

Date of Hearing: June 20, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 1051 (Hancock) – As Amended June 14, 2016

SENATE VOTE: 37-0

SUBJECT: Vehicles: parking enforcement: video image evidence

SUMMARY: Authorizes the Alameda-Contra Costa Transit District (AC Transit), until January 1, 2022, to enforce parking violations in transit-only traffic lanes. Specifically, **this bill:**

- 1) Authorizes the AC Transit, until January 1, 2022, to enforce parking violations in transit-only traffic lanes using bus-mounted video cameras and in accordance with specified requirements.
- 2) Requires AC Transit, if it implements an automated enforcement system in transit-only lanes, to provide the transportation and judiciary committees of the Legislature an evaluation of the enforcement system's effectiveness, impact on privacy, cost to implement, and generation of revenue no later than January 1, 2021.
- 3) Makes findings and declarations regarding video enforcement of parking violations.
- 4) Defines a variety of terms.

EXISTING LAW:

- 1) Authorizes the City and County of San Francisco to install automated forward facing parking control devices on city-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes.
- 2) Defines a “transit-only traffic lane” to mean any designated transit-only lane on which use is restricted to mass transit vehicles, or other designated vehicles including taxis and vanpools, during posted times.
- 3) Provides that a violation of any regulation governing the standing or parking of a vehicle under the Vehicle Code, federal statute or regulation, or local ordinance, is subject to a civil penalty.
- 4) Authorizes designated employees of the City and County of San Francisco to review video image recordings for the purpose of determining whether a parking violation occurred in a transit-only traffic lane, and permits alleged violators to review the video image evidence of the alleged violation during normal business hours at no cost.
- 5) Requires automated forward facing parking control devices to be angled and focused so as to capture video images of parking violations and not unnecessarily capture identifying images of other drivers, vehicles, and pedestrians.

- 6) Requires that prior to issuing notices of parking violations in transit-only lanes using bus-mounted video equipment, the City and County of San Francisco commence a program to issue only warning notices for 30 days and make a public announcement of the program at least 30 days prior to commencement of issuing notices of parking violations.

FISCAL EFFECT: Unknown, this bill is keyed non-fiscal by the Legislative Counsel.

COMMENTS: AC Transit is in the process of building a Bus Rapid Transit (BRT) corridor that will employ dedicated, bus-only lanes. The BRT is expected to increase transit reliability and reduce travel times along an arterial corridor through the cities of Berkeley, Oakland, and San Leandro. The BRT is expected to turn what was once a 45-minute trip through the corridor into a 30-minute trip using state-of-the-art buses, rail-like stations, and dedicated bus-only lanes. The BRT service is expected to begin in late 2017.

AC Transit is concerned that their efforts to improve trip times along the corridor could be hampered by the growing problem of vehicles stopping or illegally parking in BRT lanes thereby impeding throughput. If this occurs, as it did in the City and County of San Francisco, AC Transit will have difficulties maintaining reliable transit schedules that could, ultimately, impact transit ridership. In San Francisco, this problem was successfully addressed with the passage of AB 101 (Ma), Chapter 377, Statutes of 2007, that provided the San Francisco Municipal Transportation Agency (SFMTA) the ability to operate a pilot program whereby transit buses were equipped with forward-facing cameras to record images of vehicles that are stopped or parked in transit-only lanes and issue parking citations based on that video evidence. The program improved the safety, reliability, and performance of SFMTA transit vehicles using San Francisco's transit-only lanes as shown in studies required in AB 101 and subsequent legislation including AB 1041 (Ma), Chapter 325, Statutes of 2011, and AB 1287 (Chiu), Chapter 485, Statutes of 2015.

To address concerns that AC Transit's BRT service could be hampered by parking and standing of vehicles, the author has introduced this bill which would authorize AC Transit, until January 1, 2022, to equip transit buses with forward-facing parking control devices to record images of vehicles parked in transit-only lanes and to issue parking citations based on that video evidence. SB 1051 contains the same privacy and procedural requirements as SFMTA's program. The author points out that SFMTA's program has proven to be an effective tool in reducing the problem of parking and standing of vehicles in transit-only lanes and, therefore, it stands to reason that AC Transit should be afforded with similar authority to ensure its BRT corridor operates as planned.

Based on the results of SFMTA's initial pilot and the subsequent report to the Legislature pursuant to AB 101 and AB 1041, it appears that SFMTA's transit only lane program has been a success. In their March 2015 report entitled "Transit-Only Lane Enforcement (TOLE) Pilot Program Evaluation," SFMTA notes that the program improved safety and reliability of their transit programs, acted as a deterrent to motorists obstructing San Francisco's transit-only lanes, provided privacy protections, enhanced transit safety and accessibility, and did not act as a revenue generator for the local jurisdiction. The report's recommendations included making the pilot program permanent and expanding the program to allow ticketing of illegally parked cars in non-dedicated lanes, as well as blocking intersections. AB 1287 was introduced to include these recommendations but, ultimately, only addressed the removal of the sunset on SFMTA's existing pilot program.

Given the substantial investment that AC Transit is making to create its BRT program, it would be unfortunate for if it were unable to function at optimum levels because of unenforced vehicle parking and standing violations in the BRT lane. Given that SFMTA's program has shown a 47% decrease in bus zone violations and a 44% decrease in double parking violations in transit-only lanes, it stands to reason that AC Transit should be afforded similar authority to ensure the success of their BRT program. If successfully implemented, AC Transit's BRT program will not only reduce travel times along the corridor, but it will also have the residual benefits of reducing harmful vehicle emissions and reducing roadway congestion by making transit a more attractive option.

Double-referral: This bill will be referred to the Assembly Committee on Privacy and Consumer Protection should it pass out of this committee.

Related legislation: SB 998 (Wieckowski) would create an infraction for parking in a transit-only traffic lane. SB 998 passed out of the Senate and is set to be heard by this committee on June 27, 2016.

SB 218 (Huff) would have prohibited the use of stop-sign cameras by the Mountain Recreation and Conservation Authority. SB 218 passed out of the Senate Transportation and Housing Committee but failed passage in the Senate Natural Resources Committee.

Previous legislation: AB 1287 (Chiu), Chapter 485, Statutes of 2015, removed the sunset on the authority of the City and County of San Francisco's pilot program for video enforcement of parking violations in transit-only traffic lanes.

AB 1041 (Ma), Chapter 325, Statutes of 2011, extended the sunset on the authority of the City and County of San Francisco's pilot program for video enforcement of parking violations in transit-only traffic lanes to January 1, 2016.

AB 101 (Ma), Chapter 377, Statutes of 2007, authorized the City and County of San Francisco to establish a pilot program for video enforcement of parking violations in transit-only traffic lanes which expired January 1, 2012.

REGISTERED SUPPORT / OPPOSITION:

Support

Alameda-Contra Costa Transit District (Sponsor)
Alameda County Transportation Commission
California Public Parking Association
San Francisco Bay Area Rapid Transit

Opposition

None

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