



**OPERATIONS COMMITTEE
OCTOBER 21, 2004**

SUBJECT: PARKING CITATIONS ISSUED BY MTA SECURITY OFFICERS

ACTION: APPROVE PROPOSED AUTHORIZATION

RECOMMENDATION

Direct the MTA Chief of Police to authorize MTA Security Officers, consistent with appropriate Federal, State and local laws, to issue parking citations for violations occurring on MTA property.

ISSUE

Currently, MTA Security Officers do not possess the authority to issue citations to vehicles illegally parked on MTA property. Staff is requesting board approval for the MTA Chief of Police to authorize MTA Security Officers to issue parking citations. The State of California allows the issuance of parking citations by authorized security personnel and private enforcement contractors under section 830.7 (e) of the California Penal Code (Attachment A).

Parking violations occur on MTA properties each day. Areas where most violations occur are usually clearly marked and posted, creating little doubt that parking is prohibited in that particular portion of the property. The purpose and goal surrounding a given parking prohibition may be, but is not limited to, that of safety to the public, vehicles, and/or property, keep certain areas clear for emergency vehicles or other necessary use and travel, or to accommodate those needing handicapped access. Granting the ability for MTA Security Officers to cite vehicles on MTA property would reduce the need to call Sheriffs personnel to the locations to issue a citation.

DISCUSSION

The proposed authorization will afford for better enforcement of parking violations occurring on property owned by the MTA. Fines and penalty revenues from citations issued by MTA Security Personnel will be used to offset security and enforcement costs. This authority will not extend beyond the exterior boundaries of any MTA property, nor will it allow for MTA Security Officers to issue parking citations in any bus zone or other area considered to be an extension of the public roadway.

Such authority will create a much-needed solution to recurring parking problems, promoting compliance to parking regulations. Training in the issuance of such citations by

MTA Security Officers will be accomplished through the training unit at the Los Angeles County Sheriff's Department, Transit Services Bureau.

Citation processing options include relying on MTA Security personnel, utilizing existing outside processing contracts or using Los Angeles County Sheriff's Department current processing personnel. Parking citations, parking enforcement and citation collections will be under the direction of the MTA Chief of Police and coordinated with the MTA Paid Parking Program Administration and MTA Board adopted Parking Policy. This authority would increase the MTA Security service and visibility. It would reduce or eliminate the need for MTA Security to call for a Sheriff's deputy to enforce parking violations on MTA property.

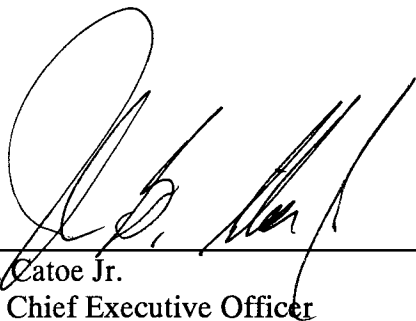
FINANCIAL IMPACT

There is no impact to the FY05 Budget, as Los Angeles County Sheriff's Department personnel have already received a supply of parking citations for use. These citations are the same citations that will be used by MTA Security Officers. The impact to future budgets will be minimal as the cost of printing citations is low, and revenues generated by the fines/penalties assessed to each parking citation would exceed the cost of printing. No additional labor cost is required to implement this program.

ATTACHMENT

A. Penal Code 830.7

Prepared by: Lt. Michael Herek, Los Angeles County Sheriff's Department/Transit Services Bureau and Director of Metro Security.



John B. Catoe Jr.
Deputy Chief Executive Officer



Roger Snoble
Chief Executive Officer

PENAL CODE

830.7. The following persons are not peace officers but may exercise the powers of arrest of a peace officer as specified in Section 836 during the course and within the scope of their employment, if they successfully complete a course in the exercise of those powers pursuant to Section 832: (a) Persons designated by a cemetery authority pursuant to Section 8325 of the Health and Safety Code. (b) Persons regularly employed as security officers for independent institutions of higher education, recognized under subdivision (b) of Section 66010 of the Education Code, if the institution has concluded a memorandum of understanding, permitting the exercise of that authority, with the sheriff or the chief of police within whose jurisdiction the institution lies. (c) Persons regularly employed as security officers for health facilities, as defined in Section 1250 of the Health and Safety Code, that are owned and operated by cities, counties, and cities and counties, if the facility has concluded a memorandum of understanding, permitting the exercise of that authority, with the sheriff or the chief of police within whose jurisdiction the facility lies. (d) Employees or classes of employees of the California Department of Forestry and Fire Protection designated by the Director of Forestry and Fire Protection, provided that the primary duty of the employee shall be the enforcement of the law as that duty is set forth in Section 4156 of the Public Resources Code.

(e) Persons regularly employed as inspectors, supervisors, or security officers for transit districts, as defined in Section 99213 of the Public Utilities Code, if the district has concluded a memorandum of understanding permitting the exercise of that authority, with, as applicable, the sheriff, the chief of police, or the Department of the California Highway Patrol within whose jurisdiction the district lies. For the purposes of this subdivision, the exercise of peace officer authority may include the authority to remove a vehicle from a railroad right-of-way as set forth in Section 22656 of the Vehicle Code.

(f) Nonpeace officers regularly employed as county parole officers pursuant to Section 3089. (g) Persons appointed by the Executive Director of the California Science Center pursuant to Section 4108 of the Food and Agricultural Code. (h) Persons regularly employed as investigators by the Department of Transportation for the City of Los Angeles and designated by local ordinance as public officers, to the extent necessary to enforce laws related to public transportation, and authorized by a memorandum of understanding with the chief of police, permitting the exercise of that authority. For the purposes of this subdivision, "investigator" means an employee defined in Section 53075.61 of the Government Code authorized by local ordinance to enforce laws related to public transportation. Transportation investigators authorized by this section shall not be deemed "peace officers" for purposes of Sections 241 and 243.