

THIS PRINT COVERS CALENDAR ITEM NO.: 10.1

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

Amend Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street vehicle electric charging parking spaces and amend Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging.

SUMMARY:

- California Vehicle Code Section 22511 empowers a local authority to designate parking spaces on a public street under its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes by ordinance or resolution.
- Vehicle Code Sec 22511.1 establishes an infraction for parking any vehicle in a designated “electric charging only” parking space unless the vehicle is connected for electric charging purposes or for obstructing, blocking, or otherwise barring access to such parking spaces.
- Vehicle Code Sec 42001.6 establishes a fine for violations of Sec 22511.1.
- This item would amend Transportation Code, Division II, Section 201 to allow the SFMTA Board of Directors to designate on-street vehicle electric charging parking spaces, and amend Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging.
- The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Amendment

APPROVALS:

DATE

DIRECTOR  May 15, 2024

SECRETARY  May 15, 2024

ASSIGNED SFMTAB CALENDAR DATE: May 21, 2024

PURPOSE

Amend Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street vehicle electric charging parking spaces and amend Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

This item will support the following goals of the SFMTA Strategic Plan:

Goal 7: Build stronger relationships with stakeholders.

This action supports the following SFMTA Transit First Policy Principles:

10. The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

DESCRIPTION

California Vehicle Code Section 22511 empowers a local authority to designate parking spaces on a public street under its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

Vehicle Code Sec 22511.1 establishes an infraction for parking any vehicle in a designated “electric charging only” parking space unless the vehicle is connected for electric charging purposes or for obstructing, blocking, or otherwise barring access to such parking spaces. Vehicle Code Sec 42001.6 establishes a fine for violations of Sec 22511.1.

This item would amend Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street vehicle electric charging parking spaces and amend Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging.

This item does not designate any specific parking spaces for “electric charging only” at this time. It only establishes the mechanism for the SFMTA Board to do so in the future in compliance with the Vehicle Code.

STAKEHOLDER ENGAGEMENT

This item would not in itself affect any stakeholders or make any material or operational changes to the public right of way. Designation of particular on-street curb locations would require separate actions by the SFMTA Board of Directors, for which proper and suitable outreach

would be carried out in advance of board deliberation and action.

ALTERNATIVES CONSIDERED

Staff considered the “no action” alternative but rejected it in favor of amending the Transportation Code to make it consistent with the authority provided in existing state law.

FUNDING IMPACT

As this code amendment only creates a procedure for designating “electric charging only” spaces, it alone has no financial impact. If the SFMTA board of directors designates any public on-street curb as “electric charging only” parking in the future, expenses would be incurred in the marking, maintenance, and enforcement of such designated curb. Appropriate fees could be established at any time by the board.

ENVIRONMENTAL REVIEW

On April 11, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the amendments to Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street electric vehicle (EV) charging parking spaces is not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The proposed action is the Final SFMTA Decision as defined by Article 10.1 of the Transportation Code. Final SFMTA Decisions can be reviewed by the Board of Supervisors.

The City Attorney’s Office has reviewed this calendar item.

RECOMMENDATION

Amend Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street vehicle electric charging parking spaces and amend Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging or for obstructing, blocking, or otherwise barring access to such a space.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, San Francisco has adopted a Climate Action plan and made other policy commitments to protect the environment by minimizing carbon emissions in all sectors with due haste; and,

WHEREAS, Transportation activities account for 40% of San Francisco’s carbon emissions, and de-carbonization of transportation can be facilitated by encouraging and supporting adoption of zero-emission vehicles, including electric vehicles (EV); and,

WHEREAS, California Vehicle Code Section 22511 empowers a local authority to designate parking spaces on a public street under its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes; and,

WHEREAS, Vehicle Code Sec 22511.1 establishes an infraction for parking any vehicle in a designated “electric charging only” parking space unless the vehicle is connected for electric charging purposes or for obstructing, blocking, or otherwise barring access to such a space, and Vehicle Code Sec 42001.6 establishes a fine for violations of Sec 22511.1; and,

WHEREAS, By making the proposed amendments to the Transportation Code the City will be prepared to designate and implement curb-side on-street vehicle electric charging stations, in partnership with other City agencies; and,

WHEREAS, The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31; and,

WHEREAS, On April 11, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the amendments to Transportation Code, Division II, Section 201 to add designation by the SFMTA Board of Directors of on-street electric vehicle (“EV”) charging parking spaces is not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Section 201 to add designation by the San Francisco Municipal Transportation Agency Board of Directors of on-street vehicle electric charging parking spaces; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Section 301 to add a fine for parking a vehicle in an on-street vehicle electric charging parking space unless the vehicle is actively charging or for obstructing, blocking, or otherwise barring access to such a space.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 21, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Vehicle Curb Electric Charging Stalls and Spaces]

Resolution amending the Transportation Code, Division II, to allow the SFMTA Board of Directors to designate stalls or spaces on public streets for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes; and to establish a fine for parking or leaving standing a vehicle in a stall or space designated for electric charging for non-charging purposes or obstructing, blocking, or otherwise barring access to a stall or space designated for electric charging.

NOTE: Additions are single-underline Times New Roman.
Deletions are ~~strike through Times New Roman~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 200 of Division II of the Transportation Code is hereby amended by revising Section 201 to read as follows:

SEC. 201. PROCEDURES FOR IMPLEMENTING PARKING AND TRAFFIC CONTROLS.

* * * *

(c) SFMTA Board of Directors' Action Required. The following Parking and traffic measures may not be implemented without prior approval of the SFMTA Board of Directors, taking into consideration the recommendation of the City Traffic Engineer:

* * * *

(18) Designate stalls or spaces on a public street for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

Section 2. Article 300 of Division II of the Transportation Code is hereby amended by revising Section 301 to read as follows:

SEC. 301. FINES AND FEES, AUTOMATIC INDEXING, LATE PAYMENT; SPECIAL COLLECTIONS.

* * * *

(b) Base Fees and Fines, Automatic Index.

(1) Base Fee or Fine. The base fee or fine to be charged and collected by the SFMTA shall be the fees and fines in effect as of March 19, 2024, effective for Fiscal Year 2023-2024, as provided in SFMTA Board Resolution 240319-028 Section 3; ~~and as amended April 16, 2024 in SFMTA Board Resolution 240416-043; and to establish increased permit fees for Residential Parking Permits in Section 902 for Fiscal Years 2024-2025 and 2025-2026 and establish the base fees for purposes of calculating those permit fees for 2026-2027 as the fees in effect July 1, 2025; and to establish fees for Taxi Permits in Section 320 and establish those fees as the base fee for purposes of calculating the Taxi permits fees for Fiscal Year 2025-2026 as set forth in Section 4 of SFMTA Board Resolution No. 240416-043, on file with the Secretary to the SFMTA Board as further amended May 21, 2024 to establish fees for violations of Vehicle Code 22511.1 pursuant to Vehicle Code 42001.6, and to establish those fees as the base fee for purposes of enforcing Vehicle Code 22511.1 effective for fiscal year 2023-2024 as set forth in Section 3 of SFMTA Board Resolution No. _____ on file with the Secretary to the SFMTA Board.~~

* * * *

Section 3. The base fee or fine to be charged and collected by the SFMTA shall be the fees and fines in effect as of March 19, 2024, effective for Fiscal Year 2023-2024 (contained

in SFMTA Board Resolution 240319-028); as amended April 16, 2024 (contained in SFMTA Board Resolution 240416-043); and as further amended May 21, 2024 (contained in SFMTA Board Resolution _____), as follows:

Section	California Vehicle Code Parking Penalty Schedule	Fee
Section 22511.1	Parking in Electric Vehicle Space When Not Charging, or Blocking Access to Such a Space	\$108.00

Section 4. Effective Date. This resolution shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this resolution.

Section 5. Scope of Resolution.

(a) In enacting this resolution, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this resolution as additions or deletions in accordance with the "Note" that appears under the official title of the resolution.

(b) For purposes of this resolution, SFMTA Board Resolution 240416-043, enacted April 16, 2024, is treated as existing text, even though it has not yet gone into effect.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: _____
MISHA TSUKERMAN
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 21, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency