

# Memorandum



CITY OF DALLAS

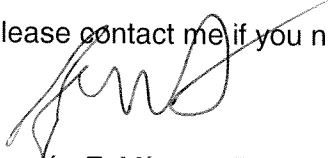
DATE May 23, 2008

TO Members of the Transportation and Environment Committee:  
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Carolyn R. Davis, Vonciel Jones Hill, Angela Hunt, Pauline Medrano and Ron Natinsky

SUBJECT Fine Structure for Violation of Handicapped Parking and Maximum Time Limit Enforcement Briefing

Attached is the "Fine Structure for Violation of Handicapped Parking and Maximum Time Limit Enforcement" briefing that will be presented to you on Tuesday, May 27, 2008 at the Transportation and Environment Committee Meeting.

Please contact me if you need additional information.

  
Ramón F. Míguez, P.E.  
Assistant City Manager

c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr., City Attorney  
Deborah Watkins, City Secretary  
Craig Kinton, City Auditor  
Judge Jay Robinson, Judiciary  
Ryan S. Evans, First Assistant City Manager  
David O. Brown, Interim Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
A.C. González, Assistant City Manager  
David Cook, Chief Financial Officer  
Jeanne Chipperfield, Interim Director, Office of Financial Services  
Helena Stevens, Assistant to the City Manager  
Edward Scott, Interim Director, Office of Financial Services

# **Fine Structure for Violation of Handicapped Parking and Maximum Time Limit Enforcement**

Presented to the Transportation and Environment Committee  
May 27, 2008



# Briefing Purpose

- To provide information on:
  - Fine structure for violation of parking spaces designated for the disabled/handicapped
  - Enforcement of maximum time limit at short-term parking meters
- Ordinance amendments required

# Fine structure for violation of handicapped parking spaces

## ■ Background

- The Crime Watch Executive Board (CWEB) has reviewed various policies and ordinances to identify areas for improvement within the community
- CWEB conducted a survey of Dallas' surrounding cities which revealed that the fee structure in these other cities ranged from \$116 to \$365 for violating disabled parking ordinances

# Disabled Parking Violations in Surrounding Communities

CITY	BASE FINE AMOUNT	CRIMINAL VIOLATION	CIVIL VIOLATION
<i>Addison</i>	\$365	√	
<i>Allen</i>	\$315	*	
<i>Balch Springs</i>	\$150	*	
<i>Carrollton</i>	\$195	√	
<i>Cedar Hill</i>	\$245	√	
<b>DALLAS</b>	<b>\$290</b>	√	
<i>DeSoto</i>	\$310	√	
<i>Duncanville</i>	\$310	√	
<i>Frisco</i>	\$305	√	
<i>Garland</i>	\$116		√
<i>Grand Prairie</i>	\$300	*	
<i>Irving</i>	\$302		√
<i>Richardson</i>	\$300	√	
<i>Mesquite</i>	\$295		√
<i>Highland Park</i>	\$300	√	
<i>University Park</i>	\$305	√	

\* Unable to confirm criminal/civil status at this time

# CWEB Request

- CWEB has approached the City with a recommendation for the City to increase the fine for the violation of disabled parking ordinances to \$250; and to designate 15% of the revenue for the Citizens Helping in Parking Solutions (C.H.I.P.S.) program
- C.H.I.P.S. program trains and deputizes volunteers to patrol and issue citations to violators of disabled parking spaces

# Fine Structure

- The City's civil parking fine for a disabled parking violation \$95
  - No longer applicable due to changes in state law
- The City's base criminal fine for a disabled parking violation is \$290 plus court fees if paid on time

# Citation Issuance

- Dallas Police Department (DPD) through the C.H.I.P.S program- **80%** of citations issued
- Public Works and Transportation (PWT)- **14%** of citations issued
- Code Compliance - **4%** of citations issued
- Equipment and Building Services (EBS) Security - **2%**

# Citation Issuance and Processing

- Changes in State Law mandate that all citations issued for disabled/handicapped parking violations be issued as criminal citations
  - Chapter 681 of the Transportation Code covers these offenses
  - Fines range from \$250 to \$500, with some enhancements for multiple convictions
- This type of criminal citation can be issued to the vehicle license plate – same as civil citations
- Criminal citations can be left on the windshield – same as civil citations
- Criminal citations are forwarded to Court Services for processing
- Citations are prosecuted in Municipal Court

# Recommendation

- Fine amount for the first offense to remain at \$290
- C.H.I.P.S. program volunteers to write citations under State Law for prosecution in municipal court
- Update Dallas City Code to be consistent with State Law
- Review CWEB request to fund the C.H.I.P.S. program materials and supplies, and provide recommendations on how to assist with funding

# Maximum Time Limit Enforcement at Parking Meters

## Background

- Survey performed by vendor in February 2008 reveals:
  - 30% of all meters in CBD are occupied by vehicles displaying a disabled placard
  - Vehicles with disabled placards typically park all day at short-term parking meters
- #1 complaint from local merchants in the CBD
  - Short-term parking meters occupied all day by vehicles displaying handicap placards
  - Lack of turnover impacts availability of customer parking
- This is a nationwide problem and other cities have taken steps to mitigate this issue
  - City of Ft. Worth implemented an ordinance enforcing the maximum time limit at short-term meters in 2006

# Maximum Time Limit Enforcement at Parking meters

- To prevent vehicles from parking at short-term meters beyond the maximum time limit
  - Requires officers to mark **all** vehicles parked at meters
  - Requires ordinance amendment to enforce the limit against vehicles **even** when no money is required to be deposited in the parking meter, such as vehicles displaying a disabled placard/license plate
- Recommend trial area for enforcement to determine effectiveness of initiative
  - Will provide 30-day grace period and issue warning citations to alert customers to change



# Recommendation

- Amend code to begin enforcement of maximum time limit at parking meters for all vehicles, including those displaying a disabled placard/license plate