

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 6/28/2023

Staff Report No. 23-343

TO: AC Transit Board of Directors
FROM: Jill A. Sprague, General Counsel/Chief Legal Officer
SUBJECT: Introduction of Ordinance 19

ACTION ITEM

AGENDA PLANNING REQUEST: ☐

RECOMMENDED ACTION(S):

Introduce and waive the reading of Ordinance No. 19 establishing use of forward-facing cameras on Alameda-Contra Costa Transit District-owned public transit vehicles to issue citations and establish civil penalties for parking violations in transit-only traffic lanes and transit stops; and repeal Ordinance 18.

Staff Contact:
Jill A. Sprague, General Counsel/Chief Legal Officer
Salvador Llamas, Chief Operating Officer

STRATEGIC IMPORTANCE:

Goal - Safe and Secure Operations
Initiative - Service Quality

This ordinance will permit the District to use automated bus lane and bus stop enforcement technology for end-to-end citation processing that will reduce the number of vehicles illegally parked in District bus lanes and bus stops, thus improving on-time performance, while increasing accessibility, improving operator and passenger safety, reducing scheduled travel time for coach operations in bus-only lanes, and increasing efficiency during passenger boarding and alighting.

BUDGETARY/FISCAL IMPACT:

The amount of revenue generated will depend on the number of citations issued. For the District's initial pilot installation, a portion of the citation revenue (up to an amount of \$2,500.00 monthly per bus) will be transmitted to the vendor contracted to install, operate, and maintain the automated forward-facing camera technology. The District will receive any citation revenue in excess of \$2,500.00 monthly per bus.

BACKGROUND/RATIONALE:

California Vehicle Code Section 40240 subdivision (a) permits the District to install forward-facing parking control devices (cameras) on its District owned public transportation vehicles for the purpose of video imaging of parking violations occurring in transit-only lanes and transit stops. Section 40240(a) further permits the District to enact an ordinance to enforce and issue civil penalties (citations) for parking violations in transit-

only bus lanes and transit stops. To use forward-facing cameras to enforce parking violations and issue citations, the Board is required to adopt an ordinance establishing the civil penalty, retention requirements, and citation procedures that comply with California Vehicle Code.

On June 10, 2020, the Board received Staff Report No. 20-219 and adopted Ordinance 18, which authorized the use of forward-facing cameras on District buses to issue citations for illegal parking in transit-only traffic lanes. Pursuant to California Vehicle Code Section 40240, Ordinance 18 established notification, enforcement, and a civil penalty appeals process.

California Vehicle Code Section 40240 was recently amended to include language from Assembly Bill 917. More specifically, the statute was expanded to cover the issuing of citations for unauthorized parking at transit stops. Other changes to Section 40240 include lengthening the amount of time the District is required to issue warning notices and provide education about the enforcement program before issuing citations, expanding privacy protections by limiting the use of the video evidence to the enforcement of parking, providing the option to not issue a citation if hardship is demonstrated, and requiring the option to reduce or waive the payment of a citation if the individual is determined to be indigent.

Staff recommends repealing Ordinance 18 and adopting Ordinance 19. Ordinance 19 incorporates the changes to California Vehicle Code Section 40240.

ADVANTAGES/DISADVANTAGES:

Advantages include providing the District with the ability to enforce parking violations using its forward-facing cameras to deter parking in transit-only traffic lanes and bus stops which will enhance efficiency and on-time performance while improving Bus Operator safety. Furthermore, adopting Ordinance 19 will ensure compliance with California Vehicle Code Section 40240.

There is no disadvantage to considering and adopting this ordinance.

ALTERNATIVES ANALYSIS:

No alternatives to this ordinance were considered.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Ordinance 18
Staff Report 20-219

ATTACHMENTS:

1. Proposed Ordinance 19
2. Ordinance 18

Prepared by:

Aimee Steele, Assistant General Counsel

Approved/Reviewed by:

Jill A. Sprague, General Counsel/Chief Legal Officer
Salvador Llamas, Chief Operating Officer
Chris Andrichak, Chief Financial Officer