



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan
Department of
Transportation

SUBJECT: Parking Fines

DATE: May 27, 2025

City Administrator Approval


Jestin Johnson (Jun 11, 2025 09:34 PDT)

Date: Jun 11, 2025

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance: (1) Amending Oakland Municipal Code 10.48.010 To Increase Fines For Parking Citations consistent with previous city council direction; (2) Adopting a fine of \$40 for California Vehicle code 22500(n) in support of daylighting; (3) Amending Oakland Municipal code 10.48.010 consistent with Oakland ordinance 12607; (4) Amending Oakland Municipal Code 10.48.010 to resolve inconsistencies between Oakland Municipal Code 10.48.010, THE OAKLAND MUNICIPAL CODE AND THE CALIFORNIA VEHICLE CODE AND (5) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

EXECUTIVE SUMMARY

The City Council adopted a budget for Fiscal Year 2023-2025 that included a provision to increase all parking fines as an inflation adjustment that had not been done previously for many years. This Ordinance updates all parking fines listed in Oakland Municipal Code section 10.48 (Parking Fines) to reflect the two five percent (5%) year-over-year increases. Consistent with a new state law, the ordinance also establishes a fine of \$40.00 for parking, stopping, or standing within twenty feet on the approach side of a marked or unmarked crosswalk in support of pedestrian safety (a practice known as “daylighting”).

BACKGROUND / LEGISLATIVE HISTORY

In 1996, the City Council adopted a resolution supporting public transit and alternative modes, known as Oakland’s Transit First Policy (Resolution No. 73036 C.M.S.). This policy favors transit and alternative modes over private vehicles to reduce congestion and improve air quality, improve safety for people walking and bicycling, decrease parking demand, reduce individual transportation costs, and provide a balanced transportation system that supports many modes, making communities more livable.

In 2013, the City Council adopted a set of Parking Principles ([Resolution No. 84664 C.M.S.](#)). These Principles inform and guide the active management of the parking system and include goals like achieving 85% on-street parking occupancy, bolstering the economic vitality of neighborhood commercial areas, encouraging the use of off-street parking lots and garages, and reinvesting a portion of parking revenue directly back to commercial district investments, potentially through Parking Benefit Districts.

In 2016, the then newly-formed Department of Transportation's (OakDOT) Strategic Plan was unveiled, including goals for improving transportation choices and minimizing parking demand, congestion and pollution (Vibrant Sustainable Infrastructure #13), and managing public parking to balance the diverse needs of Oakland's visitors, merchants, commuters and residents (Vibrant Sustainable Infrastructure #14).

In June, 2023, the Oakland City Council adopted the budget for Fiscal Years 2023-2025, which included two year-over-year increases of five percent (5%) in parking fines as an overdue inflation adjustment (Resolution 89804 C.M.S.).

In October, 2023, Governor Newsom signed Assembly Bill (AB) 413, establishing new rules for "daylighting" intersections to increase driver sight distances and improve pedestrian visibility.

ANALYSIS AND POLICY ALTERNATIVES

The City of Oakland (City) periodically amends and updates fees and fines to account for the various cost increases relating to municipal programs, services, and activities. Amending the City's parking fees advances Citywide goal **1) holistic community safety** by helping to ensure that negative and dangerous parking behavior is disincentivized and Citywide goal **4) responsive, trustworthy government** by helping ensure that the cost of providing services, such as parking enforcement, is recovered through appropriate fees.

The Oakland Department of Transportation (OakDOT) is tasked with managing public parking to balance the diverse needs of Oakland's visitors, merchants, commuters, and residents and with improving transportation choices and minimizing parking demand, congestion, and pollution.

The Oakland Municipal Code (OMC) includes a Schedule of Parking Fines setting specific fines for Oakland traffic code violations as set by the State of California. OakDOT identified the need to increase all parking fines due to cost increases associated with providing services consistent with cost-of-living adjustments ("COLA"). This Ordinance updates all parking fines listed in Oakland Municipal Code section 10.48 (Parking Fines) to account for cost increases. City Council authorized this action as part of the city-wide budget for Fiscal Years 2023-2025. As such, this recommended action represents a clean-up measure as the inflation adjustments were implemented in July 2023 and again in July 2024 as originally directed.

CVC Division 18, Chapter 1 establishes penalties for various state vehicle code violations, including minimum and maximum fine amounts. In preparing this report, staff referenced CVC Division 18, Chapter 1, to ensure all proposed fines fall within the minimum and maximum amounts set forth therein. The fine for violating CVC 22511 (parking in a space designated for electric vehicles when not charging) was found to be below the minimum required fine amount of \$100. This fine is therefore proposed to be increased from \$80 to \$100.

"Pedestrian daylighting" (or just "daylighting") is a proven strategy to make crosswalks safer by pushing parked vehicles back away from crosswalks to improve visibility. Assembly Bill (AB) 413 established new rules for "daylighting" intersections to increase driver sight distances and improve pedestrian visibility. California Vehicle Code (CVC) 22500(n) implements AB 413 by making it illegal to park, stop, or stand within twenty feet on the approach side of a marked or unmarked crosswalk. This Ordinance establishes a fine for violation of CVC 22500(n) and allows the City to enforce this CVC section and thereby increasing pedestrian safety. Staff is recommending a fine of \$40.00 for this new code. The recommended \$40 fine is reasonable because it concerns a regulation that will be enforceable without any signage or curb paint and is comparable to the fine for similar violations, such as the \$32 fine for "No parking within 20' of signal or stop sign". As the public becomes increasingly aware of the new regulation, the fine amount can be increased to levels comparable to similar situations.

FISCAL IMPACT

The inflation adjusted parking fines for the recommended action have already been accounted for in the Fiscal Years 2023-2025 budget. There are no fiscal impacts for the new \$40.00 fine for CVC 22500(n) known at this time, as no additional parking enforcement and citation administration resources are needed for implementation, and revenues from the fine are unknown at this time. Staff will track and report any fiscal impacts as part of the mid-cycle budget process for Fiscal Year 2026-2027.

PUBLIC OUTREACH / INTEREST

A City website (<https://www.oaklandca.gov/topics/daylighting>) was created in 2024 to inform the public about the need for pedestrian daylighting and changes to state law regarding parking near intersections. OakDOT will use social media and newsletters to get the word out about the new daylighting rules at least one month prior to enforcement beginning.

Parking control technicians will issue up to one warning per vehicle for violations of the CVC 22500(N) during the first month of enforcement.

COORDINATION

Collaboration for this effort included the Budget Bureau and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: Increasing parking fines to account for the various cost increases relating to parking enforcement will help ensure that parking enforcement recovers its costs while generating revenue to support services funded through the General-Purpose Fund.

Environmental: Many parking fines are for illegal activities that compromise the safety of people using sustainable transportation modes such as walking, biking, and taking public transit.

These illegal activities include parking in bike lanes, bus stops, and sidewalks. Increasing fines for these illegal parking activities may help to discourage them, thereby increasing rates of walking, biking, and taking public transit.

Race & Equity: Increasing parking fines may cause a disproportionate financial burden to low-income Oaklanders who drive as compared to higher income Oaklanders who drive. Payment plans are available, including reduced payment plan enrollment fees for qualifying low-income customers (for more information, visit <https://www.oaklandca.gov/services/parking-ticket-payment-plan>). However, low-income Oaklanders and Black, Latino and Asian Oaklanders disproportionately use public transit and walking to reach their destinations as compared to white Oaklanders and higher income Oaklanders and could therefore benefit from effective parking enforcement that reduces illegal parking activities such as parking on sidewalks, bus stops and bike lanes.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The California Environmental Quality Act (CEQA) and the CEQA Guidelines exempt specific types of projects from environmental review. These actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges) because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses or obtaining funds for capital projects, necessary to maintain service within existing service areas. Additionally, these actions are not a project which has the potential for causing a significant effect on the environment, pursuant to Section 15061(b)(3) of the CEQA Guidelines because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.


The City Administrator or designee is hereby directed to file a Notice of Exemption with the appropriate agencies.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt An Ordinance: (1) Amending Oakland Municipal Code 10.48.010 To Increase Fines For Parking Citations consistent with previous city council direction; (2) Adopting a fine of \$40 for California Vehicle code 22500(n) in support of daylighting; (3) Amending Oakland Municipal code 10.48.010 consistent with Oakland ordinance 12607; (4) Amending Oakland Municipal Code 10.48.010 to resolve inconsistencies between Oakland Municipal Code 10.48.010, THE OAKLAND MUNICIPAL CODE AND THE CALIFORNIA VEHICLE CODE AND (5) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Michael Ford, Parking and Mobility Division Manager, at 510-238-7670.

Respectfully submitted,


Josh Rowan (Jun 3, 2025 11:46 PDT)
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