

Date of Hearing: April 22, 2019

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1605 (Ting) – As Amended April 10, 2019

SUBJECT: City and County of San Francisco: Crooked Street Reservation and Pricing Program

SUMMARY: Authorizes the City and County of San Francisco to establish a reservation and pricing pilot program for vehicles that use the “Crooked Street.” Specifically, **this bill:**

- 1) Makes findings and declarations that millions of annual visitors to the 1000 block of Lombard Street in San Francisco, known as the Crooked Street, has deteriorated the safety and quality of life for residents of the street and surrounding community, and that implementation of a reservation and pricing program is a potentially useful tool for managing automobile demand and access for visitors to the street.
- 1) Declares the intent of the Legislature to authorize the Board of Supervisors of the City and County of San Francisco to approve a reservation and pricing pilot for vehicles to use the Crooked Street to manage traffic congestion.
- 2) Defines:
 - a) “Board of Supervisors” as the Board of Supervisors of the City and County of San Francisco;
 - b) “Crooked Street” as the portion of Lombard Street located between Leavenworth Street and Hyde Street in San Francisco;
 - c) “Pilot program” as a reservation and pricing pilot program authorized by the bill; and
 - d) “Program administrator” as the board or agency designated to administer the pilot program authorized by the bill.
- 3) Authorizes the Board of Supervisors to conduct a reservation and pricing pilot program for vehicles that use the Crooked Street by adopting an ordinance.
- 4) Requires the Board of Supervisors prior to adopting the ordinance to create the program to make the following findings:
 - a) The pilot program is likely to be successful in its goal of congestion management;
 - b) The requirement to consult with the public, as specified, has taken place; and
 - c) The pilot program is aligned with the objectives of the countywide congestion management program and the regional transportation plan.
- 5) Requires the Board of Supervisors to conduct at least two public outreach meetings or hearings within San Francisco to consider stakeholder views prior to adoption of the ordinance.

- 6) Requires the ordinance to do all of the following:
 - a) Designate of a board or agency to administer the pilot program;
 - b) Prioritize the goals of significantly reducing local congestion and queues for vehicles seeking to travel down the Crooked Street and ensuring that program revenues are sufficient to implement the program and support traffic management activities in the area;
 - c) Specify how the program would be adjusted if program revenues exceed the cost to implement the program, including any allocation of the excess funds;
 - d) Specify congestion reduction objectives and goals to be achieved, public involvement and consultation requirements, and performance measure requirements; and
 - e) Require the program administrator to evaluate the performance of the pilot program and submit a report to the Legislature after one year and five years of implementation.
- 7) Authorizes the Board of Supervisors to specify the powers and duties of the program administrator, including but not limited to, the authority to:
 - a) Impose fees on vehicles for use of the Crooked Street;
 - b) Impose penalties for violations; and
 - c) Collect and use revenues generated from the program to build operate, maintain, finance, and administer the program, and ensure regular monitoring and reporting.
- 8) Exempts the pilot program from existing prohibitions on imposing a tax, permit fee, or other charge for the privilege of using its streets or highway; and from placing gates or other selective devices on any street which deny or restrict the access of certain members of the public to the street while permitting others unrestricted access to the street.
- 9) Declares that a special statute is necessary because of the unique need to manage traffic congestion on and around the 1000 block of Lombard Street.

EXISTING LAW:

- 1) Authorizes the Treasure Island Mobility Management Agency (TIMMA) to develop and implement a transportation program for Treasure Island, including congestion pricing fees, parking fees, and transit pass fees from residents and other visitors.
- 2) Authorizes numerous pricing or tolling facilities on state highways, including authorizing the California Transportation Commission to allow regional transportation agencies to develop and operate high-occupancy toll (HOT) lanes.
- 3) Authorizes local authorities, for highways under their jurisdiction, to adopt rules and regulations by ordinance or resolution regarding specified matters, including, among others, prohibiting entry to, or exit from, or both entry to or exit from, any street by means of certain roadway design features to implement the circulation element of a general plan.

- 4) Prohibits local agencies from imposing a tax, permit fee, or other charge for the privilege of using its streets or highway, other than a permit for extra-legal loads, unless the local agency imposed the fee prior to June 1, 1989.
- 5) Prohibits local authorities from placing gates or other selective devices on any street which deny or restrict the access of certain members of the public to the street, while permitting others unrestricted access to the street.
- 6) Requires that any city or county that permits, restricts, or prohibits the use of a public or private highway, the traffic control devices erected must conform to the uniform standards and specifications adopted by the California Department of Transportation.

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

COMMENTS: The so-called “Crooked Street,” a residential segment of Lombard Street in San Francisco’s Russian Hill neighborhood, is one of the city’s most prominent landmarks. The Crooked Street, with its distinctive switchbacks, flowers, and vistas draws visitors from both around the world and locally, approximately 2 million visitors each year, roughly half in vehicles and half pedestrians. Traffic congestion on the street lasts roughly 12 hours a day, covers over three blocks, and takes up to 45 minutes to traverse the street. As overall tourism has increased in recent years, so has the number of tourists on the Crooked Street, and crowd control issues around the area have become more challenging.

Following up on previous attempts to help manage the visitors to the area, the San Francisco County Transportation Authority (SFCTA) led a study on managing access to the Crooked Street. The study was recommended by San Francisco Commissioner Mark Farrell as part of the Neighborhood Transportation Improvement Program (NTIP), established to fund community-based, neighborhood-scale planning efforts, especially in underserved neighborhoods and areas with vulnerable populations (e.g. seniors, children, and/or people with disabilities).

The purpose of the study was to identify and evaluate a range of options to manage visitor access and circulation on Lombard Street between Hyde and Leavenworth streets, while maintaining the character of the block and avoiding spillover effects into adjacent streets. The study’s approach included goal-setting, existing conditions analysis, alternatives development, public outreach, and evaluation.

The study, published in February 2017, details the current conditions of the Crooked Street and surrounding neighborhood, including extreme and increasing safety concerns related to vehicle congestion, pedestrian congestion, livability, and tourism, with these issues spilling over to surrounding blocks on both ends of the Crooked Street, including an elementary school two blocks away. The study outlines a number of recommended strategies including an array of enforcement, engagement, and engineering improvements, which are being pursued by SFCTA. These strategies include increasing enforcement efforts of current traffic and parking laws with increased parking control officers, San Francisco Police department personnel, and to continue the so-called Ambassador program for assistance with cleaning, safety, and hospitality on Lombard Street. Additionally, SFCTA recommended engagement with the tourism industry to educate tour operators and visitors. The agency is also pursuing traffic engineering and signage enhancements to help address conflicts between vehicles, pedestrians, and transit.

A longer term strategy recommended is to implement a reservation and pricing system for vehicles as the most direct way to manage vehicle congestion, including the vehicle queues that form at peak periods. Specifically, an electronic system would be developed to manage reservations for and price access to the Crooked Street. Much like museums limit the amount of tickets available at any given time for popular exhibits, and allow those who plan ahead to reserve a time in advance, this strategy would allow for the flow and demand of automobiles entering the Crooked Street to be regulated, reducing queue lengths. The reservation system would be an all-electronic system, supported by a website, mobile app, and possible on-street kiosks to enable reservations, payments, and user support. The primary goal of the system would be to manage demand while being self-sustaining, with prices and number of available reservations slots would be set for to meet that goal.

According to the study, before accessing the Crooked Street by vehicle, visitors would go to a website, app, or kiosk to select a day and time to visit the street, registering with their license plate number. Visitors planning to use a rental car could reserve their spot and return to the reservation to update the license plate information once they have arrived and rented a vehicle. Signage along the approaches to the Crooked Street would advise that reservations are required and provide the web address at which to make one, along with an indication of what the price will be for those who choose to continue without a reservation. The price for continuing without a reservation would likely be significantly higher than that of visiting with a reservation, to discourage this practice.

The average capacity on the Crooked Street is about 220 vehicles per hour, so this many or fewer slots would likely be available for reservation. According to SFCTA, the current plan is for a staff onsite to check reservations, through paper and electronic means, and help direct vehicles. It is anticipated that the reservation system would operate from 9:00 a.m. to 9:00 p.m. and cost \$5 on weekdays and \$10 on weekends and holidays. The study, however, also proposed a different scenario with a 24/7 system, \$5 at all times, with electronic collection and enforcement. Specifically, when a pre-registered vehicle enters the Crooked Street, automated cameras would read its license plate information and check it against the system database. If a non-preregistered vehicle enters the street, the system would recognize the need to charge and collect the higher non-reservation price, and the system would generate an invoice that would be mailed to the registered owner, much like the system in place at the Golden Gate Bridge.

The Crooked Street pilot is modeled after the recent implementation of a reservation parking system at Muir Woods National Monument in nearby Marin County. Muir Woods has struggled with how to manage its increasing popularity over the past 10 years. Issues stemming from high rates of visitation include damage to the natural environment; traffic congestion at the park and in surrounding neighborhoods; and safety concerns stemming from visitors parking over a mile from the entrance and walking along narrow, high-speed roads with no pedestrian facilities. The National Park Service and Marin County began developing a Memorandum of Understanding (MOU) in late 2014 to balance the needs of visitor accessibility and resource management, while addressing the impact that visitors could bring to the roads and residents of the area.

On-site parking management began at Muir Woods in December 2017, with reservations for entrance being accepted online and by phone in January 2018. Parking reservations cost \$8 per car, while shuttle reservations cost \$3 per person. Over the 10-year initial duration of the program, parking prices will automatically increase by \$0.50 every 2 years, while shuttle prices will increase \$0.25 every 2 years. All vehicles arriving at the park are required to have a

reservation, and no reservations can be made on site. There is no remaining publicly available on-street, free/unreserved parking, and those parking on the road are subject to a \$99 citation. The system is able to accept same day reservations, provided there are spaces remaining. They hold 5% of each day's reservation slots for release 5 days in advance.

So far, the implementation of the reservation system has been successful in reducing the total number of visitors from over 1.1 million per year to approximately 950,000. Outside of 10:00 a.m. to 2:00 p.m. on summer Saturdays and Sundays, most days do not sell out of reservations and many visitors are easily able to make same-day reservations to visit the park. Traffic volume and congestion on the surrounding roadways has been reduced, and visitors are able to travel to the site more reliably and predictably without wasting time in traffic.

AB 1605 would authorize the City and County of San Francisco's Board of Supervisors to develop and implement a similar reservation and pricing pilot program for the Crooked Street through development of an ordinance. The Board of Supervisors would have to make certain findings prior to approval of the ordinance, including that the pilot is likely to be successful in managing congestion, outreach to the public has been conducted, and the pilot is aligned with the objectives of the countywide congestion management plan and the regional transportation plan. Additionally, the bill also requires the ordinance to include specific policy goals and implementation details including, prioritizing the goals of significantly reducing local congestion and queues for vehicles seeking to travel down the Crooked Street; ensuring that program revenues are sufficient to implement the program and support traffic management activities in the area; specifying how the program would be adjusted if program revenues exceed the cost to implement the program, including any allocation of the excess funds; and specifying congestion reduction objectives and goals to be achieved, public involvement and consultation requirements, and performance measure requirements. Finally, the administrator of the pilot must evaluate its performance and report to the Legislature after one and five years.

According to the author, "The San Francisco County Transportation Authority (SFCTA), after an exhaustive public process, concluded a study in 2017 on managing access to the "Crooked Street" segment of Lombard Street, which attracts over 2 million visitors each year. This study recommended establishing a reservation and pricing program for access to the Crooked Street. AB 1605 authorizes the City and County of San Francisco to establish and administer this reservation and pricing program."

Writing in support, the sponsor, SFCTA states, "Over the past few years, the number of visitors to the Crooked Street has grown significantly and now numbers 2 million per year. On busy days, visitors accessing the street by car can spend up to forty-five minutes waiting in a queue that backs up three or four blocks. Unlike other popular tourist attractions, the Crooked Street is situated in the middle of a residential neighborhood, without any formal management system in place. This high volume of visitors makes it challenging for both residents and visitors to safely and easily access the neighborhood." Further, "In 2017, the Transportation Authority completed a study looking at conditions on the Crooked Street and recommended a reservation and pricing system to help manage the street. As we finalize our analysis of this concept, we anticipate the desire of the community to pilot a paid reservation system, which requires legislative authority from the state Vehicle Code in order to implement."

Also writing in support, the Russian Hill Neighbors, a neighborhood association representing the residents and merchants of Russian Hill, which encompasses the Crooked Street, notes that, "the

high volume of visitors makes it difficult for the residents and visitors to access and enjoy the neighborhood. Residents are denied access to their own homes because of a continuous traffic jam extending several blocks down Lombard Street and tourists are subject to a frustrating wait of up to an hour to travel down the one-block of the Crooked Street.” Further, “this legislation will provide San Francisco with a valuable tool to manage traffic, reduce congestion, and improve the quality of life for the neighborhood surrounding this unique tourist attraction.”

Committee comments: The Legislature has previously authorized numerous forms of “pricing” to help control congestion, including HOT lanes and toll lanes in the Bay Area and Southern California. And more specially, San Francisco is authorized to develop a pricing scheme for Treasure Island to include tolls, parking fees, and mandatory transit passes to help manage traffic on the island and on the Bay Bridge. In fact, there have been discussions recently about charging \$3.50 to enter and exit Treasure Island. SFCTA has noted that alternatives to pricing have been explored, including closing the road to vehicle traffic in 2014. This created other unintended consequences, such as visitors gathering and staying on the street, creating safety and cleanliness issues. Creating a reservation pilot, mirroring the one created by the National Park Service for Muir Woods, is reasonable to help manage access to this unique tourist destination.

Previous legislation: AB 141 (Ammiano), Chapter 443, Statutes of 2014, legally separated the TIMMA from the SFCTA for the purposes of implementing the Treasure Island transportation program.

AB 981 (Leno), Chapter 317, Statutes of 2008, enacted the Treasure Island Transportation Management Act and authorized the City and County of San Francisco to adopt by ordinance a congestion fee pricing structure for the island.

AB 1543 (Leno) of 2007, would have enacted the Treasure Island Transportation Management Act and authorized the City and County of San Francisco to adopt by ordinance a congestion fee pricing structure for the island. AB 1543 was vetoed by Governor Schwarzenegger.

REGISTERED SUPPORT / OPPOSITION:

Support

San Francisco County Transportation Authority (sponsor)
Russian Hill Neighbors, San Francisco

Opposition

None on file

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