with respect
9 to any commercial vehicle making pickups or deliveries of goods,
10 wares, or merchandise from or to any building or structure located
11 on the restricted street or highway, or for the purpose of delivering
12 materials to be used in the repair, alteration, remodeling, or
13 reconstruction of any building or structure for which a building
14 permit has previously been obtained. The ordinance or resolution
15 shall not be effective until the street or highway, or portion thereof,
16 has been sign-posted in accordance with the uniform standards

1 and specifications of the Department of Transportation, or local
2 authorities have caused to be posted in a conspicuous place at each
3 entrance to the street a notice not less than 17 inches by 22 inches
4 in size, with lettering not less than one inch in height, setting forth
5 the day or days and hours parking is prohibited. As used in this
6 section, “entrance” means the intersection of any street or streets
7 comprising an area of restricted parking for street-sweeping *or*
8 *other maintenance* purposes on the same day or days and hours
9 with another street or highway not subject to that parking
10 restriction, or subject to parking restrictions on different days and
11 hours.

12 (b) Notwithstanding subdivision (a), ~~it is the intent of the~~
13 ~~Legislature that by January 1, 2020,~~ if a local authority prohibits
14 or restricts the parking or standing of vehicles on designated streets
15 or highways, or portions thereof, for the purpose of street-sweeping,
16 *sweeping or other maintenance activities*, the local authority, as
17 soon as the street sweeping ~~has~~ *or other maintenance activities*
18 *have* concluded, shall ensure that the designated streets, highways,
19 or portions thereof are promptly made available to motorists,
20 regardless of the posted hours.

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

23 SEC. 3. Section 22508.5 of the Vehicle Code, as added by
24 Section 2 of Chapter 71 of the Statutes of 2013, is amended to
25 read:

26 22508.5. (a) A vehicle may park, for up to ~~the posted time~~
27 ~~limit,~~ *two hours*, in any parking space that is regulated by an
28 inoperable parking meter or an inoperable parking payment center.

29 (b) A local authority shall not, by ordinance or resolution,
30 prohibit or restrict the parking of vehicles in a space that is
31 regulated by an inoperable parking meter or inoperable parking
32 payment center.

33 (c) For purposes of this section:

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

38 (2) “Inoperable parking payment center” means an electronic
39 parking meter or pay station serving one or more parking spaces
40 that is closest to the space where a person has parked and that

1 cannot accept payment in any form, cannot register that a payment
2 in any form has been made, or cannot issue a receipt that is required
3 to be displayed in a conspicuous location on or in the vehicle.

4 *(d) A violation of subdivision (a) is subject to civil penalties*
5 *and is neither an infraction nor a public offense.*

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

7 22508.7. A local authority, when contracting with a private
8 entity to enforce parking regulations, shall not ~~promote any of the~~
9 ~~following activities~~ *provide any monetary or other incentive, such*
10 *as the promise of a future contract for the issuance of a specified*
11 *or higher number of violation notices, in connection with the*
12 ~~issuance of violation notices; notices.~~

13 ~~(a) Provide any monetary or other incentive, such as the promise~~
14 ~~of a future contract for the issuance of a specified or higher number~~
15 ~~of violation notices.~~

16 ~~(b) Increase any violation fine in order to cover the cost of the~~
17 ~~contracted enforcement service.~~