

**Los Angeles County Metropolitan Transportation Authority**

**Administrative Code**

**Title 8**

**METRO Parking Ordinance**

**Chapter 8-01**

**General**

**8-01-010 Authority to Regulate**

The Los Angeles County Metropolitan Transportation Authority's ("METRO") authority to regulate parking, Vehicles (including vehicles other than automobiles), and traffic upon the driveways, paths, parking facilities or the grounds of METRO is conferred by section 21113 of the California Vehicle Code ("CVC").

**8-01-020 Laws and Enforcement on the METRO Property**

The California Vehicle Code and the regulations contained within this Title (Title 8, METRO Parking Ordinance) shall be in effect and will be enforced on METRO property 24 hours daily, 365 Days a Year, including holidays.

**8-01-030 Responsibility for Compliance**

Temporary parking on properties owned, leased, financed, contracted, operated or managed for METRO use is a privilege available only as provided by the parking policies and regulations of METRO, which reserves unto itself the right to revoke this privilege at any time because of inappropriate behavior, violation of any regulation in this ordinance or misuse of parking facilities or services. METRO reserves the right to establish what are inappropriate behaviors and the misuse of its property.

The operator of a vehicle on property owned, leased, financed, contracted, operated and managed for METRO use is responsible for complying with all state, local or METRO parking and traffic laws, ordinances and regulations and is subject to established penalties for violations thereof.

If a vehicle operator's identity cannot be determined, as in the case of a parked and locked vehicle, the registered owner and driver, rentee, or lessee of a vehicle cited for any violation of any regulation governing the parking of a vehicle under this code, under any federal statute or regulation, or under any ordinance enacted by a local authority shall be jointly liable for parking penalties imposed under this article, unless the owner can show that the vehicle was used without the consent of that person, express or implied. An owner who pays

any parking penalty, civil judgment, costs, or administrative fees pursuant to this Article shall have the right to recover the same from the driver, rentee, or lessee in accordance with CVC section 40200(b).

By entering onto METRO owned, leased, financed, operated, managed or contracted for property, the owner of a Vehicle grants METRO the right to examine the exterior of their vehicle for any legal purpose described herein, including the authorization to remove or tow the Vehicle from the property.

**8-01-040 Fees to be Paid for Parking in METRO Parking Facilities**

No Vehicle shall be parked in any METRO parking facilities at any time without payment of the applicable fee established by the Parking Rates and Permit Fee Resolution. Except as otherwise provided herein, such fees shall be collected from all persons desiring to park Vehicles in such facilities, including the officers and employees of METRO, the state, any public or private firm or corporation, any municipality, state or federal agency or any public district. No fee shall be charged to nor collected from any officer or employee of METRO for the parking of a METRO-owned Vehicle in any METRO parking facility at such times when such officer or employee is engaged in METRO business.

All parking fees, rates and charges for the use of the facilities shall be collected in cash or electronic payment from the registered owner, operator or person in charge of the Vehicle desiring to park. Any person who willfully fails to pay the fees, rate and charges for use of the METRO parking facilities after having been given a notice to pay will be considered as violating the METRO parking ordinance in this Chapter.

No Vehicle may be removed from any METRO parking facility until all fees, rates and charges have been paid and discharged, except as provided in subsections (a) of this section:

- a. In the event that the person operating a Vehicle parked in any METRO parking facilities attempts to remove the Vehicle from the facility but is unable to pay all fees, rates and charges due at such time, such person shall, prior to removing such Vehicle from the facility, be required to sign an agreement to pay any unpaid fees, rates and charges. A copy of such agreement shall be given to the person signing the agreement. Such agreement shall set forth the location of the facility, the date and approximate time that the vehicle is removed, the name of such person, the vehicle license number, the registration expiration date, if visible, the last four digits of the Vehicle identification number, if available, the color of the Vehicle, and, if possible, the make of the Vehicle. Such agreement shall require payment to METRO of all unpaid fees, rates and charges, plus an administration fee in an amount established by resolution of the Board or its designee, no later than seven days after the agreement is signed, and shall indicate the address to which payment may be delivered or sent. If full payment is not made within such seven day period, METRO shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to METRO of the unpaid fees, rates and charges, and administration fee, plus a late payment fee in an amount established by resolution of the Board, no later than seven days after the date of such notice. In the event that such amount is

not fully paid within such seven day period, a final notice of late payment, requiring payment of all owed parking and late fees in an amount established by resolution of the Board, shall be mailed to the Vehicle's registered owner. All owed parking fee will be subject to submit for collection process. The above agreement shall include a reference to this section.

- b. **Evidence of parking fee payment**, such as, but not limited to, parking permit, tickets, receipt or electronic display devices, is required during entire parking duration time.
  
- c. **Prohibition of Selling, Reselling, Leasing or Reserving for Compensation of Parking Spaces**. No person shall sell, resell, lease or reserve for compensation, or facilitate the selling, reselling, leasing or reserving for compensation of any METRO owned, leased, financed, contracted, managed and operated spaces or property without authorization from METRO.

By entering a METRO parking facility and parking a Vehicle in such facility, the registered owner, operator or person in charge of such Vehicle shall be deemed to have consented to the provisions of subsections A and B of this section. Any notices required to be mailed under subsections A and B of this section, shall be deemed served on the day that they are deposited in the U.S. mail, first class, postage prepaid. The issuance and review of notices of parking violation and delinquent parking violation, and the liability for and payment and collection of parking violation penalties, shall be governed by sections 40200 et seq. of the CVC and this Chapter.

### **8-01-050 Parking Facility Use, Designation, and Closure**

METRO reserves the right to limit the temporary use of its parking area to specific Vehicle types as required by facility design or aesthetic considerations. METRO may change any parking zone designation. METRO may close, either temporarily or permanently, any parking area. Notice of parking area changes or closings will be provided whenever practical. However, failure to give such notice shall not create any liability on the part of METRO, its directors, officers, employees, agents, representatives, assigns or successors to any third party.

### **8-01-060 Liability**

The use of a METRO owned, leased, financed, contracted, operated and managed parking facilities shall not create, simply by the condition of ownership, management or operation liability or responsibility for damage to any person or personal property. In addition, such use shall not result in METRO assuming liability or responsibility for damage, vandalism, theft or fire to any person or personal property, which may result from the use of parking facilities or services, or enforcement of laws or regulations.

**8-01-070 Parking Policy and Regulation Notification or Changes**

Parking policies and regulations are public information and are available online on METRO's website at [metro.net/parking](http://metro.net/parking). Changes in parking policy or regulation are effective upon approval by the Board of Directors. Whenever possible, the public will be notified in a timely manner prior to implementation of changes to METRO's parking policies and regulations.

**8-01-080 Administrative Review of Parking Citation Issuance**

A registered owner or operator of a Vehicle who believes a parking citation has been issued in error or in an improper manner may request an administrative review of the conditions for issuance of the citation as set forth in section 8-09-020.

**8-01-090 Towing Vehicles**

METRO is authorized by CVC section 21113 and CVC section 22650 et seq. to remove Vehicles as set forth below in Chapter 8-11.

## Chapter 8-03

### Parking Definitions

#### Chapter 8-03-010 Definitions

The words or phrases hereinafter in this Chapter are defined in this chapter and; they shall have the meanings respectively ascribed to them unless the context indicates the contrary.

***Accessible Parking Space.*** “Accessible Parking Space” means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing valid placard subject to the provisions stated in section 22511.5 of the CVC. Accessible parking spaces shall be marked in accordance with section 22511.7 of the CVC.

***Accessible Parking Space Path of Travel.*** “Accessible Parking Space Path of ” means any blue cross-hatched path between accessible parking spaces or along the designated path for which a vehicle operator with disabilities may travel from an accessible parking space to the accessible entry of a building, pedestrian area, or METRO transit or rail vehicle.

***Agency.*** “Agency” shall mean METRO or its authorized agent that processes and issues parking citations and issues notices of delinquent parking violations on behalf of METRO.

***Alley.*** “Alley” means any highway, as defined in this Chapter, unnamed, and having a width of less than twenty-five feet, and not provided with a sidewalk or sidewalks.

***Board.*** “Board” means the METRO Board of Directors.

***Bus Loading Zone.*** “Bus Loading Zone” means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading and unloading of passengers.

***Chief Executive Officer.*** “Chief Executive Officer” or “CEO” is the person designated by the METRO Board of Directors as the CEO of the Los Angeles County Metropolitan Transportation Authority.

***Commercial Vehicle Loading Zone.*** “Commercial Vehicle Loading Zone” means that space adjacent to the curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided in this document.

***Department of Motor Vehicles.*** “Department of Motor Vehicles” or “DMV”, or “Department” for this section shall mean the California Department of Motor Vehicles.

***Enforcement Officer.*** “Enforcement Officer” shall mean a peace officer as defined in Chapter 4.5, commencing with section 830 of Title 3 of the California Penal Code, or the

successor statutes thereto, or other issuing officer that is authorized or contracted by METRO to issue a parking citation.

**Hearing Officer.** “Hearing Officer” shall mean any qualified individual as set forth in the CVC section 40215 appointed or contracted by METRO to adjudicate parking citation contests administratively.

**Highway.** “Highway” means every way set apart for public travel except bridle trails and footpaths.

**METRO.** “METRO” shall mean the Los Angeles County Metropolitan Transportation Authority.

**METRO Facility.** “METRO Facility” includes all property and equipment, including rights of way and related tracks, rails, signals, power, fuel, communication systems, ventilation systems, power plants, cameras, signs, loudspeakers, fare collectors or registers, sound walls, stations, vacant parcels, bicycle paths, terminals, platforms, plazas, waiting areas, signs, art work, storage yards, depots, repair and maintenance shops, yards, offices, parking areas, parking lots, facilities, and other real estate or personal property owned or leased by METRO, used for any METRO activity, or authorized to be located on METRO property.

**METRO Representative.** “METRO Representative” shall mean a METRO security officer, transit operator, or other authorized METRO employee, Board or service council member, or METRO authorized contractor or entity.

**METRO Transit Court.** “METRO Transit Court” means the department authorized by the METRO Board of Directors to conduct parking, fare evasion or similar hearings and assign penalties for this Chapter.

**METRO Vehicle.** “METRO Vehicle” means a vehicle owned or operated by METRO.

**Operator.** “Operator” means any person who is in actual physical control of a vehicle or streetcar.

**Owner of the Vehicle.** “Owner of the Vehicle” shall mean that last registered owner and legal owner of record.

**Park.** “Park” means to stop or to allow standing any vehicle, whether occupied or not, vehicle stopped in obedience to official traffic-control devices or by direction of a police officer are not parked for the purposes of this section.

**Parker.** “Parker” means any person who holds a valid California driver’s license and intends to park a validly registered motor vehicle on METRO owned, leased, financed or contracted for property.

***Parking Citation.*** “Parking Citation” is a notice to the vehicle owner of any failure to comply with METRO parking regulations or the CVC, municipalities or county ordinances. A penalty shall be attached to each violation as described on each violation notice unless otherwise noticed.

***Parking Facility.*** “Parking Facility” includes any covered, enclosed parking garage, facility, and/or deck, any open air or individually covered parking space and or a multiple space parking area. Parking facility types include above grade, below grade or underground, mechanical and automated parking facilities.

***Parking Penalty.*** “Parking Penalty” includes the fine authorized by law for the particular violation, any late payment penalties, administrative fees, assessments, costs of collection as provided by law, and other related fees.

***Parking Permit.*** “Parking Permit” is a non-transferable decal, printed card or tag, or other form of temporary authorization issued for a specific period of time by authority of METRO which is authorized to grant to any eligible person permission to park on METRO owned, leased, financed or contracted property. A parking permit is valid only when issued to an eligible person who has complied with all terms of issuance prescribed by METRO and when the permit is properly displayed.

***Parking Space.*** “Parking Space” is all painted parking stalls located in Parking Facility that may or may not be marked by a sign, parking meter, and/or other restrictive designation painted on the ground or lot/facility surface.

***Parking Violation.*** “Parking Violation” means the breach or intrusion of a vehicle required to comply with any general parking legislation enforced under the provision of METRO parking regulations or the CVC, municipalities and county ordinances that warrants the issuance of a parking citation penalty to the vehicle’s registered owner.

***Parkway.*** “Parkway” means the portion of a highway other than a roadway or a sidewalk.

***Passenger Bus.*** “Passenger Bus” is any multiple passenger conveyance vehicle over 20’ long and carrying more than 15 persons or exceeding 6,000 pounds in gross weight.

***Passenger Loading Zone.*** “Passenger Loading Zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers, marked and designated with white paint.

***Pedestrian.*** “Pedestrian” means any person afoot.

***Pedestrian Conveyance Device.*** “Pedestrian Conveyance Device” includes skateboards, roller skates, rollerblades, in-line skates, other skating devices, foot-powered scooters and other similar devices.

## ATTACHMENT A

**Person.** “Person” means and includes every individual, firm, government entity and business entity.

**Rail Car.** “Rail Car” includes any passenger railway rolling stock that is designed to carry passengers. This term includes heavy weight, lightweight, commuter, bi-level or other type of rail industry vehicles.

**Registered Owner.** “Registered Owner” shall mean the individual or entity whose name is recorded by the Department of Motor Vehicles as having ownership of a particular vehicle.

**Respondent.** “Respondent” shall mean any “operator” or “registered owner” as defined in this section who contests a parking citation.

**Roadway.** “Roadway” means that portion of a highway between the regularly established curb lines or, when no curb exists, that portion improved, designated, and ordinarily used for vehicular travel and parking.

**Safety Zone.** “Safety Zone” means that portion of a roadway reserved for the exclusive use of pedestrians, marked and designated as hereinafter provided in this section.

**Section.** “Section” means a section of the ordinance codified in this Division 1 unless some other ordinance or statute is specifically mentioned.

**Sidewalk.** “Sidewalk” means that portion of a highway between the curb line or traversable roadway and the adjacent property lines that dedicate for pedestrian use.

**Street.** “Street” means and includes the portion of any public street, road, highway, freeway, lane, alley, sidewalk, parkway or public place which now exists or which may hereafter exist within METRO Facilities.

**Taxicab.** “Taxicab” means any passenger vehicle for hire for the directed transportation of not more than eight passengers, excluding the driver, at rates based on the distance, duration or number of trips, or waiting time, or any combination of such rates.

**Taxicab Zone.** “Taxicab Zone” means and includes the portion of the street area designated for the standing or stopping of taxicabs while awaiting employment.

**Vehicle.** “Vehicle” means every motorized device by which any person or property is or may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

**Vehicle Operator.** “Vehicle Operator” shall mean any individual driving and/or in possession of a vehicle at the time a citation is issued or the registered owner of the vehicle.

**Violation.** “Violation” shall mean any parking, equipment, or other vehicle violations as established pursuant to state law or METRO ordinances and administrative code.



**Chapter 8–05**

**Parking Regulations**

**8-05-010 Parking Activities**

Unless otherwise authorized by METRO in writing, METRO owned, leased, financed, contracted, operated and managed parking facilities shall only be used for parking, entering and exiting, loading and unloading activities.

**8-05-020 Enforcement Practice**

Citations will be issued according to the printed and posted regulations as appropriate. The frequency with which parking citations are issued is dependent on the nature of the violation and time control restrictions for each of the various parking zones. METRO is also authorized by CVC section 21113 to remove vehicles consistent with Chapter 10 (commencing with Section 22650) of Division 11 of the CVC.

**8-05-030 Illegal Parking Outside of a Defined Parking Space or Parking Space Markings**

No Vehicle shall be parked or cause to be parked within any parking facility except between the lines indicating where Vehicles shall be parked and shall not park any Vehicle as to use or occupy more than one marked parking space. METRO may install and maintain parking space markings to indicate parking spaces adjacent to any curb where parking is permitted. When such parking space markings are placed in the right-of-way, no Vehicle shall be stopped or left standing other than within the markings of a single space.

**8-05-040 Failure to Obey Signs**

No person shall fail or refuse to obey or comply with any sign, marking or device erected, made or placed to indicate and carry out the provisions of this Chapter.

**8-05-050 Exceeding Posted Time Limit**

METRO may post signs indicating a maximum parking time limit in a space of lot. If a vehicle has been parked in an area restricting parking to a specific time interval, such Vehicle shall not be re-parked in the same spaces, or same lot, or within a distance of five hundred feet of the place initially parked within a period of four hours thereafter. Vehicles used for vending or peddling purposes shall also comply with the provisions of this section.

**8-05-060 Temporary No Parking**

Whenever METRO finds that traffic congestion, or the disruption of the normal flow of traffic is likely to result from the operation, stopping, standing or parking of Vehicles during the holding of public or private special events, assemblages, gatherings or functions, during construction, alteration, repair, sweeping, filming or other reasons, METRO may place or

cause to be placed temporary signs prohibiting the operation, stopping, standing or parking of Vehicles at least seventy-two hours prior to and during the period such condition exists. In the event of an emergency, METRO may act under this section without providing the seventy-two-hour notice required herein.

**8-05-070 Restricted Parking**

Whenever any parking area is assigned for the exclusive use of the occupants of a facility a person, other than an occupant of the facility shall not park any vehicle in such parking area. The property owner manager or manager's designee responsible for overseeing the parking area may request that a parking violation be issued by METRO.

**8-05-080 Parking Within Marked Bicycle Lane**

A vehicle shall not be parked in a bicycle lane except to cross at a permanent or temporary driveway, or for the purpose of parking a vehicle where parking is permitted or where the vehicle is disabled.

**8-05-090 Illegal Parking in Loading Zone**

A Vehicle shall not be stopped for any purpose other than loading or unloading between the hours of 6:00 a.m. and 6:00 p.m. on any day except Sunday, or at such other times as designated by METRO in a place marked as a commercial and passenger loading zone. Such stop shall not exceed the time it takes to load and unload passengers or goods for a commercial vehicle. METRO shall place signs or curb markings to designate areas as commercial loading zones. Commercial loading zones shall be a minimum of thirty feet and not exceed forty-eight feet in length, and may be established in a parking meter / pay station location. Parking meters / pay station spaces shall be enforced during posted hours when the loading zone is not in effect.

**8-05-100 Vehicle Exceeds Load Size Limit**

- a. No person shall park or leave standing in METRO facility and/or lot any Vehicle having either of the following:
  - 1. A manufacturer's rated load capacity greater than 14,000 lbs; or
  - 2. A length in excess of twenty-four (24) feet.
  
- b. The following vehicles are hereby exempt from the provisions of this section:
  - 1. Any Vehicles properly displaying a large vehicle permit. Large Vehicle permits shall be issued for special events. Under any circumstances on any of the following Vehicles: tour buses, movie, television, or photographic production Vehicles, limousines, or mobile billboards in accordance with Chapter 8 of this code.

2. Any authorized emergency Vehicle, METRO Transit Security, any authorized highway work vehicle or any Vehicle used in the construction, installation, or repair of a utility or public utility in accordance with sections 22512 and 35702 of the CVC;
  3. Any Vehicle engaged in loading or unloading;
  4. Any Vehicle making pickups or deliveries of goods, wares, and merchandise; and
  5. Any Vehicle picking up or delivering materials used in the actual or bona fide repair, alternation, remodeling or construction of any building or structure for which a building permit or building construction authorization has been obtained.
- c. Pursuant to section 40200 *et seq.*, of the CVC, any violation of this section shall be punishable as a civil penalty in accordance with the provisions of Chapter 8-09 of the METRO Administrative Code. Any Vehicle parked or left standing in violation of this section may be removed in accordance with provisions of section 22650 *et seq.* of the CVC.
- d. Large Vehicle parking permits shall be issued by METRO pursuant to Metro policies and procedures for the issuance of such permits. Such policies shall be consistent with the provisions of sections 8-05-010 through 8-05-440 of the METRO Administrative Code.
- e. The fee for a large Vehicle parking permit shall be according to METRO fee schedule.

### **8-05-110 Disconnected Trailer**

Parking any trailer or semi-trailer in any METRO facility, while detached from or attached to a Vehicle is prohibited.

### **8-05-120 Bus Loading Zones**

A Vehicle shall not be parked or stopped from in any METRO owned, leased, financed, contracted, operated and managed parking facilities in a bus loading zone. No bus shall stop in any bus loading zone longer than necessary to load or unload passengers, except at a terminus station. Appropriate signs or red curb markings or both shall indicate a bus loading zones. METRO shall place signs or red curb markings or both at locations where Metro determines appropriate to establish. Unless otherwise specified by METRO or its designees, such loading zones shall not exceed eighty feet in length.

**8-05-130 Illegal Parking in Kiss and Ride Spaces and Passenger Loading Zone**

- a. A Vehicle shall not be parked more than three (3) minutes, or for such other amount of time as may be indicated on the posted sign, to load and unload passengers at any designated Kiss and Ride passenger loading and unloading zone.
- b. METRO may place curb paint markings with ADA compliance design criteria including ramps, minimum dimensions, proper signage and level pavement at locations to make passenger loading feasible.

**8-05-140 No Parking – Alley**

A Vehicle shall not be parked or stopped in any alley for any other purpose other than the loading or unloading of passengers or materials, or both. A Vehicle shall not be stopped for the loading or unloading of passengers for more than three minutes nor for the loading or unloading of materials for more than twenty minutes at any time in any alley.

**8-05-150 Illegal Parking in Red Zones**

A Vehicle shall not be stopped, parked or otherwise left standing, whether attended or unattended, except in compliance with a traffic sign or signal or direction of an authorized enforcement officer, between a safety zone and the adjacent right hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, where a sign or paint was erected METRO owned, leased, financed, contracted, operated and managed parking facilities. Violating vehicle(s) will be towed at the registered owner's expense.

**8-05-160 Vehicle Parked Seventy-Two (72) or More Hours**

Any vehicle observed parked or left standing longer than seventy-two (72) consecutive hours without authorized permit in the same location may be cited. Any Vehicle parked longer than seventy-two (72) hours must obtain permission in advance from METRO.

**8-05-170 Parking on Grades**

When METRO has placed or caused to be placed appropriate signs, a Vehicle shall not be parked upon any grade of six percent or more within any METRO facilities without turning the wheels of the Vehicle toward the curb while parked facing downhill and turning the wheels of the Vehicle away from the curb while the Vehicle is parked facing an uphill grade.

**8-05-180 Angled Parking**

Whenever the width of a parking lot, parking bay, parking facility, travel lane, and traffic conditions are such that the parking of Vehicles at an angle to the curb instead of parallel to the curb will not impede traffic flow, and where there is need for the additional parking spaces which parking at an angle will provide, METRO shall indicate at what angle Vehicles

shall be parked by placing parallel white lines on the surface of the roadway. An operator shall not stop, stand, or park any Vehicle except between, at the angle indicated by, and parallel to both such adjacent white lines, with the nearest wheel not more than one foot from the curb.

### **8-05-190 Double Parking**

Vehicle shall not be parked on the roadway side of another Vehicle that is stopped, parked or standing at the curb or edge of the public right-of-way, whether attended or unattended. Violating Vehicle(s) will be towed on registered owner's expense immediately.

Authorized emergency vehicles exempt from this section may display flashing or revolving amber warning lights when engaged in the enforcement of parking and traffic policies.

### **8-05-200 No Parking Anytime/Posted Hours**

Whenever the parking of Vehicles at all or certain hours of the day upon any portion of METRO Parking Facilities, travel lanes, or alleys which are open for public constitutes a traffic hazard or impedes the free flow of traffic, or both, METRO shall erect signs stating that parking is prohibited at all or certain hours of the day.

### **8-05-210 Wrong Side Two Way Traffic or Roadway**

A Vehicle shall not be parked, whether attended or unattended, regardless of loading or unloading in the public right-of-way within METRO facilities, or other transit/rail/park-n-ride facilities in such a manner where the Vehicle is parked in the direction of opposing traffic. Violating Vehicle(s) will be towed at registered owner's expense immediately.

### **8-05-220 Blocking Street or Access**

A Vehicle shall not be parked, whether attended or unattended, upon any traffic or travel lane, or alley where the roadway is bordered by adjacent curbs which is open to the public, whether bordered by curbs or not, unless no less than eight feet of the width of the paved or improved or main traveled portion of such traffic, travel lane or alley opposite such parked Vehicle is left clear or unobstructed for the free passage of other Vehicles. Violating Vehicle(s) will be towed at registered owner's expense immediately.

### **8-05-230 Parking Special Hazard**

At any place for a distance not to exceed one hundred feet where METRO finds that parking would unduly hamper the free flow of traffic, resulting in a special traffic hazard, or endanger public health or safety, METRO shall place appropriate signs or markings prohibiting such parking.

**8-05-240 Illegal Parking at Fire Hydrant**

A Vehicle shall not be parked within fifteen feet of a fire hydrant along any unmarked curb or in front of or as prohibited by section 22514 of the CVC or by any other state law. Violating Vehicle(s) will be towed at registered owner's expense.

**8-05-250 Illegal Parking at Assigned / Reserved Spaces**

Whenever any Vehicle parking space is assigned for the exclusive use of the occupant of any building, whether residential, commercial or industrial, which parking space is within such building or elsewhere, and at, in or near such parking space there is a legible sign stating either that such space is exclusively assigned, or that parking is prohibited, or both, a person, other than the person to whom such parking space is assigned, shall not park any Vehicle in such parking space except with the permission of the person to whom such parking space is assigned.

**8-05-260 Illegal Parking at Taxicab Stands**

The use of taxicab stand or stands shall be limited exclusively to Vehicles that display a taxicab vehicle permit by METRO pursuant to Chapter 8 and attended by a driver in possession of a valid taxi drivers permit issued by the METRO. No person shall park, stop, or stand any attended or unattended vehicle in METRO taxicab stand except as provided in this section.

**8-05-270 Illegal Parking at/ adjacent to a Landscape Island or Planter**

A Vehicle shall not be stopped, parked or otherwise left standing whether attended or unattended except in compliance with a traffic sign or signal or direction of a police officer, at or adjacent to a Landscape Island or Planter.

**8-05-280 Transient, Daily or Preferred Monthly Parking Permits**

Parking permits for transient, daily and monthly parking shall be issued by METRO. METRO shall be responsible for establishing policies, administering procedures and disseminating information regarding the distribution of parking permits for parking in METRO Parking Facilities.

Preferred Parking is an optional program that secures a patron a parking space prior to a specified time according to signage. All spaces become available to the public after the specified time according to signage. Spaces are available on a first come first serve basis.

- a. The number of permits to be issued shall be determined by the parking demand and conditions within each Parking Facility.
- b. Parking permits shall not be issued to any person who has outstanding parking citations.

Permittee shall obey all rules of the parking permit program. Failure to obey such rules may result in the termination or denial of a permit.

**8-05-290 Posting Signs in Preferred Permit Parking Area**

- a. METRO shall cause appropriate signs to be erected in parking facilities, indicating prominently thereon the parking limitation, period for its application, and motor Vehicles with valid permits shall be exempt from the limitations.
- b. If preferred permit parking is allowed in partial areas of a parking lot or parking facility, signs shall be posted only on the selected spaces or portions of a parking lot or parking facility within the prescribed METRO Facility.
- c. A parking permit shall not guarantee or reserve to the holder thereof a parking space within a parking lot or parking facility.
- d. A motor Vehicle on which a valid permit is displayed shall be permitted to stand or be parked in the authorized parking lot or parking facility or designated area within the parking lot or parking facility within the limits of the parking permit program. Except as provided below, all Vehicles parking within a permit designated area or parking lot or parking facility shall be subject to the parking restrictions and penalties as provided in this Chapter.

**8-05-300 Exemption of Certain Vehicles to Permit Restrictions**

No person shall, without a permit therefor, park or leave standing any vehicle or trailer in a designated parking permit area or parking lot and parking facility in excess of the parking restrictions authorized pursuant to this Chapter, except for the following:

- a. Repair, maintenance, refuel, utility, fuel or delivery vehicle providing services to METRO within the METRO facility with METRO's prior written consent.
- b. Emergency Vehicles

**8-05-310 Permit Penalty Provisions**

- a. Unless exempted by the provisions of this Chapter, no person shall stand or park a motor Vehicle in any designated permit parking area or parking lot or parking facility established pursuant to this Chapter. A violation of this section shall result in the revocation of the parking permit and rights in any METRO parking facilities, which is also punishable by an administrative fine established by the Parking Rates and Permit Fee Resolution adopted by the METRO Board. METRO also reserves the rights to refer the case to local law enforcement.
- b. No person shall copy, produce or create facsimile or counterfeit a parking permit, nor shall any person use or display a counterfeited parking permit.

- c. Permit holders shall report to METRO a lost, stolen or missing permit within five days of loss, at which time that permit shall be canceled and a new permit issued for the full face value of the parking permit. No pro-ration or refund requests will be accepted.
- d. No person shall misuse a permit or display a stolen permit.
- e. No person who has been issued a parking permit for a specific designated area, lot or facility shall use the permit in another area, lot or facility.
- f. No person shall alter, deface, or intentionally conceal an expiration date on the face of a parking permit which is displayed in a Vehicle parked on a METRO Facility.
- g. Violation of this sub-Chapter may be subject to parking privileges and permit to be immediately revoked.

**8-05-320 Expired Meter or Pay Station**

- a. ***Deposit of Fees Required.*** A person shall be required to deposit the proper fee for occupying a parking metered /pay station space at a charge set in METRO's fee resolution during the posted hours and days of operation.
- b. ***Parking Lot Requirements when Meters or Pay Station Installed.*** A person shall not park any Vehicle on any parking lot, parking facility or public right of way maintained or operated by METRO on which a parking meter or multi-space pay machine is installed at any time without paying the posted and adopted parking fees.

**8-05-330 Parking Facilities Cleaning, Maintenance and Capital Projects**

No vehicular parking shall be permitted at specific locations in any parking facilities during posted hours to allow for routine cleaning, maintenance and capital project implementation.

**8-05-340 Electric Vehicle Parking Spaces**

METRO has established *Electric Vehicle (EV) Charging Station Spaces* in Parking Facilities for use by electric Vehicles. No person shall park or leave standing vehicles in EV spaces except as follows:

- a. EV spaces must be signed or marked for EV charging purposes only.
- b. Electric Vehicles must be actively charging when parking in EV Charging Station Spaces.
- c. Non-Electric Vehicles shall not park in EV Charging Station Spaces at any time.



d. Electric Vehicles may only use designated EV Charging Station Spaces for charging vehicles. No other source of vehicle charging will be allowed at METRO facilities. When not charging, Electric Vehicles may park in any designated parking space at METRO facilities.

### **8-05-350 Parking on Sidewalk/ Parkway**

No vehicular parking shall be permitted on any portion of a sidewalk, nor shall any portion of a Vehicle be parked in such a manner to overhang or encroach onto any portion of the sidewalk or parkway. Violating Vehicle(s) will be towed at registered owner's expense immediately. Metro is authorized by CVC section 21113 and CVC section 22651 to remove a vehicle found to have been parked in violation.

### **8-05-360 Areas Adjacent to Schools**

Whenever METRO finds that parking on Metro property adjacent to any school property would unduly hamper the free flow of traffic or otherwise constitute a traffic hazard, appropriate signs or markings prohibiting such parking on METRO property shall be posted.

### **8-05-370 Peak Hour Traffic Zones**

Whenever METRO finds that traffic congestion is such that the movement or flow of traffic may be improved by the elimination of parking on Metro property during certain peak travel times, signs prohibiting the stopping, standing or parking of vehicles shall be posted. No Vehicle shall park or be left standing a Vehicle where a sign indicating a peak hour traffic zone has been posted. Vehicles in violation shall be cited and/or towed whenever the parking of Vehicles constitutes a traffic hazard or impedes the free flow of traffic, or both.

### **8-05-380 Parking Prohibition for Vehicles Over Six Feet High, Near Intersections**

Whenever METRO finds that the parking of Vehicles, with a height of six feet or more, within one hundred feet of an intersection, creates a visibility limitation resulting in a potential traffic hazard, METRO shall erect signs or markings stating that the parking of Vehicles with a height of six feet or more is prohibited within one hundred feet of an intersection.

### **8-05-390 Interim Parking Regulations**

METRO can temporarily waive existing or establish new parking regulations in order to accommodate or to mitigate the impacts of construction projects in the vicinity of the parking lot and parking facility.

### **8-05-400 Car Share or Vanpool Authorization Required**

No Vehicle shall be stopped, parked or left standing any Vehicle in a place or a parking space designated for the exclusive parking of Car Share or Vanpool vehicles participating in the

METRO Car Share or Vanpool Program, unless the vehicle obtained authorization as a METRO Car Share or Vanpool Program participant and registered as direct by METRO.

### **8-05-410 Speed Limit**

METRO speed limit is five (5) miles per hour in all parking areas, access roads and drives unless otherwise posted.

### **8-05-420 Motor Vehicle Access**

Operating a motor Vehicle on sidewalks, mall, lawns, or any surface not specifically designated as a road, street, highway or driveway is prohibited.

### **8-05-430 Penalty for Non-Compliance**

Unless exempted by the provisions of this part, no Vehicle shall be parked in violation of any parking restrictions established pursuant to this section. Except as provided in Chapter 8-05-100 paragraph (b), a violation of this section may result in the revocation of the parking permit and rights at any METRO parking facilities, which is also punishable by METRO's administrative fine schedule for parking violations. METRO may also refer the case to the local law enforcement. Any Vehicle with more than three (3) outstanding parking citations will be towed away at the registered owner's expense. All administrative fines and penalties must be paid and obtain applicable law enforcement agency clearance prior to release of the towed Vehicle in addition to two fees.

### **8-05-440 Accessible Parking Spaces Designated for Vehicle Operators with Disabilities**

Parking in accessible spaces designated for vehicle operators with disability is restricted to those individuals who have secured an authorized disabled license plate or disabled placard pursuant to CVC section 5007, 22511.55 or 22511.59 that is currently in effect. No Vehicle shall be stopped, parked or left standing in a parking stall or space in a METRO facility that has been designated as parking for vehicle operators with a disability in the manner required by CVC section 22507.8. In order for a vehicle to be parked in a designated accessible parking space, disabled parking placards must not be expired and must be properly displayed. Parking is prohibited in any area adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines or space identified as for the loading and unloading of Vehicles parked in such stall or space.

Vehicle operators with a disability are not exempt from the payment of fees for parking a vehicle on METRO facility. METRO reserves the right to adopt or amend the disabled parking pricing policy at all METRO facility. However, Vehicle operators with a disability shall not be charged more than the established parking fees listed for all parking spaces. Valid out of state disabled placards will be accepted at parking facilities.

The number and dimension of accessible parking spaces and van-accessible parking spaces are determined by ADA guidelines and specifications.

## **Chapter 8-07**

### **Vehicles Other Than Automobiles**

#### **8-07-010 Authority to Create Vehicle Regulations**

The METRO Board of Directors is authorized pursuant to section 21113 of the CVC to set forth conditions and regulations pertaining to the operation and parking of Vehicles, bicycles and pedestrian conveyance devices upon METRO property.

All rules and regulations of the CVC shall apply to Vehicles, bicycles and pedestrian conveyance devices operated on METRO Facilities. All Vehicles and bicycles must meet the equipment requirements of the CVC, including brakes, lights and reflectors.

#### **8-07-020 Enforcement**

This Chapter may be enforced by verbal or written warnings, administrative citations, fines vehicle towing and suspension or expulsion from Metro Facilities. Violations by METRO employees may also result in corrective or disciplinary action. Any appeal arising from the enforcement of this Chapter should be reported to METRO Transit Court, or as otherwise directed.

#### **8-07-030 Parking Bicycles at METRO Facilities**

##### **1. Parking Bicycles**

- a. Bicycles may be left, parked or stored on METRO Facilities only in areas designed for bicycle parking. These areas are: bike racks, bike lockers, or enclosed rooms with controlled access, or where signage designates the space as a bicycle parking area. However, METRO shall not be liable for any loss, theft, fire or damage of a bicycle or any personal property attached thereto for any bicycle left, parked or stored on METRO Facilities, regardless of whether the bicycle was in an area designated for bicycle parking.
- b. Bicycles parked in designated parking areas may not extend into the landscape. Bicycles may not be parked anywhere that interferes with the maintenance of landscaped or lawn areas or blocks any road or passageway.

##### **2. Removal of Bicycles**

- a. METRO may cause bicycles to be removed under any of the following circumstances:
  - Is secured to any item other than a bicycle rack designed for parking bicycles.

- Prevents use of available Vehicle parking spaces.
  - Poses a hazard or impedes pedestrian access.
  - Has been reported stolen and verified by the Agency.
  - Appears to be abandoned. A bicycle is considered abandoned if it remains in the same position for more than 72 hours and shows signs of intentional neglect. Signs included, but not limited to, deflated tires, missing wheels, and other parts.
- b. If a locking device must be detached to remove a bicycle, METRO may remove the securing mechanism, using whatever reasonable means are necessary. METRO is not responsible for any damage to the locking device or for its replacement.
- c. METRO or METRO authorized enforcement agencies' personnel may attach on to an abandoned bicycle a notice identifying the condition of the bicycle and the removal date.
- d. Removed bicycles may be recovered with proof of ownership after required fees are paid within 30 days; before they are released.
- e. Removed bicycles are held for a minimum of 30 days, after which time the bicycle owner is presumed to have relinquished legal title; these bicycles are disposed of in accordance with METRO policy.

### **8-07-040 Parking of Motorized Bicycles, Motorcycles and Mopeds**

1. Motorized bicycles, motorcycles and mopeds must obtain permission, display a valid parking permit when parking on METRO Facilities to the same extent as a vehicle would be required.
2. Motorized bicycles, motorcycles and mopeds shall be parked only in designated area of parking facilities.
3. Motorized bicycles, motorcycles and mopeds shall not be operated on bicycle pathways or sidewalk.

Motorized bicycles, motorcycles and mopeds may be cited or towed for the same reasons as automobiles in violation of any regulations stated in this ordinance.

## **Chapter 8-09**

### **Parking Citations**

This Chapter shall be known as the “Parking Citation Processing Ordinance” of METRO.

#### **8-09-010 Authority to Contract with Outside Agencies**

METRO may issue and/or process parking citations and notices of delinquent parking violations, or it may enter into a contract with a private parking citation Agency, or with another city, county, or other public issuing or Agency.

Any contract entered into pursuant to this section shall provide for monthly distribution of amounts collected between the parties, except amounts payable to the County pursuant to Chapter 09 (commencing with section 76000) of Title 8 of the California Government Code, or the successor statutes thereto, and amounts payable to the METRO pursuant to CVC section 4763 or the successor statute thereto.

METRO’s Board of Directors or Chief Executive Officer shall designate the officers, employees or law enforcement contractors who shall be authorized to issue notices of violation and citation and any requisite training for such persons.

#### **8-09-020 Appeal Review Process**

The Agency may review appeals or other objections to a parking citation pursuant to the procedures set forth in METRO’s Administrative Code.

- a. A Person who violates any provision of the Title 8 may, within twenty-one (21) days of the issuance of such notice of violation, request an initial review of the notice of violation by METRO. The request for review may be made in writing, by telephone or in person. There shall be no charge for this review. If following the initial review METRO is satisfied that the violation did not occur, or that extenuating circumstances exist, and that the dismissal of the notice of violation is appropriate in the interest of justice, METRO may cancel the notice of violation. METRO shall notify, the person requesting the review of the results of the initial review. If the notice of violation is not dismissed, reasons shall be provided for the denial. Notice of the results of the review shall be deemed to have been received by the person who requested the initial review within five (5) working days following the mailing of the decision by METRO.
- b. If the Person subject to the notice of violation is not satisfied with the result of the initial review, the Person may no later than twenty-one (21) days following the mailing of the initial review decision request an administrative hearing of the violation. The request may be made by telephone, in person, or by mail. The person requesting the administrative hearing shall deposit with METRO the amount due under the notice of violation for which the administrative review hearing is

## ATTACHMENT A

requested. A person may request administrative review without payment of the amount due upon providing METRO with satisfactory evidence of an inability to pay the amount due. An administrative hearing shall be held within ninety (90) days of the receipt of request for an administrative hearing.

If the Person prevails at the administrative hearing, the full amount of the parking penalty deposited shall be refunded.

- c. The administrative hearing shall consist of the following:
1. The person requesting the hearing shall have the choice of a hearing in person or by mail. An in person hearing shall be held within the jurisdiction of METRO, and shall be conducted according to such written procedures as may from time to time be approved by the Chief Executive Officer of METRO or the Chief Hearing Officer. The hearing shall provide an independent, objective, fair and impartial review of the contested violations. METRO will provide an interpreter for the hearing if necessary.
  2. The hearing shall be conducted before a hearing officer designated to conduct the review by METRO's Chief Executive Officer or Chief Hearing Officer. In addition, to any other requirements of employment the hearing officer shall demonstrate those qualifications, training, and objectivity as are necessary and consistent with the duties and responsibilities of the position as determined by METRO's Chief Executive Officer or Chief Hearing Officer.
  3. The person who issued the notice of violation shall not be required to participate in an administrative hearing. The issuing Agency shall not be required to produce any evidence other than the parking citation or copy thereof, photographs taken by citation issuing equipment at the time of the citation (date and time stamped), and information received from the department identifying the registered owner of the vehicle. This documentation in proper form shall be the prima facie evidence of the violation.

The hearing officer's decision following the administrative hearing may be delivered personally by the hearing officer or may be sent by first class mail.

4. The hearing officer's decision at administrative review is final except as otherwise provided by law.

If the contestant is not the registered owner of the vehicle, all notices to the contestant required under this section shall also be given to the registered owner by first-class mail.

**8-09-030 Procedures of Parking Citations Issuance**

Parking citations shall be issued in accordance with the following procedures:

- a. If a Vehicle is unattended at the time that the parking citation is issued for a parking violation, the issuing officer shall securely attach to the Vehicle the parking citation setting forth the violation, including reference to the section of the CVC, the METRO Administrative Code or other parking regulation in the adopted ordinance violated; the date; the approximate time of the violation; the location of the violation; a statement printed on the notice indicating that payment is required to be made not later than twenty-one (21) calendar days from the date of issuance of the parking citation; and the date by which the operation is to deposit the parking penalty or contest the parking citation pursuant to section 8-09-050. The citation shall state the amount of the parking penalty and the address of the agent authorized to receive deposit of the parking penalty.

The parking citation shall also set forth the Vehicle license number and registration expiration date, if such date is readable; the last four digits of the vehicle identification number, if the number is readable through the windshield; the color of the vehicle; and, if possible, the make of the vehicle.

The parking citation or copy thereof shall be considered a record kept in the ordinary course of business of the issuing agency and the agency, and shall be prima facie evidence of the facts contained therein.

- a. The parking citation shall be served by attaching it to the Vehicle either under the windshield wiper or in another conspicuous place upon the Vehicle so as to be easily observed by the person in charge of the Vehicle upon the return of that person.
  - b. Once the parking citation is prepared and attached to the Vehicle pursuant to paragraph (a), above, the issuing officer shall file notice of the parking violation with the Agency.
  - c. If during issuance of the parking citation, without regard to whether the Vehicle was initially attended or unattended, the vehicle is driven away prior to attaching the parking citation to the Vehicle, the issuing officer shall file the notice with the Agency. The Agency shall mail, within fifteen (15) calendar days of issuance of the parking citation, a copy of the parking citation to the registered owner of the Vehicle.
  - d. If within twenty-one (21) calendar days after the parking citation is issued, the issuing agency or the issuing officer determines that, in the interests of justice, the parking citation should be canceled, the issuing agency shall cancel the citation, or, if the issuing agency has contracted with the a agency, shall notify the agency to cancel the parking citation. The reason for the cancellation shall be set forth in writing.
  - e. If after the copy of the notice of parking violation is attached to the Vehicle, the issuing officer determines that there is incorrect data on the notice, including but not
-

limited to the date or time, the issuing office may indicate in writing, on a form attached to the original notice, the necessary correction to allow for the timely entry of the notice on the agency's data system. A copy of the correction shall be mailed to the registered owner of the Vehicle.

Under no circumstances shall a personal relationship with any public official, officer, issuing officer, or law enforcement Agency be grounds for cancellation of a citation. Initial Review and Hearing shall only be candidates by a Person who has no close personal or financial relationship with the Person cited.

- f. If an agency makes a finding that there are grounds for cancellation as set forth in the METRO Administrative Code, or pursuant to any other basis provided by law, then the finding or findings shall be filed with the agency, and the parking citation shall be canceled pursuant to subsection (c)(3) of section 8-09-120.

### **8-09-040 Parking Administrative Penalties**

- a. Administrative penalties shall initially be established by resolution of the METRO Board and amended throughout to the extent delegated to the Chief Executive Officer or Chief Hearing Officer.
- b. Administrative penalties received by Metro shall accrue to the benefit of METRO.

### **8-09-050 Parking Penalties Received by Date Fixed – No Contest / Request to Contest**

If the parking penalty is received by the Agency and there is not contest by the date fixed on the parking citation, all proceedings as to the parking citation shall terminate.

If the operator contests the parking citation, the Agency shall proceed in accordance with section 8-09-020.

### **8-09-060 Parking Penalties Not Received by Date Fixed**

If payment of the parking penalty is not received by METRO by the date fixed on the parking citation, the agency shall deliver to the registered owner a notice of delinquent parking violation pursuant to section 8-09-110.

Delivery of a notice of delinquent parking violation may be made by personal service or by first class mail addressed to the registered owner of the Vehicle as shown on the records of the department.

### **8-09-070 Notice of Delinquent Parking Violation – Contents**

The notice of delinquent parking violation shall contain the information required to be included in a parking citation pursuant to section 8-09-030. The notice of delinquent parking violation shall also contain a notice to the registered owner that, unless the



registered owner: (a) pays the parking penalty or contests the citation within twenty-one calendar days from the date of issuance of the parking citation, or (b) within fourteen calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of non-liability that complies with section 8-09-90 or section 8-09-100, the Vehicle registration shall not be renewed until the parking penalties have been paid. In addition, the notice of delinquent parking violation shall contain, or be accompanied by, an affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing an affidavit, and instructions for returning the affidavit to the issuing agency.

If the parking penalty is paid within twenty-one (21) calendar days from the issuance of the parking citation or within fourteen (14) calendar days after the mailing of the notice of delinquent parking violation, no late penalty or similar fee shall be charged to the registered owner.

**8-09-080 Copy of Citation upon Request of Registered Owner**

- a. Within fifteen (15) calendar days of request, made by mail or in person, the agency shall mail or otherwise provide to the registered owner, or the registered owner's agent, who has received a notice of delinquent parking violation, a copy of the original parking citation.

The issuing agency may charge a fee sufficient to cover the actual cost of copying and/or locating the original parking citation, not to exceed two dollars (\$2.00) per page. Until the issuing or agency complies with a request to provide a copy of the parking citation, the agency may not proceed to immobilize the vehicle merely because the registered owner has received five or more outstanding parking violations over a period of five or more calendar days.

- b. If the description of the vehicle on the parking citation does not substantially match the corresponding information on the registration card for that vehicle, the agency shall, on written request of the operator, cancel the notice of the parking violation.

**8-09-090 Affidavit of Non-liability – Leased or Rented Vehicle**

A registered owner shall be released from liability for a parking citation if the registered owner files with the agency an affidavit of non-liability in a form satisfactory to METRO and such form is returned within thirty (30) calendar days after the mailing of the notice of delinquent parking violation together with proof of a written lease or lessee and provides the operator's driver's license number, name and address.

**8-09-100 Affidavit of Non-liability – Sale**

A registered owner of a Vehicle shall be released from liability for a parking citation issued to that Vehicle if the registered owner served with a notice of delinquent parking violation files with the agency, within thirty (30) calendar days of receipt of the notice of delinquent

parking violation, an affidavit of non-liability together with proof that the registered owner served with a notice of delinquent parking violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged violation. The agency shall obtain verification from the department that the former owner has complied with the requirements necessary to release the former owner from liability pursuant to CVC section 5602 or the successor statute thereto.

If the registered owner has complied with CVC section 5602 or the successor statute thereto, the agency shall cancel the notice of delinquent parking violation with respect to the registered owner.

If the registered owner has not complied with the requirement necessary to release the owner from liability pursuant to CVC section 5602, or the successor statute thereto, the agency shall inform the registered owner that the citation must be paid in full or contested pursuant to section 8-09-050. If the registered owner does not comply, the agency shall proceed pursuant to section 8-09-060.

### **8-09-110 Collection of Unpaid Parking Penalties**

Except as otherwise provided below, the agency shall proceed under subsection (a) or subsection (b), but not both, in order to collect an unpaid parking penalty:

- a. File an itemization of unpaid parking penalties and other related fees with the California Department of Motor Vehicle collection unit pursuant to CVC section 4760 or the successor statute thereto.
- b. If more than four hundred dollars (\$400.00) in unpaid parking penalties and other related fees have been accrued by any one registered owner or the registered owner's renter, lessee or sales transferee, proof thereof may be filed with the court which has the same effect as a civil judgment. Execution may be levied and such other measures may be taken for the collection of the judgment as are authorized for the collection of unpaid civil judgments entered against a defendant in an action against a debtor.

The agency shall send notice by first-class mail to the registered owner or renter, lessee, or sales transferee indicating that a civil judgment has been filed and the date that the judgment shall become effective. The notice shall also indicate the time that execution may be levied against that person's assets, that liens may be placed against that person's property, that the person's wages may be garnished, and that other steps may be taken to satisfy the judgment. The notice shall also state that the agency will terminate the commencement of a civil judgment proceeding if all parking penalties and other related fees are paid prior to the date set for hearing. If judgment is entered, then the Agency may file a writ of execution or an abstract with the court clerk's office identifying the means by which the civil judgment is to be satisfied.

If a judgment is rendered for the agency, that agency may contract with a collection agency.

The agency shall pay the established first paper civil filing fee at the time an entry of civil judgment is requested.

- c. If the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date, and the citation has not been collected by the department pursuant to CVC section 4760, or the successor statute thereto, then the agency may file proof of unpaid penalties and fees with the court which has the same effect as a civil judgment as provided above in section 8-09-110 (a).
- d. The agency shall not file a civil judgment with the court relating to a parking citation filed with the Agency unless the agency has determined that the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date and the citation has not been collected by the Agency pursuant to CVC section 4760 or the successor statute thereto.

### **8-09-120 Obligation of Agency Once Parking Penalty Paid**

If the operator or registered owner served with notice of delinquent parking violation, or any other person who presents the parking citation or notice of delinquent parking violation, deposits the penalty with the person authorized to receive it, the agency shall do both of the following:

1. Upon request, provide the operator, registered owner, or the registered owner's agent with a copy of the citation information presented in the notice of delinquent parking violation. The agency shall, in turn, obtain and record in its records the name, address and driver's license number of the person actually given the copy of the citation information.
2. Determine whether the notice of delinquent parking violation has been filed with the department or a civil judgment has been entered pursuant to section 8-09-110 (b).
  - a. If the agency receives full payment of all parking penalties and other related fees and the agency neither files a notice of delinquent parking violation nor entered a civil judgment, then all proceedings for that citation shall cease.
  - b. If a notice of delinquent parking violation has been filed with the department and has been returned by the department pursuant to the provisions of the CVC and payment of the parking penalty has been made, along with any other related fees, then the proceedings for that citation shall cease.
  - c. If the notice of delinquent parking violation has been filed with the department and has not been returned by the department, and payment of the parking penalty along with any other fees applied by either the department or the agency or both have been made, the agency shall do all of the following:

1. Deliver a certificate of payment to the operator, or other person making payment;
2. Within five working days transmit payment information to the department in the manner prescribed by the department;
3. Terminate proceedings on the notice of delinquent parking violation;
4. Deposit all parking penalties and other fees as required by law.

### **8-09-130 Deposit of Parking Penalties with METRO**

All parking penalties collected, including process services fees and costs related to civil debt collection, shall be deposited to the account of the agency, and then remitted to METRO, if METRO is not also the agency.

If METRO is not the agency, then METRO shall enter into an agreement with the agency for periodic transfer of parking citation receipts, along with a report setting forth the number of cases processed and the sums received.

### **8-09-140 Bailment Schedule**

METRO shall adopt a penalty schedule for parking violation penalties and administrative penalties and any necessary additional procedures in furtherance of enforcement of this Code. The schedule and any procedures deemed necessary shall be subject to the approval of the Chief Executive Officer. The Schedule shall be deposited and maintained at all times by the METRO Transit Court for use and examination by the public.

## **Chapter 8-11**

### **Removal of Vehicles**

#### **8-11-010 Towing and Impounding Vehicles**

METRO may remove, tow or impound Vehicles in accordance with CVC section 22650 et seq., including but not limited to Vehicles that:

- a. Have three or more outstanding (unpaid) METRO parking violations.
- b. Have five or more outstanding (unpaid) parking violations from any agency in the State.
- c. Display lost, stolen, altered, counterfeit, or unauthorized permits.
- d. Have expired vehicle registration (more than six months).
- e. Park in tow away zones, such as disabled, reserved and no parking areas.
- f. Park in emergency/fire access lanes.
- g. Park on any surface not specifically marked for parking of motor vehicles, such as, but not limited to: lawns, open spaces, sidewalks, plazas, unmarked curbs, roadways, drive aisles, and bikeways.

#### **8-11-020 Post-storage Hearing**

- a. Whenever METRO directs removal of a Vehicle pursuant to this Chapter, the Vehicle's registered and legal owners of record, or their agents, will be provided an opportunity for a post storage hearing to determine the validity of the storage.
- b. METRO will mail or personally deliver a notice of the storage to the registered and legal owners within 48 hours, excluding weekends and holidays, and shall include all of the following information:
  1. The name, address, and telephone number of the agency providing the notice.
  2. The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
  3. The authority and purpose for the removal of the vehicle.

## ATTACHMENT A

4. A statement that, in order to receive their post storage hearing, the owners, or their agents, shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.
- c. The post storage hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. METRO may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the storage of the vehicle.
- d. Failure of either the registered or legal owner, or his or her agent, to request or to attend a scheduled hearing shall satisfy the post storage hearing requirement.