



The City of San Diego

Staff Report

DATE ISSUED: August 30, 2024
TO: City Council
FROM: Office of the City Treasurer
SUBJECT: Establishing Parking Citation Fine Amount for Code Section 22500(n) CVC

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Council District(s): Citywide

OVERVIEW:

This is a request to establish a parking citation fine amount for California Vehicle Code (CVC) section 22500(n), which prohibits vehicles from being parked within 20 feet of any marked or unmarked crosswalk. On January 1, 2025, the City of San Diego will begin issuing citations under CVC section 22500 (n).

PROPOSED ACTIONS:

Approve a resolution to establish a fine amount of \$65 to CVC section 22500(n).

DISCUSSION OF ITEM:

Assembly Bill 413, introduced by Assemblymember Alex Lee of Milpitas, was approved by the California Legislature in September 2023 and was signed into law by Governor Gavin Newsom on October 10, 2023. The law is reflected in CVC section 22500(n) which prohibits stopping or parking a vehicle within 20 feet of any marked or unmarked crosswalk or 15 feet of any crosswalk where a curb extension is present, regardless of whether the curb is painted red. This law is necessary to improve visibility to both drivers and pedestrians by keeping a clear zone of specified distance on the approach side of intersections. This has become known as "daylighting."

On January 1, 2025, the City of San Diego will begin issuing warnings for 60 days for parking violations of CVC section 22500(n) where red paint or no parking signage is not present. After the 60-day warning period, citations will be issued, and therefore, must seek City Council approval to establish a fine amount pursuant to CVC section 40203.5(a).

Staff's recommendation is to set the fine amount to \$65. Currently, the fine amount for violations of San Diego Municipal Code (SDMC) section 86.0112(F), which prohibits vehicles from being stopped or parked in violation of a curb that is painted red, is set at \$65. Since many of these curbs will be painted red, though not required, staff recommends that the fine amount remain consistent between CVC section 22500(n) and

SDMC section 86.0112(F). Additionally, when benchmarked against other cities in the State of California, a fine amount of \$65 is reasonable. Below are fine amounts in comparable cities:

- City of San Francisco: \$108 for areas marked with paint, \$40 for unmarked areas
- Pasadena: \$75
- Beverly Hills: \$55
- Oceanside: \$45.50
- Chula Vista: \$47.50

For all City issued parking fines, the City also collects the State Mandated Surcharge of \$12.50. Therefore, if City Council approves the \$65 fine, the total amount collected by the City for a violation of CVC section 22500(n) will be \$77.50.

City of San Diego Strategic Plan:

This item relates to the Strategic Plan's Priority area: Protect & Enrich Every Neighborhood. By enforcing CVC 22500(n), it will allow for more visibility for drivers to see pedestrians and others entering the roadway. This item also supports the Strategic Plan's Priority area: Advancing Mobility & Infrastructure by improving fundamental paths of travel and ensuring safe, high-quality roads.

Fiscal Considerations:

Until the City is able to begin issuing citations under this new code section, it is difficult to estimate the amount of revenue or expenditures that will affect the General Fund. Fiscal impacts from the fine will be closely monitored in order to make budget adjustments in future fiscal years.

Charter Section 225 Disclosure of Business Interests:

N/A

Environmental Impact:

This activity is not a project pursuant to CEQA Guidelines Section 15378(b)(4) as it is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. Thus, this activity is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

Climate Action Plan Implementation:

N/A – Does not have a connection to the CAP.

Equal Opportunity Contracting Information (if applicable):

N/A

Previous Council and/or Committee Actions:

This item will be heard by the Budget and Government Efficiency Committee prior to full Council.

Planning Commission Action:

N/A

Key Stakeholders and Community Outreach Efforts:

The City of San Diego Communications Department partnered with media outlets to inform citizens of the City of San Diego of CVC section 22500(n). In addition, the San Diego Police Department will be issuing out warnings for vehicles in violation until December 31, 2024.

Elizabeth Correia

City Treasurer

Matthew Vespi

Chief Financial Officer