Jesse Arreguín
Councilmember, District 4

ACTION CALENDAR
October 30, 2012
(Continued from October 16, 2012)

To: Honorable Mayor and Members of the City Council

From: Councilmember Jesse Arreguín

Subject: Residential Preferential Parking (RPP): Vehicle Registration Requirements

RECOMMENDATION:
Refer to the City Manager and the Transportation Commission to evaluate and bring back for Council discussion alternatives to the requirement that vehicles must be registered at an address within an RPP area to qualify for a permit.

FISCAL IMPACTS OF RECOMMENDATION:
Unknown; possible increased revenue from additional permits issued.

BACKGROUND:
The purpose of the Residential Preferential Parking (RPP) program is to provide off-street parking for residents by restricting unlimited parking by nonresidents. Vehicles in these RPP areas are limited to 2 hour parking unless a residential parking permit is affixed to the vehicle. RPP permits are issued only to residents who demonstrate proof of residency, such as a utility bill. Additionally, the RPP program requires that the "motor vehicle … must have a vehicle registration indicating registration within the area for which the permit is to be issued."

The vehicle registration requirement is an important tool to validate residency and to ensure that the permitted vehicle is in fact in the custody and control of the resident. However, many residents, specifically students, are clearly entitled to a RPP permit but may have difficulty with meeting the vehicle registration requirement. This is due to the fact that more often than not vehicles in the custody of students are often registered to their parents at a different address due to financial and practical necessity.

The City of San Diego, which is home to several large universities, has a similar RPP program with proof of residency requirements, but differs in regards to vehicle registration. Recognizing the various scenarios in which a resident may be in custody of a vehicle registered to a different address, the City of San Diego allows the issuance of a residential permit if a proven resident signs a vehicle affidavit (attached) and satisfactorily demonstrates to the City that he or she has custody and control of the vehicle.

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This referral requests that the City Manager evaluate and present to City Council alternatives to the current vehicle registration requirement, such as the one implemented in San Diego, to enable residents who can clearly demonstrate residency, but whose vehicle may not be registered at their physical address, to be eligible for RPP stickers. Such a policy change would not open the door for non-residents to be eligible for RPP if the City develops appropriate standards to determine custody of the vehicle if the title is in the name of someone other than applicant. Baseline requirements for proof of residency would still be followed; however, the City may also want to establish guidelines for current students that take into account that not all students have a utility in their name and may have additional barriers to establishing residency. Such a policy would correct a disparity in how the RPP program has been implemented, which has resulted in a segment of the population being ineligible due to no fault of their own.

CONTACT PERSON:
Jesse Arreguin, Councilmember, District 4 981-7140

Attachments:

1. BMC 14.72.090
2. San Diego Vehicle Affidavit

14.72.090 Residential parking permit.

A. The City Manager and/or his/her designee shall issue residential parking permits with a term not to exceed of one year to motor vehicles which comply with the requirements set forth in this section.

B. A residential parking permit may be issued for a motor vehicle only upon application of the following person:

1. The applicant must demonstrate that he or she is currently a resident of the area for which the permit is to be issued; and

2. The applicant must demonstrate that he or she has ownership or continuing custody of the motor vehicle for which the permit is to be issued; and

3. Any motor vehicle to be issued a permit must have a vehicle registration indicating registration within the area for which the permit is to be issued.

C. A residential parking permit may in addition be issued for any vehicle in the area regularly utilized by a person who owns or leases commercial property and actively engages in business activity within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular residential permit parking involved area, may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

D. A residential parking permit may be issued for any vehicle utilized in the area by a nonresidential nonbusiness enterprise, such as a church, school, or hospital, located wholly or partially within the particular residential permit parking area. However, no more than one parking permit, or any greater number which the City Council may determine appropriate for the particular permit parking area involved, may be issued for each such enterprise within each permit area for a motor vehicle registered to or under the control of such an enterprise.

E. Any person to whom a residential parking permit has been issued pursuant to this section shall be deemed a permit holder. (Ord. 6762-NS § 3 (part), 2003: Ord. 5974-NS § 1, 1990: Ord. 5908-NS § 1, 1989: Ord. 5803-NS § 2 (part), 1987)

IMPORTANT: USE THIS FORM ***ONLY*** WHEN ***PRIMARY TRANSPORTATION*** IS NOT REGISTERED IN RESIDENT'S NAME

City of San Diego
RESIDENTIAL PERMIT PARKING PROGRAM
1010 2ND Avenue, 6TH Floor West Tower
San Diego, CA 92101
Post Office Box 129044
San Diego, CA 92112-9044
Office: 619 744-1728 Fax: 619 685-1405

Vehicle Affidavit

Generally, the parking permit applicant is not only a resident of the Residential Permit Parking District, but also the registered owner of the vehicle for which the permit is issued. If the applicant is **NOT** the registered owner of the vehicle, then it must be demonstrated to this office that the vehicle is under the complete control of the applicant. The objective of this procedure is to assure that each resident is able to secure a parking permit for that vehicle which is serving as the applicant's primary transportation. In the event that the information provided on this affidavit does not satisfactorily demonstrate to this office that the vehicle is, in fact, under the applicant's sole control, the applicant may be required to furnish such proof of that control as this office may deem necessary; until such time as that proof has been presented to this office, no permit shall be issued for that vehicle.

PLEASE PRINT THE FOLLOWING INFORMATION:

RESIDENT INFORMATION

RESIDENT'S NAME: _____

ADDRESS IN PERMIT AREA:

_____
(NUMBER) (STREET) (APT #)

VEHICLE INFORMATION

VEHICLE OWNER'S NAME: _____

RELATIONSHIP TO RESIDENT: _____

ADDRESS OF VEHICLE OWNER:

_____
(NUMBER) (STREET) (APT #)

_____
(CITY) (STATE) (ZIP CODE)

VEHICLE OWNER'S TELEPHONE NUMBER _____
( )

VEHICLE LICENSE PLATE NUMBER: _____

STATE REGISTRATION ISSUED BY: _____

READ THE FOLLOWING CAREFULLY BEFORE SIGNING AFFIDAVIT:

This vehicle has been assigned to me by the registered owner for my personal use. The vehicle is under my sole and complete control and is to be used by no other person. I certify under penalty of perjury that the above statements are true.

_____
(Signature of Resident) (Date)

This information is available in alternative formats upon request.