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**AGENDA REPORT**

**TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR**

**FROM: Vitaly B. Troyan, P.E**

**SUBJECT: Street Sweeper Camera Pilot Program DATE: March 27, 2012**

City Administrator  
Approval

Date

4-17-12

**COUNCIL DISTRICT: City-Wide**

**RECOMMENDATION**

Staff recommends that the Committee take Action on this Report on the Implementation of a Street Sweeper Camera Pilot Program Including the Anticipated Start Date of the Program.

**EXECUTIVE SUMMARY**

At the February 28, 2012 Finance and Management Agency Committee meeting, staff was directed to provide a report on the implementation of a street sweeper camera pilot program. By leveraging technology and a unique combination of parking ticket processing and photo enforcement experience, the street sweeper camera system provides a complete end-to-end solution that automates the enforcement of parking violations on street sweeping routes. The objective of the pilot program is to evaluate the effectiveness and cost benefits of a street sweeper photo enforcement solution. This report provides a history of the City's street sweeping program, including enforcement, revenue, and the impacts of policy changes that may occur if the pilot program were successful. See *Attachment A*.

**OUTCOME**

The pilot program will last 60 days. One City street sweeper will be equipped with the necessary camera equipment to take pictures of vehicles that are in violation of parking on a street during the posted days/times of street sweeping. The pictures will be wirelessly transferred to a back-end system that will be used to validate whether the pictures constitute a valid parking violation. Staff will identify selected sweeping routes that will provide data which best provides a mass representation of all routes.

During the first 30-days the system will not process citations; it will only collect images and collect data, such as, license plate, date, time, and location. Parking Control Technician staff will continue to issue citations and the number of citations will be compared with the data collected from the automated system.

The next 30 days the automated camera system will be fully activated. Photos, vehicle information and other information will be reviewed for the purpose of determining whether a parking violation occurred in a street-sweeping parking lane. No “live” citations will be generated for mailing to citizens during this pilot program.

Recently, the City and County of San Francisco and the City of Long Beach implemented pilot programs. San Francisco equipped two street sweepers with the system. The program will last four months; data will be captured and analyzed the first two months. Citations will be issued the remaining two months. Long Beach equipped one street sweeper with the system and has a two month program; one month to capture data, and one month where citations are issued.

At conclusion of the program, the City will have the option to proceed with full program implementation. Staff will analyze all information, determine the effectiveness of the pilot program and make a recommendation to the City Council whether it is in the City’s best interest to implement a permanent Automated Street Sweeper Parking Enforcement Program. Upon full program implementation, Parking Control Technicians (PCT’s) would be utilized through redeployment in more critical enforcement areas that have high volume of parking and complaints as well as enforcement of California Vehicle Code and Oakland Municipal Code.

### **BACKGROUND/LEGISLATIVE HISTORY**

Street sweepers are used to clean streets and roads from unnecessary pollutants, contaminants, chemicals, trash and debris – providing significant environmental and sanitary benefits to the immediate community, health of its inhabitants and the environment.

AB 2567 (2010) allows for local public agency-owned or local public agency-operated street sweepers to utilize automated parking enforcement systems to further serve the public interest (**Attachment B**). The automated, sweeper –mounted camera system captures images of cars parked in the path of street sweeping operation. The images and data collected provide a web-based authorization system that allows city personnel to review and approve violations prior to notices being mailed. Additionally, because the photos, citations, and information are “real time”, violators are less likely to dispute citations (**Attachment C**).

Streets are swept with mechanical street sweepers seven days per week between the hours of 9:00 a.m. and 12:00 p.m., 12:30 p.m. and 3:30 p.m., 12:00 a.m. and 3:00 a.m., and 3:00 a.m. and 6:00 a.m. For optimal performance streets are swept at speeds averaging between 5-10 mph and utilize side brooms (gutter) and main brooms (rear). The posted street sweeping routes have been swept 84% of the time during this fiscal year, (July 1, 2011 to the present).

The entire three hour time period is enforced to enable the street sweepers to effectively clean the street. With the exception of Columbus Day, sweeping does not occur on Holidays, Mandatory Leave Without Pay (MLWOP) dates, on dates in which we experience dovmmed equipment, staffing shortages, and rainy weather.

The current street sweepers are in poor condition. Typically, an average of seven street sweepers are in the shop for repairs daily. Ten street sweepers were replaced in 2005, and ten additional street sweepers were replaced in 2008. The 2005 sweepers are past their seven year lifecycle. The Department of Facilities and Environment is currently purchasing six new street sweepers to replace six of the 2005 street sweepers. There is no funding or plans to replace the remaining street sweepers.

Currently, PCT's enforce all posted signs regardless of whether the signs designate 2 hour zones, street sweeping or any other posted parking restrictions. Automated parking enforcement systems mounted on street sweepers to enforce existing regulations and improve compliance with street sweeping regulations can improve the environment by helping reduce waste and pollutants from entering storm water drain systems.

### ANALYSIS

The return-on-investment (ROI) analysis will compare program statistics of actual citations written by PCT's to the citations that would have been issued using the automated system mounted on the street sweeper.

The consultant, Affiliated Computer Services, Inc., will provide a comprehensive ROI analysis on the effectiveness of the pilot program. At the conclusion of the program, the City will have the option to proceed with a full program implementation. Staff will analyze all information, determine the effectiveness of the Pilot program and make recommendations on whether it is in the City's best interest to implement a permanent Automated Street Sweeper Parking Enforcement Program.

The current policy of citing for street sweeping sign violations regardless of when the streets are being swept can revert back to the original enforcement procedure which only enforced when actual street sweeping was occurring. This change in policy is an operational change and can be implemented by the City Administrator, however, the revenue impacts to the City should also be considered.

### POLICY ALTERNATIVES

Continue existing process of enforcing street sweeping rules using parking enforcement personnel.

<i>Pros</i>	Status Quo
<i>Cons</i>	Does not address citizens concerns
<i>Reason for not recommending</i>	Council has requested changes to current policy

### PUBLIC OUTREACH/INTEREST

30 days prior to implementation staff will make a public announcement of the automated parking enforcement system. The announcement will appear on the website home page for the Public Works Agency and the Budget and Revenue Management Agency. Parking Control Technicians will also place notices on cars parked in the pilot program area.

### COORDINATION

The consultant has provided a written proposal to implement a 60-day pilot program. The actual cost for the program is \$44,000. Employee Relations have notified the effected bargaining units and offered an opportunity to meet regarding the pilot program proposal.

### COST SUMMARY/IMPLICATIONS

1. **AMOUNT OF RECOMMENDATION/COST OF PROJECT:**  
Project Delivery  
Total Project Costs: \$44,000.00

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Pilot pricing is inclusive of all pilot program equipment and services described below:

- Camera Order and System Program;
- Installation & Testing;
- Pilot Program;
- Pilot Program Evaluation Report; and
- Taxes and Fees\*

TOTAL AGREEMENT/CONTRACT AMOUNT:

\$44,000

3. SOURCE OF FUNDING:

Funding for the \$44,000 is available in Fund 1720 (Comprehensive Clean-Up).

4. FISCAL IMPACT:

The City currently issues approximately \$15 million annually in street sweeping citations, including penalties. Staff estimates the potential revenue decrease of issuing street sweeping citations only at the same time as the street sweeping occurs could be between \$500,000 and \$1.6 million annually; this estimate depends on the level of new revenue generated through the redeployment of enforcement officers to other areas of the City, as well as the efficiency of the sweeper cameras. Once data is available at the completion of the 60-day pilot, staff will provide an updated estimated revenue impact as part of the ROI analysis of this program and potential policy change.

**SUSTAINABLE OPPORTUNITIES**


*Economic:* The new technology will complement the work and responsibilities of parking enforcement personnel as well as help focus resources for higher priority parking violation and other more critical transportation enforcement demands.

**Environmental:** Enhance the environment, improve water quality, decrease storm water runoff and help reduce ongoing habitat deterioration while enforcing current posted parking regulations.

**Social Equity:** Provides a fair process to contest parking violations to ensure an independent and fair and impartial review of a contested parking violation.

For questions regarding this report, please contact Assistant Director, David Ferguson at 615-5856.

Respectfully submitted,

  
VITALY B. TROYAN, P.E.  
Director, Public Works Agency

Prepared by:  
David Ferguson, Assistant Director  
Department of Infrastructure and Operations

Attachments: A - Automated Street Sweeping Parking Enforcement Program Street Sweeper Mounted Camera System  
B - Assembly Bill No. 2567 Chapter 471  
C - Automated Street Sweeper Parking Photo Enforcement Program AB 2567 Now Chaptered

Item: \_\_\_\_\_  
Finance & Management Committee  
April 24, 2012

# Automated Street Sweeper Parking Enforcement Program

## Street sweeper mounted camera system

ACS' automated, sweeper-mounted camera system solution effectively captures parking violation images and data and provides a proven web-based authorization system that allows city personnel to review and approve violations prior to notice mailing. By leveraging mobile license plate recognition (LPR) technology and its unique combination of parking ticket processing and photo enforcement experience, ACS has created a complete, end-to-end solution that automates the enforcement of parking violations in street sweeping routes.

### Results

This unique approach efficiently facilitates parking enforcement while improving the delivery of important municipal services. ACS enables its clients to maximize enforcement and increase compliance with street sweeping regulations without excessively allocating valuable city resources to parking enforcement duties on street sweeping routes. Additionally, because vehicles are cited while in the act of obstructing sweepers from cleaning city streets, violators are no longer compelled to dispute tickets when they were issued after street sweeping was completed or on a day when the street sweeper never cleaned the street.



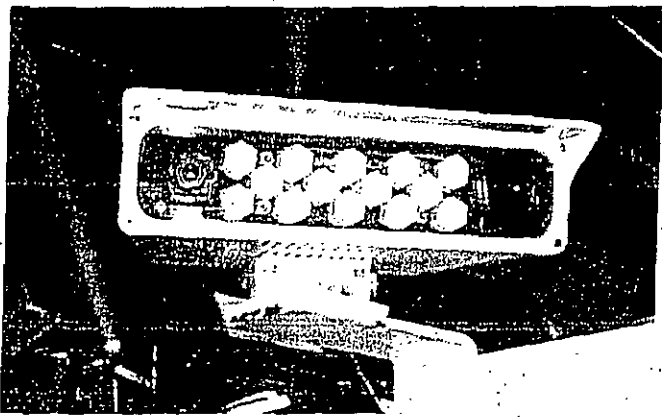
© 2010 CleanStreet. Photo used with permission.

### Environmental Benefits

According to a 2008 presentation to the American Public Works Association by Michael Belok, on behalf of the Washington, D.C. Department of Public Works:

"For every vehicle parked illegally along a sweeper route, three parking spaces are kept from being cleaned by the sweeper.

- Street sweeping is environmentally beneficial!
- Oil and grease are typically removed the most – on average of 10 pounds per mile swept.
- Nitrogen and phosphorus were each removed at a rate of 3 pounds per mile swept.
- When street sweepers are not removing these pollutants, rain water washes them, along with trash and other debris, into the sewers which goes to our rivers. (i.e. Anacostia River)."



## OCR Camera

The optical character recognition (OCR) camera is mounted on the outside of the street sweeper and captures the license plate of the offender. The LED lights pulse amber light to aid in the capture of the plate read.

**DISTRICT OF COLUMBIA**  
 DEPARTMENT OF PUBLIC WORKS  
 NOTICE OF INFRACTION

Mail Date: 06/07/2008  
**REGISTERED OWNER INFORMATION**  
 JOHN DOE  
 123 MAIN STREET  
 CITY, ST 10000

Your vehicle was photographed (at times, District of Columbia parking regulations are on the date and time listed below). Under District of Columbia law, the registered owner of a vehicle is liable for payment of the fine for violations provided using an automated parking enforcement system.

On the back of this notice you will find directions for contesting this notice.

**VIOLATION INFORMATION**  
 Ticket Number: 00000001  
 Violation Date: Monday, May 5, 2008  
 Violation Time: 2:30 AM  
 Violation Code: P000  
 Description: In a Parking Space Reserved  
 Enforcement Period: Monday, 2:30 AM - 11:30 AM  
 Location: In front of 123 Main Street SE  
 Vehicle Type: 00000000  
 Vehicle Make: ABC  
 Motor Vehicle License Number: 0123456789

Your payment by this order of this notice must be accompanied by the proposed fine of \$100.00.

Failure to pay the fine or obtain the amount of the proposed violation required for an abatement of liability, then the District of Columbia Department of Public Works will have the right to suspend the vehicle's registration for the violation. The District of Columbia, the Department of Public Works will have the right to suspend the owner's vehicle's registration as long as the fine and penalty is unpaid. Your vehicle may be impounded or impounded if it is not kept separate from the fine.

Do not mail back this notice with your payment to this number or return it to you through the mail. Call: (202) 696-2000, 24 hours.

Ticket Number: 00000001      Vehicle Type: 00000000      Motor Date: 05/05/2008  
 Payment Due Date: 06/07/2008  
 Initial Payment Amount Due: \$100.00  
 Total Amount Due After Payment Due Date: \$100.00

This notice has a full action violation of the law that is not a  
 Citation Number: 00000001  
 No. of Points: 20000000  
 Make sure check Payment to: DC 17000000  
 PO Box 1011  
 Washington, DC 20000

## Sample Citation

The Citation can be modified to meet legislation requirements and individual client needs.

## Citations

ACS is able to print and mail, clear concise notices to vehicle owners with violation data and images as well as information about contesting and paying citations.

## Contact Info

Ann Muenster-Nuiry  
 Vice President  
 213.439.6211  
 ann.muenster-nuiry@acs-inc.com  
 www.acs-inc.com

Kirk Strassman  
 Vice President  
 310.264.1008  
 kirk.strassman@acs-inc.com

## Backend Processing

License Plate information is verified, and the name and address of the vehicle owner is obtained through DMV records. A second review is conducted confirmation the license plate. Possible violations are then electronically sent to authorized City personnel to manually verify citations. Only those citations approved by the City personnel are mailed. Once the violations are approved, notices are mailed to the vehicle's registered owner.

## Ticket Processing

- Street sweepers are equipped with automated camera systems with License Plate Recognition (LPR) capabilities.
- The camera systems use LPR technology to automatically detect illegally parked vehicles and record a picture of the vehicle's license plate and of the vehicle and its surrounding environment. Critical violation data, such as the date, time, and location are also recorded.
- The images and corresponding violation data are saved to an onboard computer system and then wirelessly downloaded to ACS' CiteNet<sup>SM</sup> application for backend processing.
- License plate information (initially captured using LPR technology) is manually reviewed and verified using the web-based application and the registered owner's name and address data is obtained from the DMV and updated to the record.
- A second review is conducted, confirming the license plate number has been accurately captured and that a violation did occur.
- Events are then electronically routed for online verification by authorized City personnel, only approved violations are mailed.
- Once approved, notices with violation information and images are mailed to registered vehicle owners.

### Testimonials

"Our organization supports AB 2567 as an important way to reduce runoff of water pollutants and trash into the local water drain system."  
 — Environmental Defense Fund letter to Governor Arnold Schwarzenegger, Sept 17, 2010

"By improving enforcement of parking violations that prevent street sweepers from cleaning trash, AB 2567 will reduce water pollution loading and local government costs to keep water clean."  
 — Sierra Club letter to Governor Arnold Schwarzenegger, Sept 27, 2010





## Assembly Bill No. 2567

## CHAPTER 471

An act to amend Section 40207 of, and to add and repeal Article 3.6 (commencing with Section 40245) of Chapter 1 of Division 17 of, the Vehicle Code, relating to vehicles.

[Approved by Governor September 29, 2010. Filed with Secretary of State September 29, 2010.]

## LEGISLATIVE COUNSEL'S DIGEST

AB 2567, Bradford. Vehicles: parking violations: digital photograph recordings.

Existing law authorizes the City and County of San Francisco, until January 1, 2012, to enforce parking violations in specified transit-only traffic lanes through the use of video image evidence.

This bill would authorize a local public agency to install and operate an automated parking enforcement system on local public agency-owned or local public agency-operated streetsweepers for the purpose of digital photographing of street-sweeping parking violations occurring in street-sweeping parking lanes during the designated hours of street-sweeping operations, except when the vehicle is parked in a street-sweeping parking lane during the designated hours of street-sweeping operations after the street has already been cleaned. The bill would require the local public agency, at least 30 days prior to issuing notice of parking violations under these provisions, to make a public announcement of the automated parking enforcement system and to issue only warning notices during this 30-day period.

The bill would require a designated employee, who is qualified by the local public agency, to review the digital photograph recordings for determining whether these parking violations had occurred and to issue a notice of a parking violation to the registered owner within 15 days of the violation pursuant to a specified procedure. The digital photograph records, including any information read from a license plate, would be confidential and would be available only to public agencies to enforce parking violations.

The bill would require, by January 1, 2015, a local public agency that utilizes an automated parking enforcement system pursuant to these provisions to collect and report specified data to the Senate and Assembly Committees on Judiciary, the Senate Committee on Transportation and Housing, and the Assembly Committee on Transportation.

The bill would repeal these provisions as of January 1, 2016, and would make related changes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 40207 of the Vehicle Code, as amended by Section 1 of Chapter 377 of the Statutes of 2007, is amended to read:

40207. (a) The notice of delinquent parking violation shall contain the information specified in subdivision (a) of Section 40202, subdivision (a) of Section 40241, or subdivision (a) of Section 40248, as applicable, and Section 40203, and, additionally shall contain a notice to the registered owner that, unless the registered owner pays the parking penalty or contests the citation within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of nonliability that complies with Section 40208 or 40209, the renewal of the vehicle registration shall be contingent upon compliance with the notice of delinquent parking violation. If the registered owner, by appearance or by mail, makes payment to the processing agency within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of delinquent parking violation, the parking penalty shall consist solely of the amount of the original penalty. Additional fees, assessments, or other charges shall not be added.

(b) This section shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date.

SEC. 2. Section 40207 of the Vehicle Code, as added by Section 2 of Chapter 377 of the Statutes of 2007, is amended to read:

40207. (a) The notice of delinquent parking violation shall contain the information specified in subdivision (a) of Section 40202 or subdivision (a) of Section 40248, as applicable, and Section 40203, and, additionally shall contain a notice to the registered owner that, unless the registered owner pays the parking penalty or contests the citation within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of nonliability that complies with Section 40208 or 40209, the renewal of the vehicle registration shall be contingent upon compliance with the notice of delinquent parking violation. If the registered owner, by appearance or by mail, makes payment to the processing agency within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of delinquent parking violation, the parking penalty shall consist solely of the amount of the original penalty. Additional fees, assessments, or other charges shall not be added.

(b) This section shall become operative on January 1, 2012.

SEC. 3. Article 3.6. (commencing with Section 40245) is added to Chapter 1 of Division 17 of the Vehicle Code, to read:

Article 3.6. Procedure on Photo Enforcement and Digital Photographing of Parking Violations During Street Sweeping

40245. (a) The Legislature finds and declares all of the following:

(1) Streetsweepers operating throughout our nation and the world remove from streets and roads unnecessary pollutants, contaminants, chemicals, trash, and debris, which provides significant environmental and sanitation benefits, thereby protecting the environment and contributing to the health of people in communities worldwide.

(2) Each year, illegally parked private cars, trucks, and service vehicles on local streets and roads disrupt full street sweeping of as many as three parking spaces per illegally parked vehicle, resulting in significant debris, grease, oil, and other pollutants being needlessly washed into the stormwater drains.

(3) A major benefit of street sweeping, especially in more urbanized areas with higher areas of paving, is that by capturing pollutants before they are made soluble by rainwater, the need for stormwater treatment practices, which can be very costly when compared to collecting pollutants before they become soluble, may be reduced.

(4) According to an analysis by the District of Columbia Department of Public Works, an average of 10 pounds of oil and grease, three pounds of nitrogen and phosphorus, and up to two pounds of heavy metals are typically removed per mile swept of local streets and roads through street sweeping.

(5) According to an August 2004 technical report on "Trash Best Management Practices" submitted by the County of Los Angeles Department of Public Works, street sweeping and stricter enforcement of no parking regulations should "be utilized to the maximum extent practicable" to help prevent trash, litter, and other harmful pollutants from getting into the stormwater drain system.

(6) According to a July 2007 technical report titled "Trash Total Maximum Daily Loads for the Los Angeles River Watershed," stormwater drain discharges are the "primary source of trash" in the waterbodies of the Los Angeles River Watershed, whereby unswept street litter is washed through the storm drain sewers into the Los Angeles River, the Estuary, the beaches at Long Beach, and the Pacific Ocean.

(7) In August 2007, after extensive studies, public meetings, and economic benefit analysis, the Los Angeles Regional Water Quality Control Board adopted a phased-in goal of "zero" discharges of manmade trash in the Los Angeles River Watershed by 2016, a goal that was subsequently approved by the State Water Resources Control Board in April 2008 and the United States Environmental Protection Agency in July 2008.

(8) Cities such as Chicago and Washington D.C. already utilize automated parking enforcement systems mounted on their local public agency-owned or local public agency-operated streetsweepers to enforce existing regulations and improve compliance with street-sweeping regulations, which benefits the environment by helping reduce waste and pollutants from entering stormwater drain systems.

(b) It is the intent of the Legislature that a citation shall be issued, under the provisions of this article, only for violations captured during the designated hours of operation for a street-sweeping parking lane. It is also the intent of the Legislature that a citation shall not be issued, under the provisions of this article, for a vehicle that is parked on the street during the designated hours of operation for a street-sweeping parking lane when the vehicle is parked on the street after the street has been cleaned by a streetsweeper.

(c) It is also the intent of the Legislature that this article shall provide a single statewide standard for the use of camera enforcement technology on streetsweepers to help ensure continuity in program implementation and enforcement by local public agencies that desire to implement camera enforcement systems, including prohibiting the use of information read from license plates for any other purpose, establishing appropriate context supporting the violation that ensures individual privacy is maintained, and ensuring confidential data is disposed of properly, adequately, and safely after final disposition.

(d) Therefore, it is the intent of the Legislature to allow local public agency-owned or local public agency-operated streetsweepers to utilize automated parking enforcement systems for the purpose of digital photographing of street-sweeping parking violations for vehicles that are illegally parked during the designated hours of operation in a street-sweeping parking lane, thus serving the public interest by benefiting the environment, improving water quality, decreasing stormwater drain runoff, and helping reduce ongoing habitat deterioration.

40246. For the purposes of this article, the following terms have the following meanings:

(a) "Local public agency" means a city, county, city and county, district, or joint powers authority.

(b) "Streetsweeper" means a mechanical vehicle that cleans streets and roads, utilizing a broom, conveyor belt, vacuum, or regenerative-air mechanism, among other mechanisms, to loosen, carry, and collect debris, dust, grease, oil, metals, and other pollutants from streets and roads.

(c) "Street-sweeping parking lane" means the land designated as a parking area on any street or road routinely cleaned by streetsweepers during designated hours of operation as indicated on schedule signs designated on both sides of the street or road.

40247. (a) A local public agency may install and operate an automated parking enforcement system on local public agency-owned or local public agency-operated streetsweepers for the purpose of digital photographing of street-sweeping parking violations occurring in street-sweeping parking lanes. The equipment shall be angled and focused so as to capture digital photographs of license plates on vehicles violating designated street-sweeping regulations and shall not unnecessarily capture identifying photographs of other drivers, vehicles, or pedestrians. The equipment shall only capture digital photographs when the automated parking enforcement system detects the occurrence of a parking infraction. The equipment shall

record the date and time the violation was captured onto the photograph. Any information read from a license plate at a location or at a time not designated for streetsweeping shall be destroyed by the close of the next business day. Notwithstanding subdivision (e) of Section 40248, only a local public agency may operate an automated parking enforcement system.

(1) A citation shall be issued only for violations captured during the designated hours of operation for a street-sweeping parking lane.

(2) A citation shall not be issued, under the provisions of this article, for a vehicle that is parked on the street during the designated hours of operation for a street-sweeping parking lane when the vehicle is parked on the street after the street has been cleaned by a streetsweeper.

(b) At least 30 days prior to issuing notices of parking violations pursuant to subdivision (a) of Section 40248, a local public agency utilizing an automated parking enforcement system pursuant to this article shall make a public announcement of the automated parking enforcement system and shall only issue warning notices during this 30-day period. This subdivision does not affect the authority of a local public agency to issue notices of parking violations through a manual system before, during, or after the 30-day warning period in this subdivision.

(c) A designated employee for the local public agency, who is qualified by the local public agency to issue parking citations, shall review digital photographs for the purpose of determining whether a parking violation occurred in a street-sweeping parking lane. A violation of a statute, regulation, or ordinance governing parking under this code, under a federal or state statute or regulation, or under an ordinance enacted by the local public agency occurring in a street-sweeping parking lane observed by the designated employee in the photographs is subject to a civil penalty.

(d) (1) Except as it may be included in court records described in Section 68152 of the Government Code, or as provided in paragraph (2), the digital photograph evidence may be retained for up to six months from the date the information was first obtained, or 90 days after final disposition of the citation, whichever date is sooner, after which time the information shall be destroyed in a manner that shall preserve the confidentiality of any person included in the record or information.

(2) Notwithstanding Section 26202.6 of the Government Code, digital photographs from automated parking enforcement systems that do not contain evidence of a parking violation occurring in a street-sweeping parking lane shall be destroyed within 15 days after the information was first obtained in a manner that shall preserve the confidentiality of any person included in the information.

(e) Notwithstanding Section 6253 of the Government Code, or any other provision of law, the digital photographs made, and any information read from license plates, by an automated parking enforcement system shall be confidential. Local public agencies shall use and allow access to these photographs and license plate readings only for the purposes authorized by this article.

40248. (a) A designated employee for the local public agency shall issue a notice of a parking violation to the registered owner of a vehicle within 15 calendar days of the date of the violation. The notice of violation shall set forth the violation of a statute, regulation, or ordinance governing vehicle parking under this code, under a federal or state statute or regulation, or under an ordinance enacted by the local public agency occurring in a street-sweeping parking lane; a statement indicating that payment is required within 21 calendar days from the date of citation issuance, and the procedure for the registered owner to deposit the parking penalty or contest the citation pursuant to Section 40215. The notice of a parking violation shall also set forth the date, time, and location of the violation, the vehicle license number, registration expiration date if visible, the color of the vehicle, and, if possible, the make of the vehicle. The notice of parking violation shall include a copy of the digital photograph evidence. Except as provided in paragraph (1) of subdivision (d) of Section 40247, the notice of parking violation, or copy of the notice, shall be considered a record kept in the ordinary course of business of the local public agency and shall be prima facie evidence of the facts contained in the notice.

(b) The notice of parking violation shall be served by depositing the notice in the United States Postal Service to the registered owner's last known address listed with the Department of Motor Vehicles. Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this article shall be held confidential, and may not be used for any other purpose. Proof of mailing demonstrating that the notice of parking violation was mailed to that address shall be maintained by the local public agency. If the registered owner, by appearance or by mail, makes payment to the processing agency or contests the violation within either 21 calendar days from the date of mailing of the citation, or 14 calendar days after the mailing of the notice of delinquent parking violation, the parking penalty shall consist solely of the amount of the original penalty.

(c) The local public agency shall allow a person to contest a notice of parking violation pursuant to Section 40215.

(d) Following an initial review by the local public agency, and an administrative hearing, pursuant to Section 40215, a contestant may seek court review by filing an appeal pursuant to Section 40230.

(e) The local public agency may contract with a private vendor for the processing of notices of parking violations and notices of delinquent violations, if the local public agency maintains overall control and supervision of the automated parking enforcement system.

40249. By January 1, 2015, a local public agency that utilizes an automated parking enforcement system pursuant to this article shall collect and report to the Senate and Assembly Committees on Judiciary, the Senate Committee on Transportation and Housing, and the Assembly Committee on Transportation, all of the following data:

(a) Number of citations issued for parking violations.

(b) Number of violations contested, and the final disposition of those violations.

(c) Number and percentage of photographs recorded from which notices of parking violations were issued.

(d) Number and percentage of photographs recorded from which no notices of parking violations were recorded.

(e) A summary of any instances in which a person or entity requested a photograph for a purpose unrelated to this article, including information regarding the purpose for which the photograph was requested, whether or not the local public agency provided the photograph, and, if the public agency provided the photograph, to whom the photograph was provided.

(f) The specific procedures that were used for the destruction of license plate readings pursuant to subdivision (a) of Section 40247 and the photographs pursuant to subdivision (d) of Section 40247:

(g) An evaluation of the overall effectiveness of the program.

(h) An evaluation of the privacy implications of the system, including a summary of any privacy-related complaints about the system.

40249.5. This article shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

# Automated Street Sweeper Parking Photo Enforcement Program AB 2567 Now Chaptered

AB 2567 allows for local public agency-owned or local public agency-operated street sweepers to utilize automated parking enforcement systems to further serve the public interest. The legislation lends specific support to environmental efforts—improving water quality, decreasing storm drain runoff and helping reduce ongoing habitat deterioration.

## The Need for Enforcement

Street sweepers are used to clean streets and roads from unnecessary pollutants, contaminants, chemicals, trash and debris—providing significant environmental and sanitary benefits to the immediate community health of its inhabitants and the environment.

Each year, illegally parked vehicles disrupt full street sweeping of as many as three parking spaces per illegally parked vehicle, resulting in significant pollutants being needlessly washed into storm water drains. In fact, a major benefit of street sweeping, especially in more urbanized areas with higher areas of paving, is that by capturing pollutants before they are made soluble by rainwater, the need for storm water treatment practices—which can be very costly when compared to collecting pollutants before they become soluble—may be reduced.

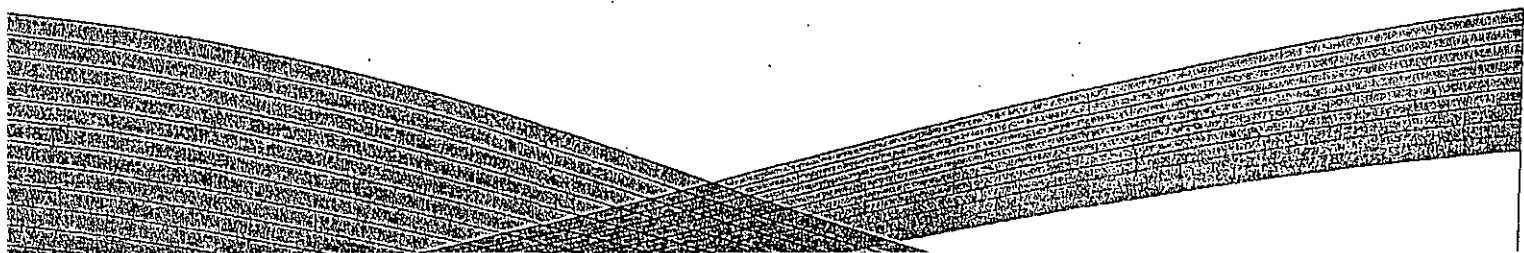
## The Environmental Dangers

According to an analysis by the District of Columbia Department of Public Works, an average of ten pounds of oil and grease, three pounds of nitrogen and phosphorus and up to two pounds of heavy metals are typically removed per mile swept of local streets and roads through street sweeping.



## Street Sweeping Benefits

- Cleans unnecessary pollutants from streets and prevents them from washing into waterways.
- Reduced the need for costly storm water treatment practices by cleaning pollutants before they become water soluble.
- Prevents the need for environmental clean up in bodies of water in the surrounding area; including rivers, estuaries and oceans.





An August 2004 technical report on "Trash Best Management Practices" submitted by the County of Los Angeles Department of Public Works states that street sweeping and stricter enforcement of no-parking regulations should "be utilized to the maximum extent practicable" to help prevent trash, litter, and other harmful pollutants from getting into the storm water drain system.

A July 2007 technical report titled, "Trash Total Maximum Dolly Loads for the Los Angeles River Watershed" identifies storm water drain discharges as the "primary source of trash" in the waterbodies of the Los Angeles River Watershed. Basically, unswept street litter is washed through the storm drain sewers into the Los Angeles River, the Estuary, the beaches at Long Beach and the Pacific Ocean.

## How Do We Benefit?

Additional environmental and cost-savings benefits would be realized from not requiring a separate enforcement vehicle to follow each street sweeper—saving on fuel and vehicle maintenance costs as well as reducing green-house gas emissions. Parking enforcement officers can be utilized in more critical areas such as assisting in traffic intersection management to help minimize traffic congestion during peak traffic hours.

AB 2567 would significantly help reduce urban runoff into lakes, rivers and beaches by permitting the use of automated parking enforcement systems to help improve local productivity and service while uniformly enforcing posted parking regulations.

## What AB 2567 Does Not

AB 2567 does not jeopardize jobs. There are many enforcement responsibilities performed by parking enforcement personnel. In addition to routine street sweeping violations, parking personnel are asked to enforce essential public safety violations and traffic management issues. For example, red zone violations, rush hour restrictions, limited-time parking, parking meter expirations, and neighborhood issues are all enforceable by parking enforcement personnel. This bill would not limit or change these important responsibilities. The manual enforcement of street sweeping parking violations is time-consuming—diverting parking enforcement personnel and resources needed from other priority assignments. Street sweepers that provide a means to automatically ticket street sweeping violations using automated parking enforcement systems would complement the work and responsibilities of parking personnel as well as help focus resources for higher priority parking violations and other more critical transportation enforcement demands. There is no indication, based on the use of this technology by other local agencies, that AB 2567 would jeopardize jobs given the wide variety of uses that parking personnel currently provide to their local jurisdictions and that street sweepers using automated parking enforcement systems would further complement the work they do today.

## What AB 2567 Does

- Helps enhance the environment, improve water quality, decrease storm water runoff and helps reduce ongoing habitat deterioration while enforcing current posted parking regulations.
- Allows a local public agency, as defined, to install automated parking enforcement systems on local public agency-owned or local public agency-operated street sweepers for the purpose of digital photographing parking violations that prevent full street sweeping.
- Allows a citation to be issued only for violations captured during the designated hours of operation for a street sweeping parking lane. Vehicles are exempt when parked on the street after the street has already been cleaned earlier that day.
- Requires a local public agency to commence a program to issue only warning notices for 30 days prior to full enforcement of the program.
- Requires designated employees, qualified by the local public agency to issue parking citations and review the digital image recordings to determine whether a parking violation occurred.
- Provides for a process to ensure confidentiality of any person included on any record or information obtained in connection with the alleged parking violation.
- Creates a fair process to contest a parking violation to ensure an independent, objective, fair and impartial review of a contested parking violation.

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