CCDA | California Commission on Disability Access

GOVERNOR EDMUND G. BROWN JR.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS**
721 Capitol Mall, Suite 250
Sacramento, California 95814
(916) 319-9974 office (916) 319-9976 fax
(800) 735-2929 TDD/TTY
www.ccda.ca.gov

***MEMBERS of the COMMISSION***
*Guy Leemhuis - Chair*
*Scott Hauge – Vice-Chair*
*Tom Ammiano – Assembly Member*
*Connie Conway – Assembly Member*
*Ellen Corbett – Senate Member*
*Jean Fuller – Senate Member*
*Chris Downey*
*Douglas Wiele*

***MEMBERS of the COMMISSION***
*Lillibeth Navarro*
*Greg Thompson*
*Anthony Seferian*
*Chester "Chet" Widom*
*Betty Wilson*
*Rocky Burks*
*Michael Paravagna*

***Commission Executive Staff***
*Stephan Castellanos – Executive Director*

## MEETING NOTICE AND AGENDA
## CALIFORNIA COMMISSION ON DISABILITY ACCESS

# EXECUTIVE COMMITTEE

Meeting Site Location

***CITY OF LOS ANGELES DEPARTMENT ON DISABILITY***
***201 NORTH FIGUEROA ST. SUITE 100***
***LOS ANGELES, CA 90012***

Off-Site Meeting Locations (Teleconference Only)

***DEPARTMENT OF REHABILITATION***
***721 CAPITOL MALL***
***ROOM 244, 2ND FLOOR***
***SACRAMENTO, CA 95814***

*2311 TARAVAL ST.*
*SAN FRANCISCO, CA 94116*

**On**

**December 19th, 2013**

**1:30 PM to 3:30 PM**
**(The end time is an estimate, the meeting may conclude earlier)**

**TELECONFERENCE # 1-866-662-5089**
**PARTICIPANT PASSCODE 24114538**

**Notice is hereby given that the California Commission on Disability Access (CCDA) Executive Committee will hear, discuss, deliberate and/or take an action upon the following items listed in this notice. The public is invited to attend and provide their input or comments.**

**ITEMS:**

1) **Call to Order/ Roll Call**
2) **Approval of Meeting Minutes (September 12th, 2013, November 14th, 2013) – Action**
3) **Comments from the Public on Issues not on this Agenda:** The Executive Committee will receive comments from the public at this time on matters not on the agenda. Matters raised at this time may be briefly discussed by the Executive Committee and/or placed on a subsequent agenda.
4) **Past Chair on Executive Committee – change by-laws to state previous chair is either ex-officio, or voting committee member**
5) **Executive Committee Makeup**
6) **Strategic Planning**
7) **CCDA Calendar**
8) **Budget Template Proposal**
9) **Meeting locations – Cost Analysis**
10) **Name of Education & Outreach Committee**
11) **Outreach to State Agencies, e.g., Architect/Contracting Board speakers at Full Commission Meeting**
12) **Independent Fundraising**

13) **Demand Letter Project – display plaintiff/defendant/attorney on web**

14) **Top Ten Discussion – type of research desired**

15) **Review of Bagley-Keene for New Members – discuss need for presenter**

16) **Disability Etiquette Will be added to CCDA Orientation Handbook**

17) **San Francisco Parking Policy**

18) **Future Agenda Items:** The Executive Committee may discuss and set for action on future agendas, procedural and substantive items relating to state buildings regulatory programs, Commission policy and administrative matters.

19) **Adjourn**

**The Executive Committee meeting is operating under the requirements of the Bagley-Keene Open Meeting Act set forth in Govt. Code Section § 11120-11132. The Act generally requires the Executive Committee to publicly notice their meetings, prepare agendas, accept public testimony, and conduct their meeting in public unless specifically authorized by the Act to meet in closed session.**

- **Meetings are subject to cancellation; agenda items are subject to removal or items may be taken out of order.**
- **The CCDA Executive Committee meets under the authority of Government Code § 8299.**
- **The CCDA Executive Committee may hold a closed session on pending or proposed litigation involving the Commission [Govt. Code § 11126(e)] and personnel matters and performance review relating to the Commission [Govt. Code § 11126(a)].**
- **The meeting facilities and restrooms are accessible to individuals with disabilities.**
- **Each CCDA Committee meeting will provide a teleconference line, large print agendas, and captioning.**
- **Requests for accommodations for individuals with disabilities (sign-language interpreter, assistive listening device, Braille, or any other accommodation needed by an individual) should be made to the Commission office no later than 10 (ten) working days prior to the day of the meeting.**
- **Technical difficulties with equipment experienced prior to or during the meeting preventing or inhibiting accessibility accommodation is not cause for not holding or for terminating the scheduled meeting.**
- **If Para transit services are needed, they may be contacted at (916) 429-2744, TDD (916) 429-2568 in Sacramento. Sacramento Regional Transit (www.sacrt.com) has public transit available the day of the meeting. For alternate routes contact Sacramento Regional Transit at (916) 321-BUSS (2877); for hearing impaired (916) 483-HEAR (4327).**
- **For Los Angeles Public Transit (www.metro.net) or (323) 466-3876 for bus and rail transit information. Riders with hearing or speech impairments use the California Relay Service – dial 711, and then the number you need. For Para transit services (www.asila.org) or if you ARE a certified access services rider within Southern California and would like to make a reservation call: 1-800-883-1295, TDD 1-800-826-7280. If you ARE NOT a certified access services rider, contact customer service at 1-800-827-0829, TDD 1-800-827-1359.**

- **For the latest information on meeting status, check the California Commission on Disability Access Web Site: http://www.ccda.ca.gov/**
- **Questions regarding this notice and agenda may be directed to Steve Funderburk, Office Administrator at (916) 319-9974 or at 721 Capitol Mall, Room 250, Sacramento, California 95814.**

# 2) Approval of Meeting Minutes

# CALIFORNIA COMMISSION ON DISABILITY ACCESS
# EXECUTIVE COMMITTEE
# MEETING MINUTES

## September 12, 2013

### 1. CALL TO ORDER

Vice Chairman Scott Hauge welcomed everyone and called the meeting to order at 10:00 a.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 242, 2nd Floor, Sacramento, California 95814.

The off-site meeting locations for teleconference were Communities Actively Living Independent and Free, 634 South Spring Street, 2nd Floor, Los Angeles, California 90014; State Capitol, Room 313, Sacramento, California 95814; and Department on Disability, 201 North Figueroa Street, Suite 100, Los Angeles, California 90012.

Vice Chairman Scott Hauge reviewed the meeting protocols.

**ROLL CALL**

| | |
|---|---|
| *Committee Member Present*: | Sean Connelly, Office of Senator Corbett |
| *Commissioners Present*: | Scott Hauge, Vice Chairman<br>Lillibeth Navarro (Teleconference)<br>Betty Wilson (Teleconference) |
| *Commissioners Absent*: | Rocky Burks, Chairman<br>Guy Leemhuis |
| *Staff Present*: | Stephan Castellanos, Executive Director<br>Angela Jemmott, Program Analyst<br>Steven Funderburk, Office Technician |
| *Also Present*: | Donald Parks, Accessible Technology Services (Teleconference)<br>David Peters, Lawyers Against Lawsuit Abuse (Teleconference) |

Staff Member Jemmott called the roll and announced a quorum was not yet present. A quorum was achieved after Commissioner Navarro arrived.

### 2. APPROVAL OF MEETING MINUTES (July 18, 2013, and August 15, 2013) – ACTION

**MOTION**: Commissioner Navarro moved to approve the July 18, 2013, and August 15, 2013, California Commission on Disability Access Executive Committee Meeting Minutes as presented. Committee Member Connelly seconded. Motion carried unanimously.

## 3. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Donald Parks, of Accessible Technology Services, stated the Executive Committee asked the executive director and him, at the March 14th meeting, to look into policy related to Internet accessibility. He has requested that current policy documents published on the Internet be made available to him for review in an accessible format. In the interim, he submitted a newsletter that he produced this week to staff for distribution to Committee members, along with another he produced in December 2012. These newsletters summarize the current situation in the state concerning Internet accessibility.

Accessible facilities must be both physical and virtual, and Mr. Parks is preparing legislation that will address the accessibility of all facilities. He asked Commissioners to review his newsletters and provide input on his proposed legislation.

Vice Chair Hauge asked for clarification on Mr. Parks's proposed legislation. Mr. Parks stated he has discussed nonphysical facilities since the inception of this Commission. He, and then Vice Chair James Abrams, began working on this issue, and Vice Chair Abrams has agreed that this needed to be addressed after the Commission was "up and running." Mr. Parks has since been producing informational newsletters as he continued to work on this issue.

Mr. Parks has found that a majority of state agencies have never completed the administrative requirements for the Americans with Disabilities Act (ADA), but are operating under pre-ADA concepts, conditions, and ideas. The ADA Amendments Act of 2008, which expanded the definition of persons with disabilities, is not on the radar of many public entities. There are certified access specialists (CASp) for construction, but there are no certified program access specialists. Mr. Parks's proposed legislation is for mandated certified program access specialists. The Internet is where the activity is happening, and he stated the need to keep ahead, rather than trying to catch up.

Commissioner Navarro agreed that a majority of the disability community requires programmatic access, but the focus is on the physical environment and not much, if at all, on the nonphysical aspect of access.

Mr. Parks stated that the entire population of people in wheelchairs, legally blind, or deaf, is only ten percent of the total disability community as it was redefined by the ADA Amendments Act of 2008.

Committee Member Connelly offered his assistance from a legislative perspective. He stated it is the study period for new legislative research before the second half of the legislative calendar begins. He added that Senator Corbett will be in the

Legislature for the remainder of the year, and it would be a good opportunity for legislation to be planned out and thought through during this time period.

## 4. GENERAL BUSINESS ITEMS

### a. Demand Letter Project/Educational Modules

Executive Director Castellanos stated collecting, analyzing, and posting data to the website will continue until 2016. Staff recently added the data for the month of June, which modestly affected the top ten demand letters and claims. The website will be updated to reflect the new information.

Staff is collaborating with the State Bar of California to learn how to better share information. The State Bar is responsible for collecting only demand letters. Staff is attempting to determine when a demand letter extends to a lawsuit. The Legislature has asked if there is any duplication. Technically, there is not, because they are distinct acts in a process, but it is valuable to learn how many demand letters result in some action beyond the act of the letter.

There are comparatively fewer demand letters submitted than lawsuits, although there have been resolutions that result from the demand letters. Executive Director Castellanos stated he would like to see the lawsuits decrease and the resolutions increase. Staff will learn within the next year what is contributing to the high frequency of lawsuits, and hopes that trend will begin to diminish as the Commission rolls out more education and training and provides more resources.

Committee Member Connelly asked if staff's analysis includes the lawsuit and the resolution. Executive Director Castellanos stated Senate Bill (SB) 1186 did not ask for resolution. Staff has been discussing internally whether or not it is possible. The Commission has been requested by the Legislature to ensure the database is organized in a way to obtain information about the frequency of cases being filed, in order to learn how many people are involved. Staff will analyze the data and produce reports that will give people an appropriate view of who is involved and, hopefully, derive information about why they are involved.

The legislation mandates the Commission to produce educational modules for the top ten demand letters and claims. Staff has started that process and has brought in a subject matter expert to assist in developing an educational module for each of the top ten. Staff has identified over forty different issues. Executive Director Castellanos stated it would be optimal to eventually produce an educational module for each of those forty issues. Currently, staff is focusing on the top ten and will roll out each module as it is generated, so that people can use them and learn from them as they are made ready.

Staff is preparing to post the recent Department of Rehabilitation (DOR) video on the CCDA website as an educational tool available to business owners to help them better understand some of their duties and responsibilities. It is currently being published on DVD and will be posted to YouTube soon.

Commissioner Navarro asked if staff has a list of the chambers of commerce in the State of California. Executive Director Castellanos stated they do, and added that he recently met with both the Hispanic Chamber of Commerce and the California Chamber of Commerce, and they have submitted names for possible appointments to the Commission. He also recently met with Senator Corbett; he thanked Committee Member Connelly for his help in setting that up.

Executive Director Castellanos stated Senator Corbett offered her assistance and is a great support. Through Senator Corbett's work, Executive Director Castellanos stated he hoped to help the Senate and Assembly leadership find opportunities to connect with CASp professionals to help them host learning sessions with the chamber members and get the word out through the Legislature and the local chambers.

Commissioner Wilson stated many of the chambers of commerce members are also members of various business associations. Business associations should be included in the list of contacts, because not all business association members attend the chamber of commerce and do not always receive all available information. She recommended that staff put together a list of the business associations around the state.

Committee Member Connelly suggested the Commission put together a brochure for senate offices. He asked that this be put on the next agenda for discussion. A senate brochure is something that Senator Corbett brought up during the meeting and Committee Member Connelly has begun research on it. He stated senators often host town hall meetings or visit farmers' markets or small businesses. A senate brochure can go to each senator's office and is a good way to connect with the community.

As part of his research, Committee Member Connelly talked to the Senate Rules Committee and was advised what information could and could not be in the senate brochure. The Senate Rules Committee urged against including current legal requirements or accessibility standards, because the small business owner can bring that in a lawsuit of why they were not in compliance. Information that is acceptable includes who to contact and where to find current law.

Committee Member Connelly suggested he meet with staff to gather the information that Commissioners think would be most helpful to a small business owner who has questions like this. He suggested sending Commissioner recommendations to the graphics team to put into the brochure, as simply as possible. Something that a senator could explain to a small business owner would be ideal and a good tool to refer a small business owner to where they can find information. A brochure will not take a lot of time or money, will provide good information, will go to all district offices, and can be dispensed to a wide population quickly.

Vice Chair Hauge stated Small Business California has been working on this and would like their efforts and outreach into the small business community to be recognized. He is the head of District 9 for the Small Business Association (SBA) Small Business Development Center Program, who is interested in learning more. He recommended working with the small business development centers around the state as an outreach to small businesses.

Vice Chair Hauge asked about the number of demand letters submitted so far. Staff Member Jemmott stated staff receives from 200 to 250 per month.

Vice Chair Hauge asked if staff tracks the attorneys bringing the lawsuits, and if they see any trends. Executive Director Castellanos stated there are what is referred to as "frequent flyers," who continue to bring lawsuits. They tend to break down into two groups: those that work with a plaintiff and do hundreds of lawsuits for profit, and those that are advocates for the disabled and for people who cannot speak for themselves.

Staff Member Jemmott added there are a number of demand letters that have come in from advocates with clear, helpful information to the defendant. They give them directions of how to proceed and who to contact. They produce the demand letters in several languages. They demand that the issues be resolved, but offer help in the resolution process.

Commissioner Wilson stated many lawsuits are filed due to lack of understanding of the interpretation of laws and how they are applied. That is why it is important for the Commission to hold seminars, produce educational outreach material, and have workshops and seminars.

Commissioner Navarro recommended that the CCDA sponsor a joint conference between the business and the disability communities soon, to be a model to offer to both communities as an example of constructive dialogue. Commissioner Wilson agreed and suggested setting them up as a module to be replicated throughout the state.

**Public Comment**

David Peters, of Lawyers Against Lawsuit Abuse, stated he has been consulted in about 1,200 ADA lawsuits, and the majority are not involved in chambers of commerce or associations. They may be missing out on relevant information that comes through those resources. It is important to keep in mind that a large number of people, who would gladly make the changes if they had accurate information about what needs to be done, seem to be falling through the cracks.

**Action Items**

- No action items.

**b. Strategic Planning Project Update**

**1. Design Team Appointments**

### 2. Schedule Update

Executive Director Castellanos stated the Strategic Planning Design Team is a group of individuals, made up of Commissioners and stakeholders, that will assist in the development of the process that will be used for this effort and will provide guidance and oversight throughout.

- The representative from the Division of the State Architect (DSA) is Dennis Corellis, Principal Architect at the DSA.
- The representative from the DOR is Megan Juring, the Deputy Director of Independent Living and Community Access.
- The representative for the disability community is Erick Mikiten, American Institute of Architects (AIA), an architect who is on the California Building Standards Commission.
- The representative from the business community is Regina Dick-Endrizzi, the Executive Director of the Office of Small Business in San Francisco.
- The representative from legislation is Wendy Hill from Assembly Member Tom Ammiano's office.
- The representatives from the Commission are Vice Chair Hauge and Commissioner Wilson.
- The representatives from staff are Executive Director Castellanos and Staff Member Jemmott.

The strategic planning process will begin when the Strategic Planning Design Team meets for the first time and begins to outline, with the consultants, the overall plan and objectives. Then, they can identify stakeholders, set up focus sessions, and provide a framework to help the Education and Outreach Committee better understand how to use available resources, identify new resources, and determine what the education and resource materials should be.

**Action Items**

- No action items.

### c. Outreach Committee Appointments

Staff Member Jemmott stated staff has received a number of nominations for the Education and Outreach Committee from Senator Corbett's office, Senator Fuller's office, Vice Chair Hauge, and Commissioner Wilson. She reviewed the CCDA Policy Memorandum 2012-01, Selection of Public Committee Members Protocols, with Commissioners.

- Senator Fuller's office nominated Jim Baldwin, the President of BARC Industries, representing the business community.

- Senator Fuller's office nominated Jimmie Soto, the Executive Director of the Independent Living Center of Kern County, representing the disability community.
- Vice Chair Hauge nominated Arnie Lerner, AIA, CASp, the Principal Architect of Lerner and Associates Architects, representing the business community.
- Vice Chair Hauge nominated Robert Roddick, an attorney of Noe Valley Law, and the Director of the Noe Valley Merchants and Professionals Association, representing the business community.
- Commissioner Wilson nominated Stephen Simon, JD, of The Raben Group.
- Commissioner Wilson nominated Richard Ray, the ADA Compliance Coordinator of the City of Los Angeles Department on Disability.
- Commissioner Wilson nominated Winona Adkins, a retired executive from the AT&T conglomerate.
- Senator Corbett's office and Commissioner Wilson nominated Yomi Wrong, the Executive Director of the Berkeley Center for Independent Living.

Vice Chair Hauge stated only four individuals can be chosen from this very impressive list of nominees: two from the disabled community and two from the business community.

Commissioner Wilson stated the need for help and expertise in the beginning stages to develop the Education and Outreach Committee as a model for the state. She suggested increasing the number of Committee members to seven.

Executive Director Castellanos stated he will discuss the possibility of a special meeting with Chair Burks to expedite the appointments to the Education and Outreach Committee, since the Commission is not scheduled to meet until mid-October.

> **MOTION**: Committee Member Connelly moved to waive the California Commission on Disability Access Policy Memorandum No. 2012-01, Selection of Public Committee Members Protocols, and to increase the number of public members of the California Commission on Disability Access Education and Outreach Committee to seven. Commissioner Wilson seconded. Motion carried unanimously.

**Action Items**

- Staff is to discuss the possibility of a special meeting with Chair Burks.

**d. Website Update**

**1. Online Forum**

Executive Director Castellanos stated the website continues to improve. As is the nature of websites, information needs to be continually added or updated, and problems need to be corrected. Staff brought on a subject matter expert through the consultant who is improving, enhancing, and providing more explanation, while also researching additional resources to post to the website.

Staff is working with the consultant to migrate the current website that is hosted on the state system to a different kind of hosting through the consultant, which will allow the use of a number of tools and social media that are not available on the state-hosted site, such as a forum feature where people can ask questions and share experiences. Many other state agencies host their websites elsewhere.

Executive Director Castellanos requested that any additions, errors, or changes be brought to staff's attention.

### 2. DOR Video

Executive Director Castellanos stated the DOR is publishing 1,000 DVDs, and they will give the Commission some to distribute or to make more copies. The DOR video will also be posted to the CCDA website.

Commissioner Navarro asked about the total number of CCDA website hits. Executive Director Castellanos stated the Legislature has also asked this question. Senator Steinberg's office started the CCDA data collection project with their bill and is interested in the total number of website hits. Staff is in the process of obtaining a counter.

**Action Items**

- No action items.

## e. Committee of the Whole Decision

Executive Director Castellanos requested clarification on a motion, which was made during the last full Commission meeting, to make the Executive Committee a committee of the whole. There are certain roles of the Executive Committee that are distinct and more operational than the full Commission roles. He wanted to ensure that Commissioners are aware that a committee of the whole would necessitate a minimum sixteen meeting commitment annually.

Executive Director Castellanos stated staff is unsure if this move was intended to be temporary or permanent, and staff asked for additional input and possible reconsideration in light of future agenda preparation and meeting scheduling. A larger number of meetings are anticipated over the next year, with the new Education and Outreach Committee and the strategic planning effort meetings.

Vice Chair Hauge agreed and stated his concern that a Committee of the whole would create a potential problem with quorum issues and should be revisited.

Commissioner Navarro stated her understanding that the Executive Committee was made up of the chairs of the Committees. Executive Director Castellanos stated it was, but, since the Commission does not have those Committees anymore, it was determined that the makeup of the Executive Committee would be that all Commissioners are now on the Executive Committee.

Executive Director Castellanos stated staff is unsure of the meaning, would like to reopen this issue, and asked permission to place it on the October full Commission agenda. He stated he will outline the scheduled meetings for 2013-14 so Commissioners will have an idea of the workload, and will identify the specific roles or charges for the two standing Committees. Commissioners can then have a more complete discussion with the information attached to it to bring more clarity on how to handle this governance issue.

**Action Items**

- Staff is to prepare documentation for the October full Commission meeting.

**f. Meeting Schedules 2013-2014**

**1. Executive Committee/Education and Outreach Committee**

**2. Commission Meetings**

Executive Director Castellanos proposed a revised meeting schedule to reduce the number of meetings to one per month. He proposed maintaining the quarterly full Commission meetings as they are now, adding the Education and Outreach Committee meetings quarterly, the month following the full Commission meeting, and changing the Executive Committee meetings from monthly to quarterly, the month following the Education and Outreach Committee. He explained these are a minimum number of calendared meetings; more can be added.

This proposal would create distinct agendas: the policy work of the full Commission, the education and outreach work related to the Education and Outreach Committee, and the governance and administrative work that the Executive Committee focuses on.

What this proposed schedule does not show is what is coming up between now and the middle of next year and beyond on strategic planning. He asked Commissioners to keep in mind that there will be a number of meetings that some Commissioners will be involved with, while others would simply like to attend and participate. There will also be a number of subgroups of that effort that are going to be active next year.

Vice Chair Hauge stated he liked the simplicity of holding the various meetings on a consistent day each month for ease of scheduling.

**Action Items**

- No action items.

### g. Attendant Reimbursement Policy Adoption

Staff Member Jemmott reminded Commissioners that attendant reimbursement is not automatic; the form must be completed and submitted for approval.

Executive Director Castellanos stated the form will be added to the Commissioner Handbook to be distributed to new Commissioners. He asked Commissioners to add the attendant reimbursement documents to their current handbook under the travel reimbursement policies.

**Action Items**

- Commissioners are to add the attendant reimbursement documents to their handbooks under the travel reimbursement policies.

## 5. BUDGET UPDATE

### a. Monthly Expenditure Report

Executive Director Castellanos stated the yearend figures seem to be accurate, based on last year's figures. The biggest concern is the carryover based on money that was encumbered in the last budget. Staff feels the figures were done correctly, but will not know for sure until they see the opening 2013/14 budget. He explained it is not typical to go back to the Department of General Services (DGS) to ask the budget officer to make amendments. The CCDA is spending at the rate that was predicted. The additional consultant and labor expenses were encumbered with money that was left over from the last year's budget. The Commission is operating as planned and within budget. Staff has not received the statement because the DGS has not yet closed out 2013.

In answer to Commissioner Navarro's question, Executive Director Castellanos stated the Commission has reserved funds in the budget for some of the activities for the Education and Outreach Committee. There is not a lot, but, in all the Commission does, Executive Director Castellanos tries to double or triple the benefits out of the funds spent, such as bringing speakers to the Commission meetings and using them or their material as a foundation for other seminars or for making proposals to other parts of the state.

He suggested working with the Education and Outreach Committee to help identify partners and sponsors and to research how to double or triple the benefits of all funds spent. There are tremendous resources out there that can assist this Commission; they just need to be asked for in many cases. The Education and Outreach Committee can learn how to ask them, and to develop programs, modules, and seminars and work with as many partners as possible.

## 6. FUTURE AGENDA ITEMS

Committee Member Connelly suggested that a brochure for senate offices be put on the next agenda.

Commissioner Navarro requested that the sponsoring of a joint conference between the business and the disability communities be put on the next agenda.

Staff requested that further discussion and clarification of the committee of the whole be put on the next agenda.

## 7. ADJOURN

**MOTION**: Vice Chairman Hauge moved to adjourn the September 12, 2013, California Commission on Disability Access Executive Committee meeting. Commissioner Navarro seconded. Motion carried unanimously.

Vice Chairman Hauge adjourned the meeting at 11:32 a.m.

# CALIFORNIA COMMISSION ON DISABILITY ACCESS
# EXECUTIVE COMMITTEE
# MEETING MINUTES

## November 14, 2013

### 1. CALL TO ORDER

Chair Guy Leemhuis welcomed everyone and called the meeting to order at 1:30 p.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 244, 2nd Floor, Sacramento, California 95814.

The off-site meeting locations for teleconference were Cal Insurance and Associates Inc, 2311 Taraval Street, San Francisco, California 94116, and Department on Disability, 201 North Figueroa Street, Suite 100, Los Angeles, California 90012.

Chair Leemhuis reviewed today's agenda and the meeting protocols. He stated this meeting was not properly posted on the CCDA website, so the Commission will not take any action today.

**ROLL CALL**

| | |
|---|---|
| *Committee Member Present*: | Guadalupe Manriquez, Office of Senator Corbett |
| *Commissioners Present*: | Guy Leemhuis, Chairman (Teleconference)<br>Scott Hauge, Vice Chairman (Teleconference)<br>Rocky Burks (Teleconference)<br>Betty Wilson (Teleconference) |
| *Additional Commissioners Present*: | Michael Paravagna |
| *Staff Present*: | Angela Jemmott, Program Analyst<br>Steven Funderburk, Office Technician |
| *Also Present*: | Donald Parks, Accessible Technology Services (Teleconference) |

### 2. APPROVAL OF MEETING MINUTES (September 12, 2013) – ACTION

Chair Leemhuis stated the approval of the meeting minutes will be deferred to the December Executive Committee meeting.

### 3. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Donald Parks, of Accessible Technology Services, stated he received an assignment from Executive Director Castellanos in July to investigate consistency in public policy

that impacts information accessibility. As an example of the inaccessibility of information in the state of California, he stated the Office of Technology Services website has inaccessible documents. On August 9th, he made a request for an accessible format of their policy. The Office of Technology responded one month later, on September 4th, with a statement that they did not intend to do this anymore.

Mr. Parks stated he has been working with the Commission for about four years. He worked with Commissioner Abrams on public access, and, in the Commission's April 15th report to the Legislature, there was a note about what he and Commissioner Abrams found - that the majority of state agencies have never fully complied with the Americans with Disabilities Act (ADA) requirements.

Mr. Parks stated he is now working on legislation to "fill in the blanks" in terms of guidance for the state as a whole.

4. **PAST CHAIR ON EXECUTIVE COMMITTEE – CHANGE BY-LAWS TO STATE PREVIOUS CHAIR IS EITHER EX-OFFICIO OR VOTING COMMITTEE MEMBER**

Chair Leemhuis stated the chair of the Commission has the authority to make appointments to Committees. He stated past chairs can impart institutional memory by continuing to serve on the Executive Committee for a year as an ex-officio member, given that they were the previous serving chair of the Executive Committee and the full Commission.

Chair Leemhuis appointed the immediate past chair, Rocky Burks, to remain on the Executive Committee for one year in an ex-officio, past chair position to draw on his institutional memory. Commissioner Burks will be a voting member of the Executive Committee.

Chair Leemhuis stated the question became whether or not Commissioners should consider codifying that the past chair will continue to serve on the Executive Committee for one year in the by-laws, and whether or not the ex-officio past chairs would be voting members of the Committee. The by-laws already state that ex-officio members on Committees do vote. He noted Items 5.1 and 6.3 as the pertinent sections in the by-laws.

Commissioner Burks clarified, as the sitting Commissioner who was involved in the creation of the by-laws, what happened in Item 6 that gave ex-officio members the ability to vote. This Commission has several ex-officio members who sit on the Commission who are not, by the nature of the statute under Senate Bill (SB) 1608 that created the Commission, voting members of the Commission.

Commissioner Burks stated the team that crafted the by-laws, the then-chair of the Commission, a member of Senator Corbett's staff, and he, did not want to ignore any potential votes. The Commission has ex-officio members statutorily - the state architect and several elected officials - and they wanted to make it clear in the by-

laws that ex-officio members would have a voting position on any standing committee as evidenced by having Senator Corbett's office represented on the Executive Committee.

Commissioner Burks agreed that the prior chair should be a member of the Executive Committee. Back when the Commission was new and the then-chair of the Commission, a member of Senator Corbett's staff, and he were crafting the by-laws, they did not consider the relationship of the Executive Committee with the departing chair, but he stated he was sure his colleagues would concur as well.

Chair Leemhuis thanked Commissioner Burks for demonstrating the value of institutional memory. He asked staff to add this as an action item to the December Executive Committee agenda.

**Action Items**

- Staff is to add this action item to the December Executive Committee agenda.

## 5. EXECUTIVE COMMITTEE MAKEUP

Chair Leemhuis stated the by-laws state the Executive Committee is made up of the Commission chair, Commission vice chair, and chairs of the standing committees, with no mention of Senate or Assembly representatives as a part of the Executive Committee.

Commissioner Burks stated members of the Legislature originally did not want the by-law language to require that they be members of the Executive Committee, but preferred to have discussions with each new chair whether they desired to be on the Executive Committee or not. The chair has the authority to appoint them to the Executive Committee.

Chair Leemhuis stated the by-laws need to be clear. Either members of the Legislature serve ex-officio and it is put in the by-laws, or it needs to be made clear that there has to be a meeting with the newly-elected chair regarding who serves on the Executive Committee.

Commissioner Burks stated the creators of the by-laws consulted with a number of attorneys to ensure that the by-laws were flexible and would not need constant revision, but agreed that the by-laws relating to the composition of the Executive Committee required clarification. Commissioner Burks offered his assistance in constructing the necessary language that would add clarification while preserving the flexibility of the by-laws and the authority of the chair.

Chair Leemhuis asked staff to construct a sentence that does not change the chair's authority, but that clarifies that there are additional Executive Committee members serving at the pleasure of the chair - a representative from the Senate and a representative from the Assembly. This additional sentence would alert the new chair to verify who serves on the Executive Committee and make it clear how that happens.

Chair Leemhuis stated he will contact the Senate and Assembly representatives' offices before the December Executive Meeting to ascertain their understanding and desire in terms of being appointed to the Executive Committee at this time.

**Action Items**

- Staff is to construct a sentence that does not change the chair's authority, but that clarifies that there are additional Executive Committee members serving at the pleasure of the chair - a representative from the Senate and a representative from the Assembly. This additional sentence would alert the chair that he needs to verify who serves on the Executive Committee and make it clear how that happens.
- Chair Leemhuis is to contact the Senate and Assembly representatives' offices before the December Executive Meeting to ascertain their understanding and desire in terms of being appointed to the Executive Committee at this time.

## 6. STRATEGIC PLANNING

Chair Leemhuis stated a graphic for Commissioners' reference had been created by the vendor support from Sacramento State University. He asked Staff Member Jemmott to name the members of the design team.

Staff Member Jemmott stated the design team consists of Vice Chair Hauge and Commissioner Wilson representing the Commissioners; representatives from the Department of Rehabilitation (DOR) and the Division of the State Architect (DSA); and Executive Director Castellanos and Staff Member Jemmott representing the Commission staff.

She referenced the flow chart that was presented to the design team by the Sac State vendor, which gave an overview of how the project is being put together. The design team has met on a number of occasions, primarily to produce a focus group target list of twenty names from various organizations from the business and disability communities across California.

The design team is preparing to do the interview process and has created a set of about fifteen questions that the Sac State vendor will present to the focus groups. Responses to those questions will be brought back to the Commission.

Chair Leemhuis asked staff to provide the names of the focus groups and the questions being asked of them at the December Executive Committee meeting.

He stated the design team was created to build, from the ground up, the Commission's strategic planning process of items to accomplish over the next few years, consistent with the statutory requirements and input from the disability and business communities, including input from the CCDA website.

Staff Member Jemmott stated one of the strategies of the design team is to include the input from the website after the team builds from the questions and then wants to target a larger segment of the population.

Chair Leemhuis asked if the design team has been involved in improving the website and, if not, who is working on the website.

Staff Member Jemmott stated the design team has not been involved with the website; Teranomic Software has been working with staff to meet the Commission mandate - the top ten demands throughout the state - as well as to improve the CCDA website operations.

Chair Leemhuis requested that staff add the improvement of the website as a future agenda item. He also requested that staff provide a more detailed report in the December Executive Committee meeting about where the design team is with the additional items he requested to enable Commissioners to track the strategic planning progress.

Commissioner Paravagna stated there was some discussion at the full Commission meeting of having full Commission meetings around the state. He suggested having the presentation of the strategic plan in conjunction with outreach to independent living centers and other disability groups in certain regions might give more attention to the work of the Commission.

Commissioner Wilson agreed and stated it is already a part of the plan to reach out to the California State Independent Living Council to get statewide involvement in all three sections of the state - north, central, and south. In answer to Commissioner Paravagna's question, Commission Wilson stated it would be presented in conjunction with regional full Commission meetings.

**Action Items**

- Staff is to provide the names of the focus groups and the questions being asked of them at the December Executive Committee meeting.
- Staff is to add the improvement of the website as a future agenda item.
- Staff is to provide a more detailed report in the December Executive Committee meeting about where the design team is with the additional items Chair Leemhuis requested to enable Commissioners to track the strategic planning progress.

## 7. CCDA CALENDAR

Chair Leemhuis stated the design team meets on December 6th and the next Executive Committee meeting is December 12th, concluding the calendar for 2013. Staff developed a proposal for a meeting calendar. It does not have the locations on it as yet, but does have proposed dates for the Executive Committee, the full Commission, and the Education and Outreach Committee.

Staff Member Jemmott stated staff, based on feedback from Commissioners, adjusted the various meetings to meet on Wednesdays. Additionally, the proposal only has one distinction regarding the Executive Committee and how often it meets in relationship to the other meetings.

She added that the visual aid staff wanted to stress was the number of meetings staff will have to coordinate in relation to output. She asked Commissioners to consider the number of meetings in relationship to completion of staff functions. Scheduling the dates well in advance increases the chance of locating good facilities and securing consistent quorums.

Chair Leemhuis stated there may be additional standing committees at some point now that the Commission has additional Commissioners. He stated he and Commissioner Wilson cursorily discussed a different model. He questioned to what extent it might be cost effective to hold standing Committee meetings the day before a full Commission meeting or, on the off months, to have teleconference meetings.

Commissioner Wilson stated her interest in the most effective, efficient way to vote on information and complete projects in a timely manner. She stated she usually arrives in Sacramento the afternoon or evening before the full Commission meeting. She agreed with having additional teleconference meetings and stated her concern that the Commission is only now revving up this late in the year. She conveyed a sense of urgency for the Commission to show some progress and success for the January report to the Legislature.

Chair Leemhuis stated it would be cost-prohibitive to have an additional in-person meeting with two sets of travel.

Commissioner Burks agreed and added that this has typically been the Achilles' heel of the Commission. Ensuring that meetings are fully transparent and fully compliant for the greatest degree of public participation, and then meeting all the requirements of Bagley-Keene, has costs associated with that process.

Statutory requirements under SB 1186 have been pared down from the earlier SB 1608; yet, it is imperative to provide the deliverables by the most cost-efficient means. Providing the deliverables and maintaining a meeting structure that is fully compliant with Commission policies and procedures and the Bagley-Keene requirements while working within the budget has been challenging.

Vice Chair Hauge and Commissioner Burks agreed that having interim teleconference meetings would be a cost-effective model.

Chair Leemhuis encouraged Commissioners to work on ways to decrease costs, such as having other agencies sponsor a meeting. SB 1186 has a different trajectory than the original SB 1608 statute, but the Commission's ultimate goal is to identify things that are important for the Legislature to know related to disability access.

Chair Leemhuis stated Senator Corbett's office is developing a brochure about the Commission, and the Education and Outreach Committee is to help in that process. He proposed that the Education and Outreach Committee meet for two hours every other month for a total of six meetings, with two of those meetings being held the afternoon before the full Commission meetings in April and October of 2014. The teleconference meetings will be in February, June, August, and December. He asked staff to change the calendar to reflect this proposal for the December meeting.

Vice Chair Hauge and Commissioner Wilson agreed.

Chair Leemhuis proposed reducing the number of Executive Committee meetings from twelve to eight beginning January 2014, skipping January, March, July, and August. The Executive Committee meetings will be for two hours and Commissioners can attend via teleconference.

The Commission has four full Commission meetings - two in the north and two in the south. Chair Leemhuis proposed meeting closer to the capitol for one of the meetings in the north. He suggested, in order to maximize travel, that Commissioners arrive earlier in the day on the day before the full Commission meeting and all meet with the Legislative representatives and share what the Commission is doing.

The design team meets every other month.

Chair Leemhuis suggested making two of the full Commission meetings similar to town hall meetings to have an opportunity to focus on the work of the Commission.

Commissioner Wilson recommended having topics that will motivate people to come out.

Vice Chair Hauge agreed and stated one of the goals of the Commission is to become more visible; anything that will help to do that is a good idea.

Chair Leemhuis stated there are a number of other things that Commissioners can do in the community to help facilitate visibility.

Chair Leemhuis asked staff to retool the calendar for the December Executive Committee meeting. The Commissioners need this guidance first before they can take any action on the next agenda item, the budget template proposal, because the calendar items translate to dollars.

**Action Items**

- Staff is to retool the calendar for the December Executive Committee meeting.

## 8. BUDGET TEMPLATE PROPOSAL

Chair Leemhuis requested that staff provide more detailed information for the budget report and that it be presented in a more narrative style. Chair Leemhuis offered to give staff further guidance.

Staff Member Jemmott stated staff was creating the budget template proposal based on the discussion in the last full Commission meeting. It was more showing what monies were left from previous years.

Chair Leemhuis stated that that is helpful, but he requested that Commissioners see the full budget in detail to ensure the budget is going to be able to do what Commissioners want to do, and, where it does not, what needs to be done about it.

**Action Items**

- Staff is to provide more detailed information for the budget report and present it in a more narrative style.

## 9. MEETING LOCATIONS - COST ANALYSIS

Chair Leemhuis stated staff provided the projected cost of full Commission meetings for Los Angeles and Sacramento, and there is only a $650 difference.

Staff Member Jemmott stated that figure does not include today's decision for two in-person meetings of the Education and Outreach Committee prior to full Commission meetings, which will create a substantial increase in the cost. Seven people have been added to that Committee.

Additionally, with regards to webcasting and real-time captioning, the service staff located cost $17,000. That was why it cost $20,000 to do a meeting in the Los Angeles area. Webcasting is provided at no cost in Sacramento through the Department of Consumer Affairs.

Chair Leemhuis asked if the Department of Consumer Affairs is the only provider of webcasting technology.

Staff Member Jemmott stated the meeting in Los Angeles had webcasting projected as well as real-time captioning.

In response to Chair Leemhuis's question about the disparity between Los Angeles and Sacramento, Commissioner Paravagna stated the card service in Sacramento is free and would be costly in Los Angeles.

Staff Member Jemmott stated they did not find a location in Los Angeles to provide it for free. The meeting was held at the California Endowment, but they did not provide webcasting as a service.

Chair Leemhuis stated staff should look at possible state department locations, which could give in kind and not charge, and/or some other city entities. Commissioner Wilson and he volunteered to work with staff on that. He asked if a real-time captioner also has to caption the web stream.

Commissioner Paravagna stated a streaming captioning in real time is adequate, provided it is of reasonable quality.

Commissioner Burks stated this is part of the problem the Commission has experienced in terms of available facilities able to comply with all of the communication requirements. Even the Department of Consumer Affairs is unable to resolve all compliance issues, even though it is webcast. The camera does not have the ability to rotate back to the speakers in the audience. For the meeting in Los Angeles, the Commission used the services by Granicus. They did the audio with a streaming of real-time captioning. There are not many state agency infrastructures that have the capabilities, but there are a number of municipalities that have contracts with Granicus.

Commissioner Paravagna asked who in the Los Angeles area can produce meetings of the desired quality and what the availability of their facilities is. He also asked if it is cost-based, or a co-sponsorship opportunity.

Commissioner Burks stated, if anyone is in a position to coordinate with the new mayor of Los Angeles, the Commission could use the accommodations provided by the city and county of Los Angeles with Granicus providing those services. Commissioner Wilson worked diligently to help get the facility that the California Endowment sponsored at no cost.

Chair Leemhuis stated the county's technology is oftentimes better than the city's. The Sacramento figures give the effect that Los Angeles is more expensive, but it really is not because Sacramento is not currently providing that level of service. He recommended a true comparison of costs at a minimum standard for accessibility.

Staff Member Jemmott stated the six hours of captioning for two people in Los Angeles would be approximately $4,900 for Los Angeles services compared to Sacramento.

Chair Leemhuis asked staff to report on the impact on the budget of having two Education and Outreach Committee meetings in person, given that there would be a slight increase in cost for lodging for the public members. But a number of public members are from Los Angeles; therefore, if the Commission met in Los Angeles, some public members and at least three Commissioners would not require lodging or flights. He requested that staff run those numbers, including personal assistant time, with the current composition of the Commission.

Chair Leemhuis offered to work with staff on this to devise three options of price tags for Commissioners to see the full, detailed budget.

**Action Items**

- Staff is to prepare a true comparison of costs at a minimum standard for accessibility.
- Staff is to report on the impact on the budget of having two Education and Outreach Committee meetings in person with the current composition of the Commission, including personal assistant time.

- Staff is to work with Chair Leemhuis to devise three options of price tags for Commissioners to see the full, detailed budget.

## 10. NAME OF EDUCATION AND OUTREACH COMMITTEE

Chair Leemhuis stated the title of the Education and Outreach Committee is codified in the statute and it is the recommendation of the chair of the Committee to retain the name.

Chair Leemhuis asked staff to add this as an action item on the December Executive Committee agenda.

### Action Items

- Staff is to add this action item to the December Executive Committee agenda.

## 11. OUTREACH TO STATE AGENCIES, E.G., ARCHITECT/CONTRACTING BOARD SPEAKERS AT FULL COMMISSION MEETING

Chair Leemhuis asked Commissioners to reflect on whom to ask to present to the Commission. He suggested the presentations be engaging, not only to Commissioners but to the community. Chair Leemhuis asked Commissioners to email ideas to staff, and for staff to pool the ideas and email the collected ideas to Commissioners before the December meeting so they can have the benefit of other Commissioners' thoughts.

Commissioner Wilson stated she would like to have something to show as a work in progress to the Legislature.

Chair Leemhuis asked staff to work with him to better describe what is expected to be available as a product in January.

### Action Items

- Commissioners are to email ideas to staff before the December Executive Committee meeting.
- Staff is to pool the ideas and email the collected ideas to Commissioners before the December Executive Committee meeting.
- Staff is to work with Chair Leemhuis to better describe what is expected to be available as a product in January.

## 12. FUTURE AGENDA ITEMS

Vice Chair Hauge stated there are efforts in San Francisco, which have been put together by a coalition of the disabled in the business community, to look at changing some of the laws regarding placard parking - specifically, paying at the meter. The coalition will recommend changing those laws. It requires state action. He has talked with Executive Director Castellanos, Jeanne Wong, and Committee Member Connelly about the role the Commission might play in working on this issue.

Commissioner Burks stated this issue could be put on the December agenda for discussion, but it will be late. The San Francisco Metropolitan Transportation Agency will meet on the 19th. He stated it is not a universal perception that what they are proposing is being well received in San Francisco. There are a lot of people who did not know that this was happening. It is really an income generator for municipalities; he asked the Commission to be cautious while discussing this wedge issue. It has far-reaching implications, because it is a statewide proposed policy and the ten largest jurisdictions in California are involved with it.

Commissioner Paravagna stated it is going to be a hot-button issue, and one of the things that municipalities will have to deal with is making their parking accessible. One of the reasons this statute is on the books initially is because one cannot require someone to grasp and twist the mechanism on the parking meter. They will have to deal with accessible payment plans so that there is an appropriate amount of accessibility per the ADA. He agreed with Commissioner Burks that revenue generation is what is motivating this.

Chair Leemhuis stated it would be interesting to see the data on how this is going to save money given the number of people with disabilities versus the general population.

The next Executive Committee meeting will be December 12th at 1:30 p.m.

## 13. ADJOURN

Chair Leemhuis adjourned the meeting at 3:33 p.m.

4) Past Chair on Executive Committee – change by-laws to state previous chair is either ex-officio, or voting committee member

4.2.9. Serve as the chair of the Executive Committee and as ex-officio, non-voting member of all committees.

4.3. The Vice-Chair shall:

4.3.1. In the absence of the Chair, preside at Commission meetings and perform such additional duties as are required by the Commission and necessitated by the absence of the Chair.

4.3.2. Serve as acting Chair in the event of a vacancy in the office of Chair until such time a new chair is duly elected by the Commission.

4.3.3. Serve as vice-chair of the Executive Committee.

4.3.4. Perform other duties as the Chair may deem necessary.

5. EXECUTIVE COMMITTEE

**5.1 The Executive Committee is a standing committee and shall be comprised of the elected officers of the CCDA and the chairs of the standing committees, the immediate past chair, and one representative from a legislative commissioner.**

**5.2 The Executive Committee shall make recommendations to the CCDA and shall implement policies set by the CCDA.**

**5.3 The Executive Committee shall meet at least every month or ~~more often~~ as determined by the Chair at a time and place designated by the Chair.**

**5.4 The immediate past Chair shall serve as an ex-officio voting member of the Executive Committee.**

6. STANDING or AD HOC COMMITTEES

6.1. The CCDA Chair may create standing or ad hoc committees as are deemed necessary from time to time to carry out the Commission's mandate.

6.2. Standing or ad hoc committees shall meet upon the call of the committee chair at a time and place designated by the chair.

6.3. The chair and membership of each standing or ad hoc committee shall be appointed by the CCDA chair. Subcommittees shall be appointed by the chairperson(s) of the applicable committee(s).

# 6) Strategic Planning

# California Commission on Disability Access
# Stakeholder Assessment

## Draft Questionnaire

V4 (10-21-13)

**Introduction:**

With a vision to developing recommendations that will enable persons with disabilities to exercise their right to full and equal access to public facilities, and that will facilitate business compliance with the applicable laws, building standards and regulations to avoid unnecessary litigation, the Legislature created the California Commission on Disability Access (CCDA). The mission of the CCDA is to promote disability access in California through dialogue and collaboration with stakeholders including but not limited to the disability and business community and all levels of government.

The CCDA is authorized to act as an information resource; to research and prepare advisory reports of findings to the Legislature on issues related to disability access, compliance inspections and continuing education; to increase coordination between stakeholders; to make recommendations to promote compliance with federal, and state laws and regulations; and to provide uniform information about programmatic and architectural disability access requirements to the stakeholders.

CCDA has asked the California State University, Sacramento's Center for Collaborative Policy (CCP) to assist with assessing the current issues, needs, challenges, and barriers experienced by stakeholders involved with disability access. The information gained will be used in the development of CCDA's Strategic Plan.

The assessment will include interviews with key stakeholders active in disability access issues. The purpose of the interviews will be to:

- Understand access issues and challenges to both the disabled and business communities.
- Identify opportunities for CCDA to create programs that increase compliance.
- Identify opportunities to build relationships between the disabled and business communities.

**Confidentiality:**

All interviews are confidential. Nothing will be attributed to any individual. CCP will use the information gained to create a report to the CCDA. In addition, the findings will be discussed at the Strategic Planning meeting.

### Assessment Questions

**Overview**

1. Are you familiar with the California Commission on Disability Access (CCDA)?

2. Please describe your knowledge of and experience with disability access overall.

**Compliance**

3. Are you familiar with the Americans with Disabilities Act (ADA) requirements and its relationship to the California Buildings Code?

4. In your opinion, what are the challenges to providing accessibility in California?

**Business/Property Owners**

5. How long have you been in business and/or owned your property?
    a. Do you lease or own your facility?

    b. If you have made – or tried to make – accessibility improvements, what was your experience?

    c. If you did make accessibility improvements, what motivated you to make them?

6. What would motivate you to make your facility more accessible (i.e., financial incentives, protection from lawsuits, positive public recognition, technical assistance, expedited permitting, increased customers, mandated code compliance, or other)? What would you consider to be the most important motivators to you?

7. How can accessibility compliance information best be distributed to businesses and/or property owners?

**Disability Community**

8. Have you advocated for, or tried to educate businesses or property owners on improved access? If yes,
    a. What motivated you?

    b. What was your experience?

9. In your opinion, why so you think businesses and buildings are not more compliant with disability requirements?

10. Do you make an effort to shop at accessible businesses?

**Wrap-up**

11. What more could government do to better inform the business community and property owners about accessibility requirements – and promote accessibility?

12. In your opinion, are there additional strategies to enforce accessibility other than civil action?

13. Are there policies that California could enact or change that would quickly improve disability access and compliance?

14. How can the CCDA help advocate for and implement many of the changes discussed today?

15. Who else should we speak with to understand these issues? Any closing thoughts?

# California Commission on Disability Access
# Stakeholder Assessment

## Potential Interviewees

V5 (11-04-13)

| CATEGORY | NAME | CONTACT INFORMATION |
|---|---|---|
| Vision Impaired Community | Patricia Williams<br>Hatlen Center for the Blind | Patricia Williams<br>Executive Director<br>Hatlen Center for the Blind<br>2430 Road 20<br>San Pablo<br>(510) 234-4984<br>pwilliams@hcblind.org |
| Independent Living Centers | Yomi Wrong<br><br>(Ask Yomi if staff should join interview) | Yomi Wrong<br>Executive Director<br>Center for Independent Living<br>3075 Adeline St, Ste 100<br>Berkeley, CA 94703<br>(510) 841-4776<br>ywrong@cilberkeley.org |
| Mobility Impaired Community | Kim Blackseth | Kim R. Blackseth Interests<br>22 Reno Ct.<br>Napa, CA 94558<br>kimblackseth@mac.com<br>(707) 255-5576 |
| Small Business Associations | Gwen Sanderson | Gwen Sanderson<br>Video Wave / Noe Valley Merchants<br>videowavesf@earthlink.net<br>info@noevalleymerchants.com<br>(415) 509-6261 |
| Small Business Owner | Jim Baldwin | Jim Baldwin<br>President<br>Bakersfield ARC<br>2240 S. Union Avenue<br>Bakersfield, CA 93307<br>(661) 834-2272 |

| CATEGORY | NAME | CONTACT INFORMATION |
|---|---|---|
| Building Owners and Managers Association | Doug Wiele | Doug Wiele<br>dwiele@foothillpartners.com |
| Realtors | Convene a focus group | Michael Onufur<br>Vandermade<br>monufer@vmade.com<br>(415) 517-3359<br><br>Stephen Beard<br>Keller Williams Realty<br>4341 Piedmont Avenue, 2nd Floor<br>Oakland, CA 94611<br>Stephen@stephenbeard.net<br>(510) 364-6795<br><br>John Norheim<br>Norheim & Yost<br>732 Addison Street, Suite C<br>Berkeley, CA 94710<br>(510) 527-3400<br>jn@noryost.com<br><br>Sally Dunker<br>Executive Officer<br>Berkeley Association of Realtors<br>1553 Martin Luther King Jr. Way<br>Berkeley, CA 94709-2023<br>(510) 848-4288<br>sdunker@BerkeleyAOR.com |
| Architects (General Practice) | Chris Downey | Chris Downey<br>AIA<br>120 Arbor Drive<br>Piedmont, CA<br>(510) 409-8592<br>Chris.downey@arch4blind.com |
| AIA Chapters / CA Architects Board | Call EDs to get names for individuals to interview. Consider interviewing as a group. | Sidney Sweeney<br>Executive Director<br>AIA East Bay<br>1405 Clay Street<br>Oakland, CA 94612 |

| CATEGORY | NAME | CONTACT INFORMATION |
|---|---|---|
| | | sidney@aiaeb.org<br>(510) 464-3600<br><br>Nicci Solomons<br>Executive Director<br>AIA Los Angeles<br>3780 Wilshire Blvd., Suite 800<br>Los Angeles, CA 90010<br>(213) 639 – 0770<br>nicci@aialosangeles.org |
| Hotels (also a small business owner) | Dhiru Patel | Dhiru Patel<br>(925) 479-0095 |
| Restaurant Associations | Rob Black | Rob Black<br>Director<br>SF Golden Gate Restaurant Assn<br>rob@gtgra.org<br>(415) 781-5348 Ext. 1 |
| Restaurants | Dennis Berkowitz | Dennis Berkowitz<br>Max's<br>120 East Grand Ave.<br>South San Francisco, CA 94080<br>(650) 873-6297 x 231 |
| Local Government | Regina Dick-Endrizzi | Regina Dick-Endrizzi<br>Regina.dick-endrizzi@sfgov.org |
| Disability Rights Advocates | Marilyn Golden<br><br>Contact Betty Wilson for So. Cal contact | Marilyn Golden<br>Senior Policy Analyst<br>DREDF<br>3075 Adeline Street, Suite 210<br>Berkeley, CA 94703<br>(510) 644-2555 |

| CATEGORY | NAME | CONTACT INFORMATION |
|---|---|---|
| Building Departments | Jeff White | Jeff White<br>Building Department<br>Calaveras County<br>891 Mountain Ranch Road<br>San Andreas, CA 95249<br>(209) 754-6390<br><br>Fred Heidari<br>Deputy Building Official<br>City of Santa Ana<br>(714) 647-5862<br>fheidari@santa-ana.org |
| Legal | Paula Pearlman | Paula Perlman<br>Legal Center<br>Loyola Law Center<br>800 South Flower Street<br>Suite 1120<br>Los Angeles, CA 90017<br>(213) 736-8362<br>paula.pearlman@lls.edu |
| | Christopher Eley | Christopher K. Eley<br>Attorney At Law<br>343 East Main Street, Suite 710<br>Stockton, CA 95202<br>(209) 466-8511<br>eleylaw@aol.com |

# 7) CCDA Calendar

# Proposed 2014 Meeting Calendar

January:
Full 8th
February:
E & O - Teleconference 5th
Strategic Planning 12th
Executive Committee 19th
March:
April:
Executive Committee 9th
Strategic Planning 16th
E & O 22nd
Full 23rd
May:
Executive Committee 14th
June:
E & O – Teleconference 4th
Strategic Planning 11th
Executive Committee 18th
July:
Full 30th
August:
E & O – Teleconference 13th
Strategic Planning 20th
September:
Executive Committee 17th
October:
Executive Committee 8th
Strategic Planning 15th
E & O 21st
Full 22nd
November:
Executive Committee 12th
December:
E & O - Teleconference 3rd
Strategic Planning 10th
Executive Committee 17th

# 8) Budget Template Proposal

# CCDA Narrative Monthly Budget Plan: Dec 2013 reporting period

***Total Budget for FY 13-14***

***$415,000.00***

***Current Month expenditures:***

***$ 30,010.77***

***FY 13-14 Avail. Balance:***

***$249,141.92***

***Pct used to-date: 36.9%***

***NOTE: The fund categories can be re-allocated as needed.***

PERSONNEL SERVICES

**A. Salary and Benefits – Total: $275,400.00**

**Executive Director, Program Analyst, and Office Technician**

Benefits include: health care, retirement, unemployment, and other staff benefits

(Current Month expenditures: $22,077.49& year to-date $109,381.17)

**B. Appointed Commissioners Per Diem- Total 9,600.00**

**We have 11 appointed commissioners position (currently we have one vacancy) that can receive $100 per diem from attendance of required meetings.**

4 quarterly meetings x 10= 40(100 per diem) = 4,000.00
8 executive meeting x 4= 32(100 per diem)= 3,200.00
6 standing meeting x 4= 24(100 per diem)= 2,400.00

(Current Month expenditures: 400.00 & year to-date $1,300.00)

OPERATING EXPENSES AND EQUIPMENT

**C. General Expense-Total: $20,000.00**

- **Office Supplies** including binders, file folders, printer paper, toner, staples, etc $2,000.00
- **Printing***:* to include flyers, registration forms, handouts, workshop information, binding etc. = $1,500.00.
- **Phone and Internet Service**:
- $3,000.00
- **Postage:** Includes mailing, postage of flyers, program announcements, fiscal reports etc.
  $500.00
- **Meeting Support:** caption, meeting minutes, meeting rentals etc.
  $13,000.00
  (Current Month expenditures: $343.50& year to-date $3,639.22)

# CCDA Narrative Monthly Budget Plan: Dec 2013 reporting period

**D. Facilities Operation- Total: $37,000.00**

- Monthly rent for Executive Staff office $3,120.75

(Current Month expenditures: $3120.75 & year to-date $12,483.00)

**E. Travel – Total: $12,000.00**

- Travel includes local travel and TEC from all commission meeting travel

(Current Month expenditures: $2,091.65& year to-date $4,563.34)

**F. Training – Total: $3,000.00**

- Training scheduled for staff professional development and commissioner orientations

(Current Month expenditures: 0.00 & year to-date $1,015.00)

**G. Consultant/Professional Services – Total: $38,000.00**

- Internal Contracts for Fiscal Services, Human Resources, and IT Services.

(Current Month expenditures: 1914.00 & year to-date $2,423.40)

**H. Information Technology – Total: $20,000.00**

- Website redesign, hosting, and hardware/software technical support

(Current Month expenditures: 63.38 & year to-date $344.95)

Pending amended contract for Website redesign for $10k.

**Total: $415,000.00**

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***Previous Budget for FY 12-13***

***$407,000.00***

***Encumbered : $ 90,992.50***

***FY 12-13 Avail. Balance: $26,355.96***

# 9) Meeting locations – Cost Analysis

## Projected Cost of Full Commission Meetings

### Sacramento

Flights – average $274 * 6 = $1644
Hotel – average $116 * 2 = $232
Ground Transportation – average $730
Meeting Room $0
Webcasting $0
Minutes $850
Captioning $1,000
Total average cost per meeting in Sacramento **$4,456**

### Los Angeles

Flights – average $274 * 8 = $2192
Hotel – projected average $120 * 3 = 360
Ground Transportation – projected average $543
Meeting Room $0
Webcasting $TBD*
Minutes $850
Captioning $1,000
Total projected cost of meeting in Los Angeles **$4,945**

*Have one quote of $1,100 – still researching cost with state contracted and non-state contracted vendors

Drafted Dec. 2013

# 13) Demand Letter Project – display plaintiff/defendant/attorney on web

CCDA Data July 2013 - Oct 2013

File Edit View Insert Format Data Tools Help All changes saved in Drive

Steve Funderburk

1 other viewer

Comments

14, 12

| # | September Name of Attorney / Law Office | Plaintiff | Defendant (s) | Recvd 5 days | State/Federal Case or Demand Letter | Violation Type(s) Use Key Codes | Zip Code of Defendant | Type(s) of Locations |
|---|---|---|---|---|---|---|---|---|
| 1 | Tanya E. Moore (Law Offices of Moore L | Cecil Shaw | Terry M. Bennett, Michael J. Bennett/ Ca | Y | Federal | 17, 20, 26, 45 | 93277 | Service Station |
| 2 | Rummel Mor Bautista (Law Offices of Rur | Nehemiah Kong | Julius Bogie | N | State | 14, 12 | 91607 | Liquor Store |
| 3 | Tanya E. Moore (Law Offices of Moore L | Cecil Shaw | Sun Land Investment Group Inc./ Burrito | Y | Federal | 12, 14, 15, 16 | 91040 | Restaurant |
| 4 | Morse Mehrban (Law Offices of Morse M | Heriberto Parada | Florence T. Lee | N | State | 14, 12 | 91770 | Liquor Store |
| 5 | Morse Mehrban (Law Offices of Morse M | James Rodriguez | Henry C. Duran | N | State | 14, 12 | 91754 | Barbershop |
| 6 | Morse Mehrban (Law Offices of Morse M | Heriberto Parada | Margitsa Vitogiannis | N | State | 1 | 90011 | Restaurant |
| 7 | Gregory B. Byberg, ESQ. (Law Offices of | Nehemiah Kong | Roobik Nazarian, Seda Nazarian/ Big Ma | Y | State | 14, 15, 12 | 91335 | Gas/Food Station |
| 8 | Richard A. Mac Bride (Law Offices of Ric | Jose Castillo-Antonio | Jay-Vee Liqor Store | N | Demand Letter | 13, 17, 27, 26 | 94803 | Liquor Store |
| 9 | Mary J. Lim (Law Offices of Metz & Harr | Sue Gasper | Quality Inn | Y | Demand Letter | 12, 14, 15, 13 | 92530 | Hotel |
| 10 | Mary J. Lim (Law Offices of Metz & Harr | David Geffen | Sisters of Charity of LeavenWorth Health | N | State | 11, 12, 14, 13 | 90404 | Office Building |
| 11 | Mary J. Lim (Law Offices of Metz & Harr | David Geffen | Dolphin Bay Hotel & Residence, Inc./ Her | N | State | 20, 21, 2, 6, 4 | 93449 | Hotel |
| 12 | Mary J. Lim (Law Offices of Metz & Harr | Wayne Washington | The Irvine Company LLC | N | State | 13, 16, 15, 12 | 92162 | Shopping Center |
| 13 | Tanya E. Moore (Law Offices of Moore L | Cecil Shaw | Kyoung Park aka Won Kyoung Park/ Ka | N | Federal | 12, 14, 15, 16 | 94087 | Restaurant |
| 14 | Tanya E. Moore (Law Offices of Moore L | Ronald Moore | E-Z-N Quick | N | Federal | 16, 17 | 93726 | Retail Store |
| 15 | Tanya E. Moore (Law Offices of Moore L | Robert Kalani | Century Theatres, Inc./ Century 16-Lagun | Y | State | 15, 12 | 95758 | Theater |
| 16 | Richard A. Mac Bride (Law Offices of Ric | Jose Castillo-Antonio | ARCO Gasoline Station | Y | Demand Letter | 12, 26, 13, 20 | 94803 | Gas Station |
| 17 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Bob R. Offenhauser | N | State | 14, 12 | 91754 | Shopping Center |
| 18 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Peter Y. Chen | N | State | 14,12 | 91754 | Retail Store |
| 19 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Edmond Cheng | N | State | 14, 12 | 91755 | Retail Store |
| 20 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Wendy Y. Cheng | N | State | 14, 12 | 91755 | Restaurant |
| 21 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Choy Lum Fong | N | State | 14, 12 | 91754 | Restaurant |
| 22 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Jason Wong | N | State | 14, 12 | 91755 | Restaurant |
| 23 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Arthur Yeow-Fong, Betty KC Yeow | N | State | 14, 12 | 91755 | Retail Store |
| 24 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Miranda Lin | N | State | 14, 12 | 91754 | Auto Repair |
| 25 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Robert Chan, Yee Lin Chan | N | State | 14, 12 | 91754 | Restaurant |
| 26 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Dickie C. Cheung, Mabel C. Cheung | N | State | 14, 12 | 91754 | Hair Salon |
| 27 | Morse Mehrban (Law Offices of Morse M | Luis Marquez | Diana TSE | N | State | 14, 12 | 91755 | Shopping Center |
| 28 | Morse Mehrban (Law Offices of Morse M | James Rodriguez | Anna Lai | N | State | 14, 12 | 91754 | Office |
| 29 | Morse Mehrban (Law Offices of Morse M | James Rodriguez | Homer H. Cones | N | State | 14, 12 | 91303 | Shopping Center |
| 30 | Morse Mehrban (Law Offices of Morse M | James Rodriguez | Mashid Soleimani | N | State | 14, 12 | 90034 | Shopping Center |

July 2013 | Aug 2013 | Sep 2013 | Oct 2013

# Demand Letters & Cases

10 records per page Search:

| Date | ViolationType | 5 Days? | LocationType | ZipCode | StateFederal |
|---|---|---|---|---|---|
| June 2013 | 13, 14, 11, 12, 15 | N | Restaurant | 93534 | State |
| June 2013 | 13, 14, 11, 12 | N | Strip Mall | 91335 | State |
| June 2013 | 13, 14, 11, 12 | N | Gas Station | 93535 | State |
| June 2013 | 14, 13 | Y | Parking Lot | 91406 | State |
| June 2013 | 14, 13 | Y | Parking Lot | 91405 | State |
| June 2013 | 14, 13 | Y | Parking Lot | 91406 | State |
| June 2013 | 39, 5 | N | Carwash | 90036 | State |
| June 2013 | 39 | N | Carwash | 91801 | State |
| June 2013 | 14 | Y | Retail Store | 91731 | State |
| June 2013 | 14 | Y | Donut Shop | 91733 | State |

Showing 1 to 10 of 1,152 entries ← Previous 1 2 3 4 5 Next →

# ADA Violations Key Codes

## Toilet rooms/Bathrooms

| | |
|---|---|
| 1 | Entry doors are not accessible or not on an accessible route. |
| 2 | Clear Floor Space. Non-accessible fixtures and controls or insufficient turn around space. |
| 3 | Doors [Toilet stalls]. Non-accessible doors to toilet stalls |
| 4 | Door Space is not compliant. |
| 5 | Lavatories and Mirrors are not accessible. |
| 6 | The location/height of toilets, flush controls, or toilet paper dispensers are not compliant. |
| 7 | Grab Bars. Grab bars in bathroom are non-existent, or existing grab bars are not compliant. |
| 8 | Height and Clearance. Height of top and bottom of counters are not accessible, plumbing insufficiently covered, coat racks too high, light switch too high. |
| 9 | Faucets. Non-accessible lever-operated, push-type, or electronically controlled mechanisms. |
| 10 | Bathtubs or showers are not accessible. |
| 39 | Toilet seat cover dispenser not accessible. |
| 40 | Hand sanitizer, liquid soap or paper towel dispenser not accessible. |
| 46 | Lack of unisex ADA bathrooms or any accessible bathrooms. |

## Parking

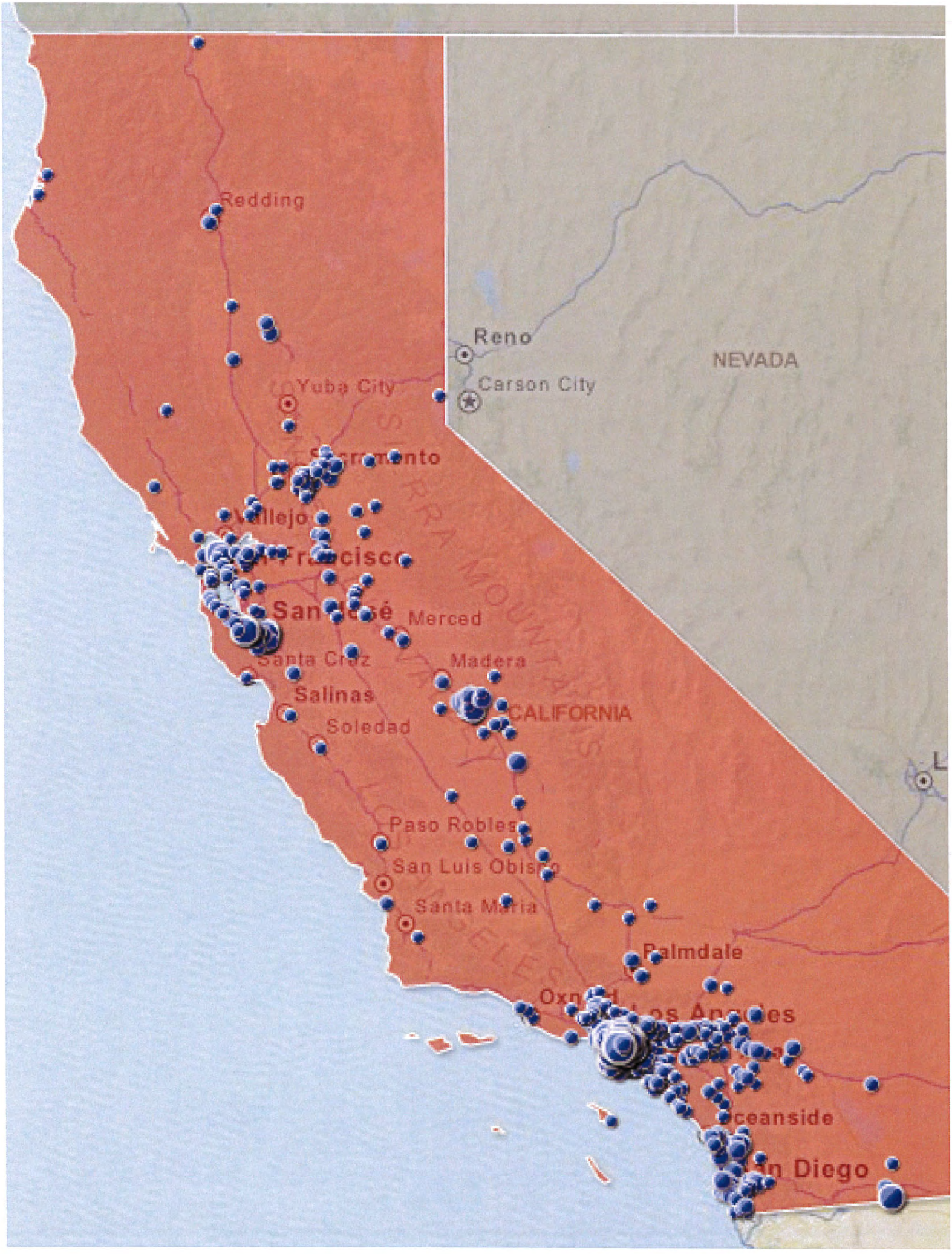
# 14) Top Ten Discussion – type of research desired

# TOP 10 Demand Letters & Claims (Reporting from 7/2013-9/2013)

| RANK # | Key Code | |
|---|---|---|
| **#1** | (14 ) | **Parking.** Loading zones/van access aisles are not compliant or non- existent. |
| **#2** | (12) | **Parking.** Existing parking spaces are not compliant. |
| **#3** | (13) | **Parking.** Signage. Signage in parking lot is not compliant. e.g., parking spaces need to be designated as reserved by a sign showing the symbol of accessibility. |
| **#4** | (16) | **Ramps.** Curb ramps or entrance ramps are not compliant or non-existing. |
| **#5** | (15) | **Accessible Route and Entry.** Routes to and from parking lot or public right of way are not accessible. May include uneven surfaces. |
| **#6** | (11) | **Parking.** Number of spaces. Parking lot does not contain minimum number of accessible parking spaces. |
| **#7** | (17) | **Accessible Route and Entry.** General. Entry doors are not accessible or missing signs/symbol of accessibility. |
| **#8** | (26) | **Access within Public Facility.** Access Height. Heights of surfaces such as counters, bars, or tables are not compliant. |
| **#9** | (20) | **Access within Public Facility.** Access aisles within building are not accessible. E.g., dining or work surfaces are not on an accessible route. |
| **#10** | (1) | **Toilet rooms/Bathrooms.** Entry doors are not accessible or not on an accessible route. |

# TOP 10 Demand Letters & Claims (Reporting from 9/2012- 6/2013)

| RANK# | Key Code | |
|---|---|---|
| **#1** | (14 ) | **Parking.** Loading zones/van access aisles are not compliant or non- existent. |
| **#2** | (12) | **Parking.** Existing parking spaces are not compliant. |
| **#3** | (15) | **Accessible Route and Entry.** Routes to and from parking lot are not accessible. |
| **#4** | (11) | **Parking.** Number of Spaces. Parking lot does not contain minimum number of accessible parking spaces. |
| **#5** | (13) | **Parking.** Signage. Signage in parking lot is not compliant. e.g., parking spaces need to be designated as reserved by a sign showing the symbol of accessibility. |
| **#6** | (26) | **Access within Public Facility.** Access Height. Heights of surfaces such as counters, bars, or tables are not compliant. |
| **#7** | (20) | **Access within Public Facility.** Access aisles within the building are not accessible. e.g., dining or work surfaces are not on an accessible route. |
| **#8** | (7) | **Toilet rooms/Bathrooms.** Grab Bars. Grab bars in bathroom are non-existent, or grab bars are not compliant. |
| **#9** | (5) | **Toilet rooms/Bathrooms.** Lavatories and mirrors in bathroom are not accessible. |
| **#10** | (17) | **Accessible Route and Entry.** General. Entry doors are not accessible |


Redding
Reno
NEVADA
Carson City
Yuba City
Merced
Madera
Salinas
Soledad
CALIFORNIA
Paso Robles
Santa Maria
Palmdale
Oceanside
San Diego

# 16) Disability Etiquette Will be added to CCDA Orientation Handbook

United Spinal Association

# DISABILITY ETIQUETTE

## Tips On Interacting With People With Disabilities

# United Spinal Association

**Mission Statement**
United Spinal Association is dedicated to improving the quality of life for all Americans with spinal cord injuries and disorders.

**About Us**
For over 60 years, we have fought for veteran's rights and for the rights of all individuals with disabilities. We played a significant role in writing the Americans with Disabilities Act, and made important contributions to the Fair Housing Amendments Act and the Air Carrier Access Act.

Our initiatives in research and education, government policy and legislation, civil rights and advocacy, accessibility and architectural design, and competitive athletics ensure that veterans and all Americans with spinal cord injuries and disorders live healthier, more independent and productive lives as active members of their communities.

**Publications**
To download any of our publications free of charge, go to **www.unitedspinal.org/publications** or call 1-800-444-0120 to order printed copies.

**Donations**
United Spinal Association receives very little government funding of any kind. Our programs depend solely on individuals like you and your tax-deductible gifts. In fact, without generous people like you, our organization could not exist. If you would like to make a donation to support our important programs, please go to **www.unitedspinal.org/giving** or call 1-800-404-2899.

**Training**
United Spinal Association can customize a "Disability Etiquette" training session at a reasonable cost for your company, organization or school. Our experienced staff can plan a full day or a short lunch and learn program based on your needs. For more information please contact *info@unitedspinal.org*

United Spinal Association
75-20 Astoria Boulevard,
Jackson Heights, NY, 11370-1177
718•803•3782
**www.unitedspinal.org**

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## Introduction

The national organization on disability reports that more than 54 million Americans have a disability. This booklet is for anyone—with or without a disability—who wants to interact more effectively with people with disabilities.

The Americans with Disabilities Act (ADA) of 1990 was conceived with the goal of integrating people with disabilities into all aspects of American life, particularly the workplace and the marketplace. Sensitivity toward people with disabilities is not only in the spirit of the ADA, it makes good business sense. It can help you expand your practice, better serve your customers or develop your audience. When supervisors and co-workers use disability etiquette, employees with disabilities feel more comfortable and work more productively. Practicing disability etiquette is an easy way to make people with disabilities feel welcome.

You don't have to feel awkward when dealing with a person who has a disability. This booklet provides some basic tips for you to follow. And if you are ever unsure how to interact with a person who has a disability, just ask!

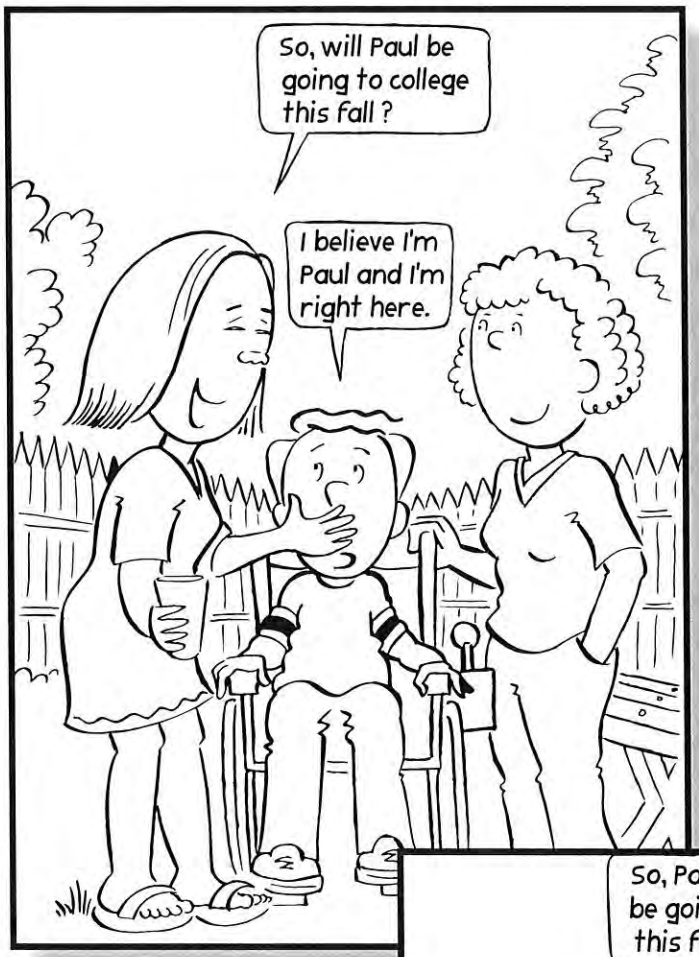
## The Basics

### ASK BEFORE YOU HELP

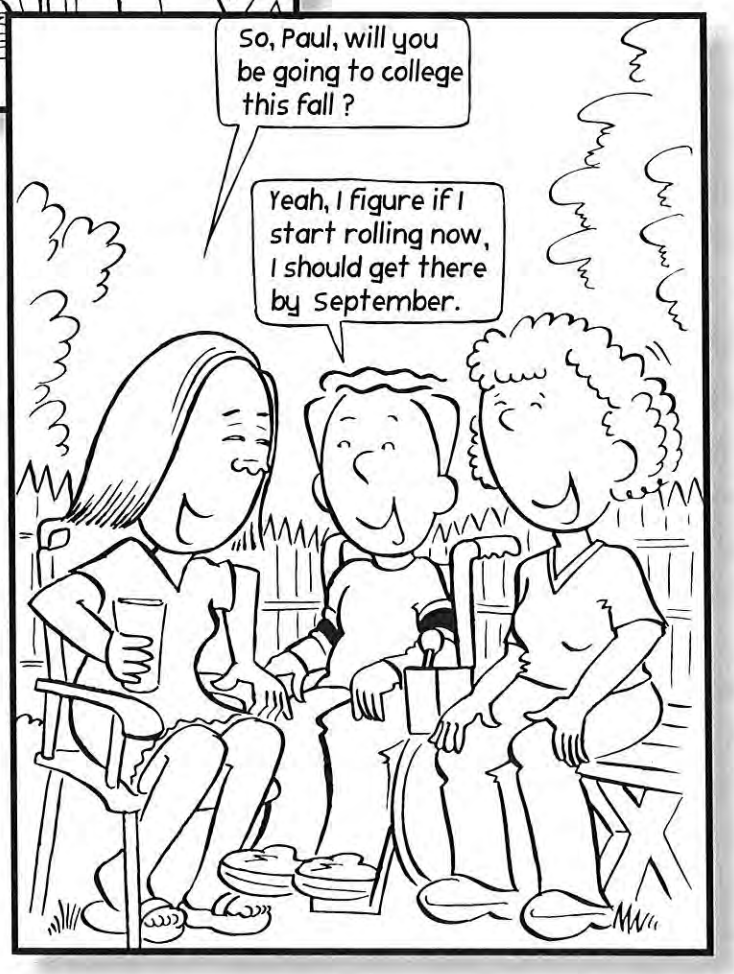
Just because someone has a disability, don't assume she needs help.* If the setting is accessible, people with disabilities can usually get around fine. Adults with disabilities want to be treated as independent people. Offer assistance only if the person appears to need it. And if she does want help, ask how before you act.

### BE SENSITIVE ABOUT PHYSICAL CONTACT

Some people with disabilities depend on their arms for balance. Grabbing them—even if your intention is to assist—could knock them off balance. Avoid patting a person on the head or touching his wheelchair, scooter or cane. People with disabilities consider their equipment part of their personal space.




**Speak directly to a person with a disability,....**




**....not to his companion or sign language interpreter.**

**THINK BEFORE YOU SPEAK**

Always speak directly to the person with a disability, not to his companion, aide or sign language interpreter. Making small talk with a person who has a disability is great; just talk to him as you would with anyone else. Respect his privacy. If you ask about his disability, he may feel like you are treating him as a disability, not as a human being. (However, many people with disabilities are comfortable with children's natural curiosity and do not mind if a child asks them questions.)

* Note: We want you to think of people who have a disability as individuals—your friends, your co-workers, your neighbors—so rather than use the amorphous group term "they" for people with disabilities, we use the pronouns "he" or "she" throughout this booklet.

**DON'T MAKE ASSUMPTIONS**

People with disabilities are the best judge of what they can or cannot do. Don't make decisions for them about participating in any activity. Depending on the situation, it could be a violation of the ADA to exclude people because of a presumption about their limitations.

**RESPOND GRACIOUSLY TO REQUESTS**

When people who have a disability ask for an accommodation at your business, it is not a complaint. It shows they feel comfortable enough in your establishment to ask for what they need. And if they get a positive response, they will probably come back again and tell their friends about the good service they received.

## Terminology Tips

**PUT THE PERSON FIRST.** Say "person with a disability" rather than "disabled person." Say "people with disabilities" rather than "the disabled." For specific disabilities, saying "person with Tourette syndrome" or "person who has cerebral palsy" is usually a safe bet. Still, individuals do have their own preferences. If you are not sure what words to use, ask.

Avoid outdated terms like "handicapped" or "crippled." Be aware that many people with disabilities dislike jargony, euphemistic terms like "physically challenged" and "differently abled." Say "wheelchair user," rather than "confined to a wheelchair" or "wheelchair bound." The wheelchair is what enables the person to get around and participate in society; it's liberating, not confining.

With any disability, avoid negative, disempowering words, like "victim" or "sufferer." Say "person with AIDS" instead of "AIDS victim" or "person who suffers from AIDS."

It's okay to use idiomatic expressions when talking to people with disabilities. For example, saying, "It was good to see you," and "See you later," to a person who is blind is completely acceptable; they use these expressions themselves all the time!

Many people who are Deaf communicate with sign language and consider themselves to be members of a cultural and linguistic minority group. They refer to themselves as Deaf with a capital "D," and may be offended by the term "hearing impaired." Others may not object to the term, but in general it is safest to refer to people who have hearing loss but who communicate in spoken language as "hard of hearing" and to people with profound hearing losses as Deaf or deaf.

## People Who Use Wheelchairs or Have Mobility Impairments

**PEOPLE WHO USE WHEELCHAIRS** have different disabilities and varying abilities. Some can use their arms and hands. Some can get out of their wheelchairs and even walk for short distances.

- Wheelchair users are people, not equipment. Don't lean over someone in a wheelchair to shake another person's hand or ask a wheelchair user to hold coats. Setting your drink on the desktop attached to someone's wheelchair is a definite no-no.

- Don't push or touch a person's wheelchair; it's part of her personal space. If you help someone down a curb without waiting for instructions, you may dump her out of the chair. You may detach the chair's parts if you lift it by the handles or the footrest.

- Keep the ramps and wheelchair-accessible doors to your building unlocked and unblocked. Under the ADA, displays should not be in front of entrances, wastebaskets should not be in the middle of aisles and boxes should not be stored on ramps.

**Keep accessible paths of travel clear.**

- Be aware of wheelchair users' reach limits. Place as many items as possible within their grasp. And make sure that there is a clear path of travel to shelves and display racks. When talking to a wheelchair user, grab your own chair and sit at her level. If that's not possible, stand at a slight distance, so that she isn't straining her neck to make eye contact with you.

- If the service counter at your place of business is too high for a wheelchair user to see over, step around it to provide service. Have a clipboard handy if filling in forms or providing signatures is expected.

- If your building has different routes through it, be sure that signs direct wheelchair users to the most accessible ways around the facility. People who walk with a cane or crutches also need to know the easiest way to get around a place, but stairs may be easier for them than a ramp. Ensure that security guards and receptionists can answer questions about the most accessible way around the building and grounds.

- If the nearest public restroom is not accessible or is located on an inaccessible floor, allow the person in a wheelchair to use a private or employees' accessible restroom.

- People who use canes or crutches need their arms to balance themselves, so never grab them. People who have limited mobility may lean on a door for support as they open it. Pushing the door open from behind or unexpectedly opening the door may cause them to fall. Even pulling out or pushing in a chair may present a problem. Always ask before offering help.

- If you offer a seat to a person who has limited mobility, keep in mind that chairs with arms or with higher seats are easier for some people to use.

- Falls are a big problem for people who have limited mobility. Be sure to set out adequate warning signs after washing floors. Also put out mats on rainy or snowy days to keep the floors as dry as possible. (Make sure they don't bunch up and make the floor impassable for wheelchair users.)

**Don't ask a wheelchair user to hold things for you.**

**Respect her personal space.**

- People who do not have a visible disability may have needs related to their mobility. For example, a person with a respiratory or heart condition may have trouble walking long distances or walking quickly. Be sure that your museum, hotel or department store has ample benches for people to sit and rest on.

- Some people have limited use of their hands, wrists or arms. Be prepared to offer assistance with reaching for, grasping or lifting objects, opening doors and display cases, and operating vending machines and other equipment.

## People Who Are Blind

**PEOPLE WHO ARE BLIND** know how to orient themselves and get around on the street. They are competent to travel unassisted, though they may use a cane or a guide dog. A person may have a visual disability that is not obvious. Be prepared to offer assistance—for example in reading—when asked.

- Identify yourself before you make physical contact with a person who is blind. Tell him your name and your role if it's appropriate, such as security guard, usher, case worker, receptionist or fellow student. And be sure to introduce him to others who are in the group, so that he's not excluded.

- If a new customer or employee is blind or visually impaired, offer him a tour of your facility.

- If you have changed your facility (i.e., rearranged the furniture) notify your customers who are blind of the changes.

- People who are blind need their arms for balance, so offer your arm—don't take his—if he needs to be guided. (It is however appropriate to guide a blind person's hand to a banister or the back of a chair to help direct him to a stairway or a seat.)

**If a person who is blind needs to be guided**

**offer your arm— don't take his.**

- If the person has a guide dog, walk on the side opposite the dog. As you are walking, describe the setting, noting any obstacles, such as stairs ('up' or 'down') or a big crack in the sidewalk. Other hazards include: revolving doors, half-opened filing cabinets or doors, and objects protruding from the wall at head level such as hanging plants or lamps. If you are going to give a warning, be specific. Hollering, "Look out!" does not tell the person if he should stop, run, duck or jump.

- If you are giving directions, give specific, nonvisual information. Rather than say, "Go to your right when you reach the office supplies," which assumes the person knows where the office supplies are, say, "Walk forward to the end of this aisle and make a full right."

- If you need to leave a person who is blind, inform him first and let him know where the exit is, then leave him near a wall, table, or some other landmark. The middle of a room will seem like the middle of nowhere to him.

- Don't touch the person's cane or guide dog. The dog is working and needs to concentrate. The cane is part of the individual's personal space. If the person puts the cane down, don't move it. Let him know if it's in the way.

- Offer to read written information—such as the menu, merchandise labels or bank statements—to customers who are blind. Count out change so that they know which bills are which.

- If you serve food to a person who is blind, let him know where it is on the plate according to a clock orientation (twelve o'clock is furthest from them, six o'clock is nearest). Remove garnishes and anything that is not edible from the plate. Some patrons may ask you to cut their food; this can be done in the restaurant's kitchen before the meal is served.

**Be specific when giving directions....**

**....to people who are blind or visually impaired.**

## People With Low Vision

**A PERSON WHO HAS LOW VISION** may need written material in large print. A clear font with appropriate spacing is just as important as the type size. Labels and signs should be clearly lettered in contrasting colors. It is easiest for most people with low vision impairments to read bold white letters on black background. Avoid using all uppercase letters because it is more difficult for people with low vision to distinguish the end of a sentence.

- Good lighting is important, but it shouldn't be too bright. In fact, very shiny paper or walls can produce a glare that disturbs people's eyes.

- Keep walkways clear of obstructions. If people with low vision regularly use your facility as customers or employees, inform them about any physical changes, such as rearranged furniture, equipment or other items that have been moved.

## People Who Are Deaf or Have a Hearing Loss

**AMERICAN SIGN LANGUAGE** (ASL) is an entirely different language from English, with a syntax all its own. Speech reading (lip reading) is difficult for people who are Deaf if their first language is ASL because the majority of sounds in English are formed inside the mouth, and it's hard to speech read a second language.

People who are hard of hearing, however, communicate in English. They use some hearing but may rely on amplification and/or seeing the speaker's lips to communicate effectively.

There is a range of communication preferences and styles among people with hearing loss that cannot be explained in this brief space. It is helpful to note that the majority of late deafened adults do not communicate with sign language, do use English and may be candidates for writing and assistive listening devices to help improve communication. People with cochlear implants, like other people with hearing loss, will usually inform you what works best for them.

**When an exchange of information is complex, the most effective way to communicate with....**

**....a person who is Deaf is through a qualified sign language interpreter.**

- When the exchange of information is complex—such as during a job interview or doctor's visit or when reporting a crime—the most effective way to communicate with a native signer is through a qualified sign language interpreter. For a simple interaction—such as ordering in a restaurant or registering for a hotel room—writing back and forth is usually okay.

- Follow the person's cues to find out if she prefers sign language, gesturing, writing or speaking. If you have trouble understanding the speech of a person who is deaf or hard of hearing, let her know.

- When using a sign-language interpreter, look directly at the person who is deaf, and maintain eye contact to be polite. Talk directly to the person ('What would you like?'), rather than to the interpreter ('Ask her what she'd like.').

- People who are deaf need to be included in the decision-making process for issues that affect them; don't decide for them.

- Before speaking to a person who is deaf or hard of hearing, make sure that you get her attention. Depending on the situation, you can extend your arm and wave your hand, tap her on the shoulder or flicker the lights.

- Rephrase, rather than repeat, sentences that the person doesn't understand.

- When talking, face the person. A quiet, well-lit room is most conducive to effective communication. If you are in front of the light source—such as a window—with your back to it, the glare may obscure your face and make it difficult for the person who is hard of hearing to speech read.

- Speak clearly. Most people who are hard of hearing count on watching people's lips as they speak to help them understand. Avoid chewing gum, smoking or obscuring your mouth with your hand while speaking.

**Do not obscure your face when communicating with a person who is hard of hearing.**

- There is no need to shout at a person who is deaf or hard of hearing. If the person uses a hearing aid, it will be calibrated to normal voice levels; your shout will just sound distorted.

- People who are deaf (and some who are hard of hearing or have speech disabilities) make and receive telephone calls with the assistance of a device called a TTY (short for teletypewriter; also called a TDD). A TTY is a small device with a keyboard, a paper printer or a visual display screen and acoustic couplers (for the telephone receiver).

- When a TTY user calls a business that does not have a TTY, she places the call through her state's relay service. Likewise, a business that does not have a TTY can reach a customer who is a TTY user through the relay service. If you receive a relay call, the operator will identify it as such. Please do not hang up; this is the way that people who are deaf are able to place an order at your pizza parlor, call your store to find out what hours you are open, or make a reservation at your restaurant.

## People With Speech Disabilities

**A PERSON WHO HAS HAD A STROKE,** is severely hard of hearing, uses a voice prosthesis or has a stammer or other type of speech disability may be difficult to understand.

- Give the person your full attention. Don't interrupt or finish the person's sentences. If you have trouble understanding, don't nod. Just ask him to repeat. In most cases the person won't mind and will appreciate your effort to hear what he has to say.

- If you are not sure whether you have understood, you can repeat for verification.

- If, after trying, you still cannot understand the person, ask him to write it down or to suggest another way of facilitating communication.

- A quiet environment makes communication easier.

- Don't tease or laugh at a person with a speech disability. The ability to communicate effectively and to be taken seriously is important to all of us.

**If you have trouble understanding a person with....**

**....a speech impairment, ask him to repeat.**

## Persons of Short Stature

**THERE ARE 200 DIAGNOSED TYPES OF GROWTH-RELATED DISORDERS** that can cause dwarfism and that result in the person being 4 feet 10 inches or less in height. For an adult, being treated as cute and childlike can be a tough obstacle.

- Be aware of having necessary items within the person's reach to the maximum extent possible.

- Be aware that persons of short stature count on being able to use equipment that is at their height. Be sensitive about not using lower telephones, bank counters and urinals if they are in limited supply.

- As with people who have other disabilities, never pet or kiss a person of short stature on the head.

- Communication can be easier when people are at the same level. Persons of short stature have different preferences. You might kneel to be at the person's level; stand back so you can make eye contact without the person straining her neck (this can be hard to do in a crowded room); or sit in a chair. Act natural and follow the person's cues.

## People With Cerebral Palsy

**AS A RESULT OF INJURY TO THE CENTRAL NERVOUS SYSTEM,** people with cerebral palsy (CP) have difficulty controlling their muscles. Follow the tips below for interacting with persons who have speech disabilities.

- Many people with CP have slurred speech and involuntary body movements. Your impulse may be to discount what they have to say, based on their appearance. Monitor your responses and interact with the person as you would with anyone else.

- A person who may appear to be drunk, sick or have a medical emergency might in fact have CP or another disability. Get the facts before acting on your first impression, whether the situation is business, social or law enforcement.

## Tourette Syndrome

**PEOPLE WITH TOURETTE SYNDROME** may make vocalizations or gestures such as tics that they cannot control. A small percentage of people with Tourette syndrome involuntarily say ethnic slurs or obscene words. An employee or other person with Tourette syndrome will benefit from the understanding and acceptance of co-workers and others.

- If a person with Tourette makes vocalizations during a conversation, simply wait for her to finish, then calmly continue.

- The more the person tries to contain these urges, the more the urges build up. It may be helpful for a person with Tourette to have the option to leave the meeting or conversation temporarily to release the build-up in a private place.

## People Who Look Different

**A DIFFERENT ISSUE** confronts people who may not be limited in their life activities, but who are treated as if they have a disability because of their appearance. People with facial differences, such as cleft lip or palate, cranio-facial disfigurement, or a skin condition; people who are way above or way below the average height or weight; people who may display visible effects of medication, such as a tremor—in short, people who look different—have the frequent experience of finding people staring at them, looking away or looking through them as if they are invisible.

- Everyone needs to have a positive self-image to be a fully participating member of society. Be sure that you don't contribute to stigmatizing people who look different.

- If the situation is appropriate, strike up a conversation and include the person in whatever is going on, just as you would for an "average-looking" person.

## Hidden Disabilities

**NOT ALL DISABILITIES ARE APPARENT.** A person may make a request or act in a way that seems strange to you. That request or behavior may be disability-related.

For example, you may give seemingly simple verbal directions to someone, but the person asks you to write the information down. He may have a learning disability that makes written communication easier for him. Or an apparently healthy person may ask to sit, rather than stand, in line. This person may be fatigued from a condition such as cancer, or may be feeling the effects of medication.

Even though these disabilities are hidden, they are real. Please respect the person's needs and requests whenever possible.

## Epilepsy (Seizure Disorders)

**EPILEPSY IS A NEUROLOGICAL CONDITION** characterized by seizures that happen when the electrical system of the brain malfunctions. The seizures may be convulsive, or the person may appear to be in a trance. During complex partial seizures, the person may walk or make other movements while he is, in effect, unconscious.

- If a person has a seizure, you cannot do anything to stop it. If he has fallen, be sure his head is protected and wait for the seizure to end.
- When a seizure has ended, the person may feel disoriented and embarrassed. Try to ensure that he has privacy to collect himself.
- Be aware that beepers and strobe lights can trigger seizures in some people.
- Many people with CP have slurred speech and involuntary body movements. Your impulse may be to discount what they have to say, based on their appearance. Monitor your responses and interact with the person as you would with anyone else.

**Try to avoid using sprays or other fumey products when customers are in your store.**

- A person who may appear to be drunk, sick or have a medical emergency might in fact have CP or another disability. Get the facts before acting on your first impression, whether the situation is business, social or law enforcement.

## Multiple Chemical Sensitivity (MCS) and Respiratory Disabilities

**PEOPLE WITH MCS AND RESPIRATORY DISABILITIES** such as asthma or emphysema react to toxins in the air. Stale air, fumes from cleaning products, perfume, carpeting, air freshener or even the fumes from magic markers can trigger a severe reaction.

- Try to avoid spray-cleaning tables, windows or other surfaces while people are in your place of business. If you must use a spray product, spray or pour it closely into the cloth, not into the air. Use less-toxic products when possible. Request that staff who have contact with the public go easy on fragranced body-care products like cologne, hair spray, hand lotion, and after-shave.

- Maintaining good ventilation and overall good indoor air quality will not only benefit your customers who have MCS and respiratory disabilities, it will also help you and all of your employees stay healthier and more alert.

- Second-hand smoke can be particularly harmful to people with MCS or respiratory disabilities. Follow and enforce no-smoking regulations, including in restrooms and stairwells. Discourage smokers from congregating at the entrance to your business. If appropriate, designate a separate smoking area where the door is kept closed and the air ventilates to the outside.

## HIV & AIDS

**PEOPLE WITH HUMAN IMMUNODEFICIENCY VIRUS (HIV)** or Autoimmune Deficiency Syndrome (AIDS) have impaired immune systems, so their bodies have trouble fighting off infections.

- You can't catch HIV from casual contact such as shaking hands, so don't be afraid of touching or being touched by a person with AIDS.

- A person with HIV or AIDS, however, is at significant risk of picking up an airborne infection. Be conscious of not putting someone else at risk. If you have a respiratory infection or any other easily transmittable illness, be considerate of all your customers and employees and stay home, if possible.

- Many people with AIDS feel stigmatized. By simply greeting or shaking the person's hand, you are letting him know that he is accepted. It will mean a lot to him.

**A WORD ABOUT CONFIDENTIALITY:**

**You may really care or you may just be curious about a person with a disability who is in crisis, suddenly ill, or misses work for unexplained reasons. In spite of your concern, please respect the privacy of a person with a disability. Allow him to discuss his situation if and when he feels comfortable doing so.**

## Psychiatric Disabilities (Mental Illness)

**PEOPLE WITH PSYCHIATRIC DISABILITIES** may at times have difficulty coping with the tasks and interactions of daily life. Their disorder may interfere with their ability to feel, think or relate to others. Most people with psychiatric disabilities are not violent. One of the main obstacles they face is the attitudes that people have about them. Because it is a hidden disability, chances are you will not even realize that the person has a mental health condition.

- Stress can affect the person's ability to function. Try to keep the pressure of the situation to a minimum.

- People who have psychiatric disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make him most comfortable and respect his needs to the maximum extent possible.

- In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for. If appropriate, you might ask if the person has medication that he needs to take.

**Always ask before you help.**

## Developmental Disabilities

**PEOPLE WITH DEVELOPMENTAL DISABILITIES LEARN SLOWLY.** They have a hard time using what they have learned and applying it from one setting or situation to another.

- Speak to the person in clear sentences, using simple words and concrete—rather than abstract—concepts. Help her understand a complex idea by breaking it down into smaller parts.

- Don't use baby talk or talk down to people who have developmental disabilities. Gauge the pace, complexity, and vocabulary of your speech according to theirs.

- Remember that the person is an adult and, unless you are informed otherwise, can make her own decisions.

- People with developmental disabilities may be anxious to please. During an interview, the person may tell you what she thinks you want to hear. In certain situations, such as law enforcement or a doctor's examination, it can have grave consequences if your interview technique is not effective. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.

- It can be difficult for people with developmental disabilities to make quick decisions. Be patient and allow the person to take their time.

- Clear signage with pictograms can help a person who has developmental disabilities to find her way around a facility.

- People with developmental disabilities often rely on routine and on the familiar to manage work and daily living. Be aware that a change in the environment or in a routine may require some attention and a period of adjustment.

## People with Learning Disabilities

**LEARNING DISABILITIES ARE LIFELONG DISORDERS** that interfere with a person's ability to receive, express or process information. Although they have certain limitations, most people with learning disabilities have average or above-average intelligence. You may not realize that the person has a learning disability because he functions so well. Or you may be confused about why such a high-functioning person has problems in one aspect of his work.

- People with dyslexia or other reading disabilities have trouble reading written information. Give them verbal explanations and allow extra time for reading.

- Don't be surprised if you tell someone very simple instructions and he requests that you write them down. Because spoken information gets "scrambled" as he listens, a person who has a learning disability such as auditory processing disorder may need information demonstrated or in writing.

- Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.

- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.

## People with Traumatic (or Acquired) Brain Injury

**PEOPLE WITH TRAUMATIC BRAIN INJURY** have had damage to the brain usually as the result of trauma, such as an accident or stroke.

- Some of the factors that affect persons with learning disabilities also apply to persons with traumatic brain injury. People with brain injury may have a loss of muscle control or mobility that is not obvious. For example, a person may not be able to sign her name, even though she can move her hand.

- A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or "get" indications that she has offended someone. In her frustration to understand, or to get her own ideas across, she may seem pushy. All of these behaviors arise as a result of the injury.

- A person with a brain injury may be unable to follow directions due to poor short-term memory or poor directional orientation. She may ask to be accompanied, or she may use a guide dog for orientation, although she does not appear to be mobility impaired.

- If you are not sure that the person understands you, ask if she would like you to write down what you were saying.

- The person may have trouble concentrating or organizing her thoughts, especially in an overstimulating environment, like a crowded movie theater or transportation terminal. Be patient. You might suggest going somewhere with fewer distractions.

## Service Animals

**SOME PEOPLE WHO** are Deaf, blind or have low vision, or who have traumatic brain injury, seizure disorder, or a range of other disabilities may use a service animal to assist them with daily living.

- While you may inquire whether an animal is a service animal, the person may not have information identifying it as such. This means that in general, you will need to modify a "no animals" policy to allow the person to enter with her service animal. Barring a direct threat to health and safety, this requirement of the Americans with Disabilities Act is generally thought to take precedence over any health codes, such as those for restaurants, and personal preferences, such as those of taxi drivers, prohibiting pets.

- Service animals are generally highly trained and well behaved. You may ask the person to remove the animal if she does not have the animal under her control.

**Don't make decisions for people with disabilities....**

**.... about what they can or can't do.**

# Emergency Evacuation Procedures

**PEOPLE WITH DISABILITIES MUST BE CONSIDERED IN ANY FACILITY'S EVACUATION PLAN.**

- Compile a voluntary list of people with disabilities who are regulars at your facility, such as employees, students or residents. While you are compiling this list, let people know that even though they may not consider themselves to be "disabled," they should be included if they may need help during an emergency. For example, this might apply to someone whose asthma may be triggered by stress or smoke. Keep the list updated to include people who are temporarily disabled, such as a pregnant woman or someone with a broken leg.

- Interview each individual on the list to plan the most effective way to assist them in case of an emergency. For example, a person with a cognitive disability may get confused and need assistance in following directions. A person who is blind, even if he knows his way around the facility, will need to be accompanied during an emergency, especially when large numbers of people are involved.

- Also develop a plan, including a voluntary sign-in, for an emergency that may affect people who are not attached to the facility, such as customers, theatergoers, patients or other members of the public.

- Practice the evacuation procedures and keep your plans up to date.

## Conflict Management

**SOMETIMES CONFLICTS ARISE** between people with disabilities and the places they visit for fun, work, health care or education. These conflicts are usually the result of misunderstanding or a lack of information. Sometimes conflicts develop between people with disabilities who have conflicting needs. For example, a person who is hard of hearing cannot hear the proceedings with the window open, but a person with Multiple Chemical Sensitivity needs the window open for fresh air; someone who uses a guide dog may run into a conflict with a person who has an anxiety disorder and an extreme fear of dogs.

All of these situations call for flexibility, patience, creativity, and open communication—a willingness to listen to the other guy's perspective and to learn.

Sometimes good faith efforts are not enough, and parties have difficulty working out their differences. In these cases, consider using the services of a skilled mediator

## A Final Word

**PEOPLE WITH DISABILITIES** are individuals with families, jobs, hobbies, likes and dislikes, and problems and joys. While the disability is an integral part of who they are, it alone does not define them. Don't make them into disability heroes or victims. Treat them as individuals.

## Signage

Note accessibility of your business or program by using the symbols below in advertising, on flyers, and as signage at the location of the service. Be sure to use the verbal description, along with the symbol. As signage, enlarge the symbol and place it where it will be most visible.

**WHEELCHAIR ACCESS**

**ASSISTIVE LISTENING FOR PEOPLE WHO ARE HARD OF HEARING**

**SIGN-LANGUAGE INTERPRETER**

**TTY/TDD**

# DISABILITY ETIQUETTE

A publication of

**United Spinal Association**

Illustrations by Yvette Silver

(c) 2008 United Spinal Association

United Spinal Association
75-20 Astoria Boulevard,
Jackson Heights, NY, 11370-1177
718•803•3782
**www.unitedspinal.org**

# 17) San Francisco Parking Policy

Documents provided by the San Francisco Municipal Transportation Agency

# SF Accessible Parking Committee Recommendations

Mayor's Office on Disability

SFMTA
Municipal Transportation Agency

# Bringing together stakeholders

Independent Living Resource Center of SF

A Disability Beacon Award winner

Paratransit Coordinating Council

Multimodal Accessibility Advisory Committee

Metropolitan Transportation Commission

Mayor's Office on Disability

SF Municipal Transportation Agency

SF Aging and Adult Services Commission

Access Northern California

San Francisco Medical Society

Department of Motor Vehicles

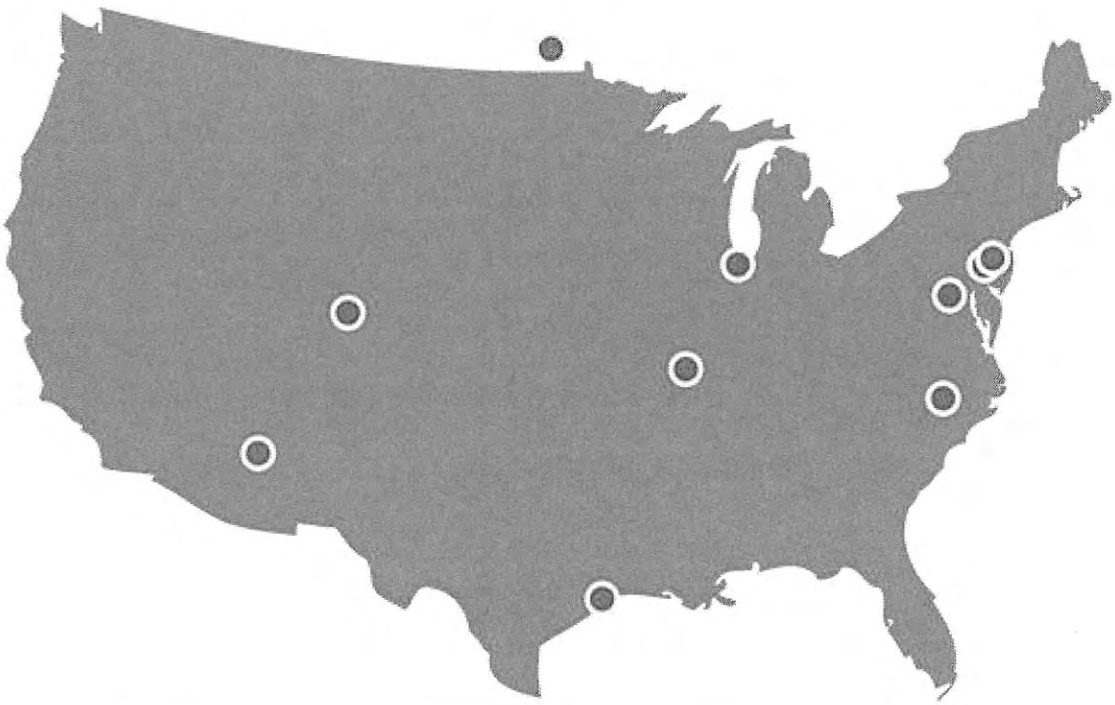
SF Council of District Merchants Associations

Building Owners and Managers Association

San Francisco Chamber of Commerce

# The challenges to accessible parking

# Proven policy recommendations



# 1. Increase blue zones (local)

# 2. Increase enforcement of placard misuse (local)

Image: Creative Commons

# 3. Increase oversight of placard approvals (state)

Image: Creative Commons

# 4. Allow communities to remove the meter payment exemption (state)

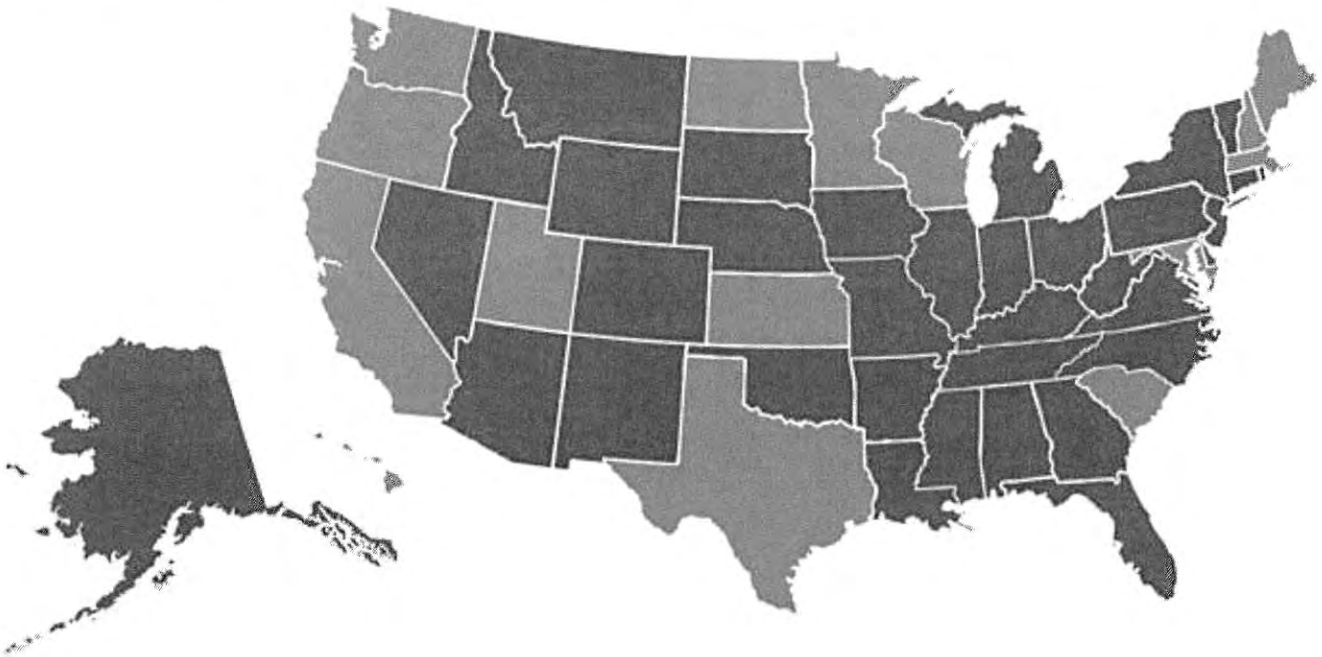
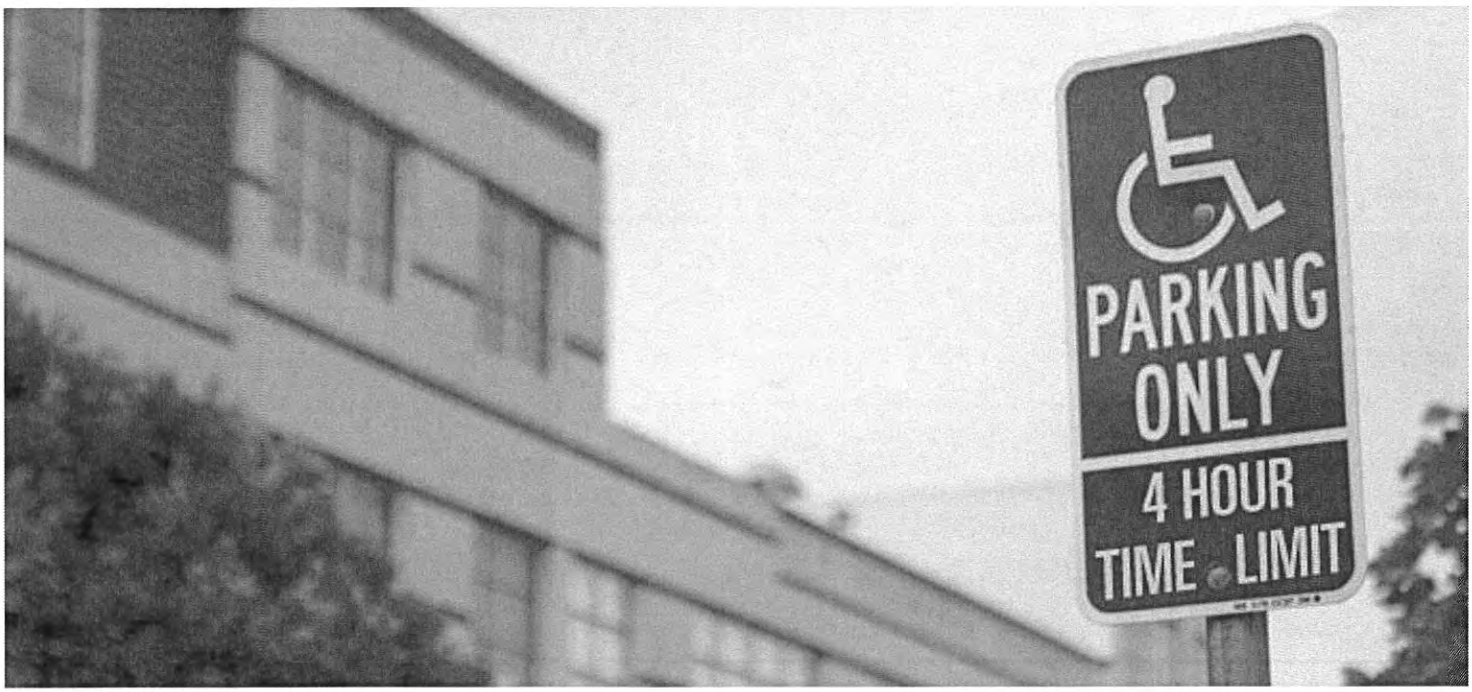


Image: SF Examiner

# 5. Direct revenue to accessibility improvements (local)

# 6. Allow communities to establish reasonable time limits (state)



Mayor's Office on Disability | SFMTA Municipal Transportation Agency

# SF Accessible Parking Committee Recommendations

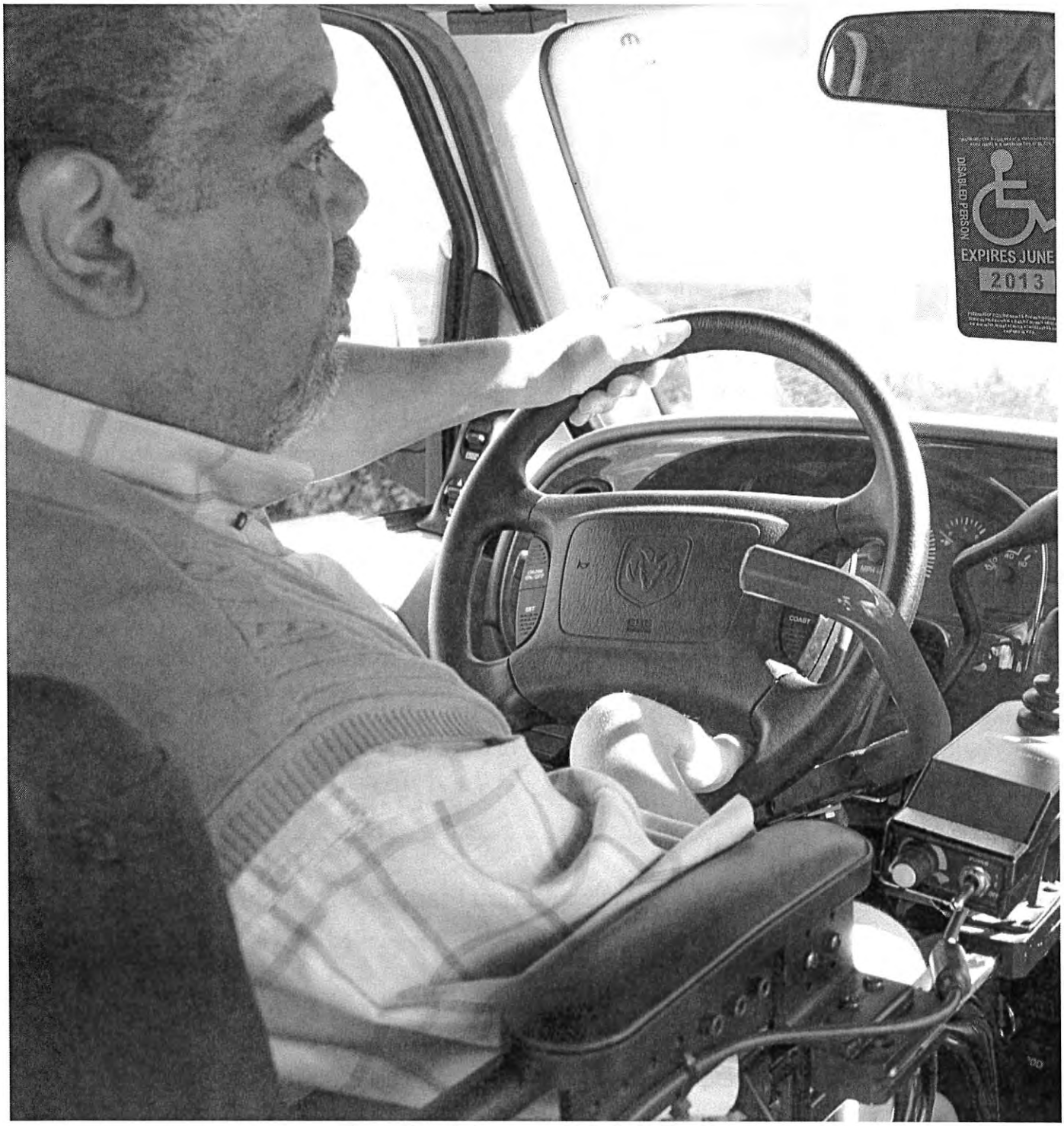
## We appreciate your feedback

www.SFMTA.com/parkingaccess

parkingaccess@sfmta.com

415-701-5380

# Improving Parking Access in San Francisco




Recommendations from
San Francisco's Accessible Parking
Policy Advisory Committee

Mayor's Office on Disability

SFMTA
Municipal Transportation Agency

# The Challenge

On a daily basis, people with disabilities have trouble finding parking in San Francisco, making it more difficult to access their destinations. Current disabled parking placard and blue zone policies are failing to increase access for people with disabilities, and reduce parking availability for all drivers. The City's Accessible Parking Policy Advisory Committee worked together to find a better solution.

There are so many disabled parking placards in current use that regular and blue spaces are often full, reducing access. There now are twice as many placards in the Bay Area as there were ten years ago. In some San Francisco neighborhoods, more than one out of every four cars parked on the streets displays a placard.

California is just one of five states that requires all cities to allow anyone with a disabled parking placard to park at metered spaces for free with no time limits. This creates a strong incentive for people without disabilities to misuse placards.

At the SFMTA, a team of specially trained parking control officers enforces placard misuse; additionally, all officers enforce blue zones and expired placards. Even so, this doesn't effectively deter misuse because it is so difficult to catch people using placards illegally.

In October 2012, The San Francisco Municipal Transportation Agency (SFMTA) worked with the Mayor's Office on Disability to gather 16 stakeholders who would tackle the challenge of making parking more accessible.

The majority of the Accessible Parking Policy Advisory Committee members were disability rights advocates, joined by others representing business, regional transportation, and medical voices. For six months, they worked to identify problems, establish goals, review research, analyze solutions, and create an integrated set of recommendations.

Mismatch between number of placards and San Francisco parking spaces

**500,000+**
disabled parking placards in the Bay Area

**29,200**
metered spaces in SF

**700**
blue zones in SF

# The Recommendations

The Accessible Parking Policy Advisory Committee identified an integrated program of policy recommendations to increase access to street parking. After researching best practices from cities across the country, analyzing San Francisco's needs, and weighing many options, the committee came to a broad consensus on the following interdependent state *(CA)* and local *(SF)* policy changes to achieve this goal.

### 1. Increase blue zones

To reserve more parking spaces for people with disabilities, 4% of metered parking spaces should be blue zones. This 70% increase would require the SFMTA to install at least 470 new zones. The Mayor's Office on Disability should reevaluate San Francisco's blue zone placement guidelines to enable zones in more locations. *(SF)*

### 2. Improve enforcement of placard misuse

The SFMTA should develop disabled parking placard enforcement improvements. This could include increasing the number of parking control officers that enforce placards, increasing stings, and other options. *(SF)* The DMV should make placard holder photos available to parking control officers. *(CA)*

### 3. Increase oversight of placard approvals

The DMV should upgrade its database to include information about the medical providers who certify placards, and should take steps to ensure that the providers are legitimate. The existing DMV placard application eligibility criteria should be clarified to ensure that placards are issued to people with a functional need for them. *(CA)*

### 4. Allow communities to remove the meter payment exemption

Based on experiences in other cities, requiring everyone to pay at the meter is the most effective way to reduce placard misuse and open up parking spaces. In Philadelphia, downtown parking availability increased from 2% to 13% when placard holders started paying at the meter. The Committee recommends that this policy should only be allowed as an option in jurisdictions that offer accessible payment options. *(CA)*

### 5. Direct revenue to accessibility improvements

The SFMTA should work with the disability community to channel funds from metered blue zones into accessibility improvements that would enhance mobility for people with disabilities. *(SF)*

### 6. Allow communities to establish reasonable time limits

In order to help open up parking spaces, placard holders should have four-hour time limits at regular and blue meters, unless the posted time limit is longer. Placard holders should be able stay up to 30 minutes at green short-term loading zones, not including time spent getting in and out of the vehicle. Paid for by qualifying merchants, green zones are intended to support local business and reduce double-parking. *(CA)*

## Testimonials

"People with disabilities want to move freely throughout San Francisco conducting our business, just like everyone else. Often, people try to visit to our organization, only to turn around and go home when they couldn't find an open parking space close by. This committee explored all the options, and this set of policies is the best way to free up parking spaces for those who need them most."

*—Jessie Lorenz, Executive Director, Independent Living Resource Center*

"These analyses and recommendations flow from a complex and thorough process, during which some of us changed our initial views. We didn't feel pressured, we felt heard, and we benefited from public input. I ask you to read this report in the light of the consensus support our group achieved."

*—Bob Planthold, Disability Beacon Award winner*

## Next steps

The Mayor's Office on Disability, the SFMTA, and members of the Accessible Parking Policy Advisory Committee are conducting significant community and policymaker outreach, both at a city and state levels. Many of the recommendations will require state law changes; at the earliest, these could be introduced in 2014 and go into effect in 2015.

## Support the plan

Do you want to support improvements to accessible parking? Contact us to learn more and get involved:

- SFMTA.com/parkingaccess
- parkingaccess@SFMTA.com
- 415-701-5380

Visually accessible PDF of this document, including data references can be found at: SFMTA.com/parkingaccess.pdf

## San Francisco's Accessible Parking Policy Advisory Committee

### Co-chairs

**Carla Johnson**, Interim Director, Mayor's Office on Disability

**Ed Reiskin**, Director of Transportation, SFMTA

### Steering committee members

**Jessie Lorenz**, Independent Living Resource Center of San Francisco

**Bob Planthold**, Disability Beacon Award winner

**Stu Smith**, Paratransit Coordinating Council

**Roland Wong**, Multimodal Accessibility Advisory Committee

**Ann Flemer**, Metropolitan Transportation Commission

### Other organizations represented

San Francisco Aging and Adult Services Commission

Access Northern California

San Francisco Medical Society

Department of Motor Vehicles

San Francisco Council of District Merchants Associations

Building Owners and Managers Association

San Francisco Chamber of Commerce

SFMTA Board of Directors

# Accessible Parking Policy Advisory Committee Recommendations Report

**Updated December 17, 2013**

## Executive summary

On a daily basis, people with disabilities have trouble finding parking in San Francisco, making it more difficult to access their destinations. Current disabled parking placard and blue zone policies are failing to increase access for people with disabilities, reducing parking availability for all drivers. The City's Accessible Parking Policy Advisory Committee worked together to find a better solution.

In October 2012, the San Francisco Municipal Transportation Agency (SFMTA) and the Mayor's Office on Disability brought together the Accessible Parking Policy Advisory Committee, a stakeholder group comprised mostly of disability rights advocates. After six months of collaborative work, the group came to a broad consensus on a package of policy recommendations to increase access to street parking and reduce disabled parking placard misuse.

The Mayor's Office on Disability, the SFMTA, and members of the Accessible Parking Policy Advisory Committee are conducting significant stakeholder outreach regarding these recommendations. Outreach began in May 2013. At the same time, the SFMTA has taken steps towards implementing the recommendations that are under local control. Local recommendations including increasing the number of blue zones and improving disabled parking placard misuse enforcement. Other recommendations require changes at the state level. These include improving the DMV's oversight of placard approvals and allowing qualified jurisdictions the option of requiring meter payment and four-hour time limits for placard holders.

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## The committee: a stakeholder process

In October 2012, the SFMTA and the Mayor's Office on Disability gathered 16 stakeholders to review and make recommendations regarding on-street accessible parking policies. The majority of the Accessible Parking Policy Advisory Committee members were disability rights advocates, many of whom use disabled parking placards. They were joined by a representative from the Department of Motor Vehicles (DMV) as well as members representing business, regional transportation, and medical voices.

The committee worked together from October 2012 to March 2013 and took the following steps:

- Identified problems related to parking access
- Established goals and criteria for choosing solutions to problems
- Reviewed research about the San Francisco Bay Area and best practices from across North America
- Proposed and analyzed solutions
- Developed a package of recommended solutions

The SFMTA hired a third party professional facilitator to ensure the process moved forward and all voices were heard. Staff members from various City departments were available as resources, but only Committee members participated in voting and decision-making.

To facilitate in-depth discussion and to help guide the process, a steering committee, representing a subset of the committee, met monthly to recommend items for discussion by the full committee and provide direction and input to staff on research, analysis, and materials for the meetings.

See Appendix I for the full Committee schedule, including the purpose of each meeting and links to agendas and meeting notes.

## COMMITTEE MEMBERS

**Co-chairs**

- Carla Johnson, Interim Director, Mayor's Office on Disability
- Ed Reiskin, Director of Transportation, SFMTA

**Steering committee**

- Jessie Lorenz, Independent Living Resource Center of San Francisco
- Bob Planthold, Disability Beacon Award winner
- Stu Smith, Paratransit Coordinating Council
- Roland Wong, SFMTA Multimodal Accessibility Advisory Committee and Mayor's Disability Council
- Ann Flemer, Metropolitan Transportation Commission (MTC)

**Members**

- Andrew Conway, Department of Motor Vehicles
- Pete Curran, San Francisco Medical Society
- Dorene Giacopini, MTC Commissioner
- Vera Haile, San Francisco Commission on Aging
- Henry Karnilowicz, San Francisco Council of District Merchants Associations
- Bonnie Lewkowicz, Access Northern California
- Cristina Rubke, Member, Board of Directors, SFMTA
- Jeff Spicker, Building Owners and Managers Association
- Dee Workman, San Francisco Chamber of Commerce

**Staff**

Staff from the Mayor's office; San Francisco Board of Supervisors; Office of the City Attorney; and SFMTA Accessible Services, Sustainable Streets, Enforcement, Finance and IT, SF*park*, and Government Affairs attended meetings as resources.

**Facilitators**

Richard Weiner and Bonnie Nelson, Nelson\Nygaard Consulting Associates

## Problem: insufficient access for people with disabilities

The Committee's first task was to define any problems related to disabled parking placards, blue zones, and on-street parking access in general. They identified the following:

- People with disabilities can't find parking
- There isn't enough parking turnover to ensure there's enough parking for everyone
- Public perception that people with hidden disabilities don't deserve placards

## Criteria: ensuring solutions that increase access

Based on the existing problems, the Committee then developed criteria by which they would evaluate possible policy solutions.

**EFFECTIVENESS CRITERIA**

| Effectiveness criterion | Measure | Desired results |
|---|---|---|
| Makes it easier for people with disabilities to find parking in blue zones | Change in parking availability in blue zones | Improved parking availability in blue zones |
| Makes it easier for people, especially those with disabilities, to find parking in general metered spaces | Change in parking availability at general metered on-street parking spaces | Sufficient parking availability at metered on-street spaces (improved in congested areas) |
| Reduces placard misuse | Expected change in placard misuse | Reduction in placard misuse |
| Recognizes diverse needs/requirements of the disabled community | Whether or not policy is suitable for people with disabilities who are low income vs. not low income, and for different types of mobility impairments | Policy designed to be suitable for some variability in income and disability type |

## FEASIBILITY CRITERIA

| Feasibility criterion | Measure | Desired results |
|---|---|---|
| Approval feasibility | Policy/legal change requirements<br>Likelihood of support<br>Ease of explanation to policymakers | Sufficient comprehension and support to achieve approval |
| Ease of user interface | Whether it meets ADA requirements<br>Whether policy is easy to understand | Fulfills ADA, and existing communications channels are sufficient to make outside visitors understand changes. |
| Implementation and operational feasibility | Capability (ability + resources + technology) of relevant agency/agencies to implement and operate solution<br>Feasibility in other California jurisdictions | Relevant agency/agencies have sufficient capability<br>Feasible in other jurisdictions |
| Financial feasibility | Fiscal impact to City | No adverse fiscal impact to City |
| Time needed to get new policy approved and implemented | Anticipated year of implementation | A mix of near- and far-term solutions |

## Research and information: a well-informed committee

The Committee reviewed significant research about disabled parking placards and blue zones in San Francisco, the Bay Area, and in cities across the country.

### INFORMATION ABOUT SAN FRANCISCO AND THE BAY AREA

The Committee reviewed the following research documents regarding San Francisco and the Bay Area:

- Accessible parking background information[i]
- Blue zones overview[ii]
- Blue zone locations map[iii]
- Disabled parking placards and license plates overview[iv]
- Disability, low income status, and car availability statistics overview[v]

Below is a summary of this information.

#### Blue zones

Blue zones are intended to ensure that people with disabilities can park close to public destinations, and only those with valid disabled parking placards can park in them. Blue zones are marked by signage and blue curb paint and are generally located in areas with high public use, such as commercial areas and near public parks and playgrounds.

San Francisco has 29,200 on-street metered parking spaces and 700 unmetered on-street blue zones, equivalent to 2.4 percent of metered spaces. Up to this point, most blue zones in San Francisco have been established by requests via the San Francisco 311 Center or an online application.[vi]

Blue zones provide a higher level of accommodation than other parking spaces, with ramp access, space for wheelchair lifts, and relatively level streets and sidewalks. The City has set a few guidelines regarding where blue zones can be placed, in addition to guidelines from the Federal Americans with Disabilities Act. For a summary of the physical requirements for blue zones, see the blue zones overview.

**Disabled parking placards**

Disabled parking placards are governed by California state law, which requires all jurisdictions to exempt placard holders from time limits and on-street meter payment. The exemptions apply in all legal parking spaces except for commercial and passenger loading zones. California is one of just 15 states that require cities to exempt placard holders from paying at the meter, and one of five states that require both meter payment and time limit exemptions for placard holders.[1]

The California DMV issues placards. Individuals who meet eligibility criteria related to limited mobility, reduced sight, cardiovascular or pulmonary conditions may apply for a placard. Full eligibility requirements can be found on the DMV application.[vii] Applications are completed by an individual's doctor, chiropractor, optometrist, physician's assistant, nurse practitioner, or nurse midwife. The eligibility criteria and practitioner list are pretty typical.[2] The DMV's database system is decades old and unable to verify or track information about who is certifying placards.

Disabled parking placard issuance has increased significantly in the last decade. San Francisco now has twice as many disabled parking placards as metered spaces, with 67,500 placards issued to San Franciscans compared with 29,200 metered spaces. There are an additional 454,000 placards issued to people in the other eight Bay Area counties, many of whom drive to San Francisco.

The number of placards issued in the nine-county Bay Area has increased by 100 percent since 2001. However, between 2001 and 2010, the Bay Area population only increased by 5 percent and the 65+ population by 16 percent. Legitimate placards are often misused by people they don't belong to, increasing rates of use. Many blue zones and metered parking spaces are full for long periods of time due to placard use, decreasing access for those who need it.

A 2008 SFMTA survey found that 45 percent of parking meters were occupied by cars displaying placards in the downtown study area. Of the vehicles using placards, 57 percent were registered outside of San Francisco.

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[1] October 16, 2012, memo from the California Senate Office of Research

[2] See a comparison to other states in the Policy Options Evaluation Appendices II and III, p. 46-48

**Disabled parking placard enforcement**

All SFMTA Parking Control Officers (PCOs) help enforce accessible parking, issuing citations for blue zone infractions, ramp obstructions, and expired placards. The SFMTA also has a team of PCOs dedicated solely to enforcing placard abuse.[3] This Disabled Placard Detail conducts stakeouts and twice-weekly stings, confiscating roughly 1,800 placards per year.

The most common form of placard misuse appears to be non-disabled people illegally using legitimate placards that belong to other people, but that's also the hardest to enforce. Because placard holders can use their placards when getting rides from other people, even finding a solo driver using someone else's placard isn't enough; the PCO must prove that the placard holder isn't nearby. Additionally, because of personal privacy concerns, PCOs do not ask people about their disabilities. As a result, if a placard registration matches the individual, it is not possible to determine whether that placard was illegitimately obtained. The placard is assumed to be valid.

The stakes are high with disabled placard enforcement: a citation for placard misuse now costs $880 and the PCOs confiscate the placard immediately. Almost 60 percent of placard-related citations are contested and 12 percent of those protests go all the way to the CA Superior Court. However, the Disabled Placard Detail conducts its work very carefully, and 82 percent of challenged citations are upheld as valid. These PCOs work in teams of two to provide a witness for future hearings and protect officers from violence. They also spend a quarter of their time writing reports to ensure proper documentation for protest procedures.

Because enforcing placard misuse is so labor intensive, revenue generated by placard misuse citations does not cover the costs of enforcement.

**Disability, income, and car ownership**

The U.S. Census American Community Survey estimates from 2008-2010 found that in San Francisco, people with disabilities are more likely to have low incomes: 50 percent of people with disabilities have low incomes compared to 25 percent of people without disabilities.[4] However, people with low incomes are less likely to have access to a

[3] This team had 11 PCOs and one supervisor when the Committee was in session. Based on Committee recommendations, the SFMTA has increased this number to 14 PCOs and one supervisor.

[4] "Low income" is defined as 200 percent of the federal poverty level.

vehicle or commute by automobile: only 16 percent of people with disabilities are both low income and have a vehicle available in their households, and two percent of low-income people with disabilities commute by automobile.

## BEST PRACTICES RESEARCH

The committee spent two months looking at the accessible parking practices in eleven North American cities. They reviewed case studies and disability rights advocate interviews from cities including Philadelphia; New York City; Chicago; Houston; and Arlington County, Virginia. These case studies illustrated the effects of various policy approaches, such as heavier enforcement, strict protocols for placard issuance, and meter payment.

The Committee reviewed the following peer practices research documents:

- Accessible parking policies and practices in other jurisdictions- document[viii]
- Interviews with advocates and staff in other jurisdictions[ix]
- Accessible parking policies and practices in other jurisdictions- presentation[x]

### Best practices

All programs that had successfully increased parking access and reduced placard misuse combined three core elements:

- Provide more blue zones
- Conduct sufficient enforcement on placard use and blue zones
- Charge placard holders at meters

The cities that had implemented only one or two of these elements were not as successful. For instance, Houston had the most robust enforcement regime in our survey but was unable to solve the problem until it also introduced meter payment and increased blue zones. The research found no correlation between cities with successful placard programs and those with shorter lists of permitted placard certifiers or tighter eligibility criteria.

**Meter payment**

Based on experiences in other cities, meter payment is the most effective way to reduce placard misuse and open up parking spaces. For example, when placard holders started paying at the meter in Philadelphia, parking availability rose from two to 13 percent, opening up more than one in ten spots. Vehicles displaying placards downtown dropped from 40 to two percent.

## Policy alternatives: developing and analyzing 20 options

During its six months of work, the Committee reviewed numerous approaches to increasing parking access and decreasing disabled parking placard misuse. After defining the problem, establishing criteria, and reviewing extensive research, the Committee identified a series of policy alternatives for further evaluation. The steering committee and full committee discussed the list, adding or removing ideas after full discussion. In the end, the committee analyzed 20 policy alternatives. For details on all the Committee's policy ideas, please see the policy options analysis[xi], which evaluates each option according to the group's agreed-upon criteria.

After they conducted this analysis, the Committee concluded that no single policy could successfully create access for people with disabilities, and only a multifaceted approach would work. For instance, they found that no city had significantly increased access and reduced placard misuse using enforcement tactics alone.

## Recommendations: proven solutions to improve access

The San Francisco Accessible Parking Policy Advisory Committee achieved a broad consensus on an integrated program of policy recommendations to increase parking access for people with disabilities and improve parking availability overall. All recommendations passed with at least 70 percent of the committee expressing support. To see the final votes and discussions, including dissent statements, see the March 26 Accessible Parking Policy Advisory Committee meeting notes.[xii] Committee members emphasized that the recommendations function together as a package, and noted that some policy changes are local and some require state law change.

### 1. INCREASE BLUE ZONES

#### 1a. Increase blue zones to at least four percent of metered spaces (local)

To reserve more parking spaces for people with disabilities, a number of spaces equivalent to four percent of metered parking spaces should be designated as blue zones, representing a 70 percent increase (equivalent to roughly 470 blue zoned spaces) beyond what is in place today.

#### 1b. Review San Francisco's requirements for blue zone placement (local)

Under current ADA and City guidelines,[xiii] many locations in need of blue zones will not be eligible. The Committee recommends that the San Francisco Mayor's Office on Disability and the SFMTA consider changing San Francisco's blue zone placement guidelines to make it possible to designate blue zones in more places (ADA guidelines would not be altered).

### 2. IMPROVE ENFORCEMENT OF PLACARD MISUSE

#### 2a. Photo or other identifier on placards (state)

The Committee recommends the California Department of Motor Vehicles (DMV) make a photo available to personnel enforcing placard use. This could be achieved by placing a photo on the placard itself, on the placard receipt, or tying a photo to the placard database used by enforcement personnel.

#### 2b. Improve local enforcement (local)

To reduce fraudulent use of placards, San Francisco should explore options to improve placard enforcement and implement best practices. This could include increasing the

number of PCOs on the Disabled Placard Detail, increasing stings, conducting outreach regarding placard enforcement, and beginning a volunteer program.

### 3. INCREASE OVERSIGHT OF PLACARD APPROVALS

#### 3a. Certifier verification program with state database overhaul (state)

The DMV does not currently have the technical capacity to keep information about the medical providers who certify placards in a searchable database. To increase transparency and accountability, the Committee recommends that the DMV develop and maintain a database to track and verify medical providers, using a system similar to the Bay Area Regional Transit Connection (RTC) Discount Card Program. First-time certifiers would be verified utilizing state medical licensing databases, and subsequent certifications by the same professional would be verified using the provider's previously scanned signature.

#### 3b. Clarify placard eligibility requirements by adding a functional definition to the "limited mobility" criteria (state)

The Committee recommends further defining the following eligibility criterion from the DMV's placard application: "disease or disorder which substantially impairs or interferes with mobility". Examples of functional definitions used in other states include "cannot walk 200 feet without stopping to rest" and "uses portable oxygen". The DMV's remaining eligibility criteria would not change.

#### 3c. Conduct enforcement on those who certify placards, using data from upgraded database (local)

The Committee recommends that police officers use the DMV placard certifier database recommended in 3a to focus enforcement on medical providers that repeatedly issue more placards than one would expect.

### 4. ALLOW JURISDICTIONS TO REMOVE THE METER PAYMENT EXEMPTION

#### 4a. Provide local control, allowing jurisdictions with accessible meter payment options to require parking meter payment for vehicles displaying placards (state)

Based on experiences in other jurisdictions, meter payment is the most effective way to reduce disabled placard abuse and make parking spaces available because it removes the financial incentive to cheat.[5] The Committee recommends requiring placard holders

[5] See Accessible Policy Options Evaluation and Accessible Parking Policies and Practices in Other Jurisdictions

to pay at the meter in San Francisco, including blue zones that are in metered areas. Statewide, they stipulate that this should only be allowed as an option in jurisdictions which provide accessible payment options for all meters. Qualified communities would be able to decide whether a meter payment exemption makes sense for them. California is one of only fifteen states that require local jurisdictions to exempt placard holders from meter payment, and one of only five that require both payment and time limit exemptions.[6]

## 5. DIRECT AN EQUIVALENT AMOUNT OF REVENUE TO ACCESSIBILITY IMPROVEMENTS

### 5a. Revenue from metered blue zones used for accessibility improvements (local)

To further the significant work San Francisco has done to make its public rights-of-way increasingly accessible, the SFMTA should designate an amount equivalent to revenue received payment at metered blue zones for accessibility improvements that would enhance mobility for people with disabilities.

## 6. ALLOW JURISDICTIONS TO ESTABLISH REASONABLE TIME LIMITS

### 6a. Allow local jurisdictions to implement time limits at regular metered spaces and blue zones, provided that those time limits are no shorter than four hours (state)

In order to increase availability of parking spaces, the committee recommends that placard holders in San Francisco have four-hour time limits at regular and blue meters, unless the posted time limit is longer. State law should give local jurisdictions the option of instituting time limits for placard holders in metered spaces and blue zones, provided those time limits are no shorter than four hours. Disability rights advocates in jurisdictions with three- and four-hour time limits report that the time seems to be sufficient for people with disabilities.[7]

### 6b. Allow local jurisdictions to implement time limits in green zones, provided that those time limits are no shorter than 30 minutes (state)

Paid for by qualifying merchants, green zones are short-term parking zones intended to support business and reduce double-parking. State law currently exempts placard holders from time limits in green zones, rendering many green zones ineffective. The Committee recommends that a time limit be set for placard holders in green zones, not

[6] October 16, 2012, memo from the California Senate Office of Research

[7] See the interviews with advocates and staff in other jurisdictions

including time spent getting in and out of the vehicle. Green zones are generally directly in front of the relevant business.

## Timeline of next steps

Working with Committee members, the Mayor's Office on Disability and the SFMTA identified the following action plan.

### 1. CONDUCT OUTREACH REGARDING RECOMMENDATIONS

**May 2013 and ongoing**

The Mayor's Office on Disability, the SFMTA, and members of the Accessible Parking Policy Advisory Committee have conducted significant stakeholder outreach regarding these recommendations. Outreach began in May 2013. See list of presentations in the next section.

### 2. TAKE STEPS TO IMPLEMENT ITEMS THAT ARE UNDER LOCAL CONTROL

**June 2013 to 2015**

The SFMTA has begun taking steps to implement the recommendations that are under local control. As of July 2013, the SFMTA has done the following:

- Increased the number of PCOs serving on the Disabled Placard Detail by over 25 percent, so now the SFMTA has 14 PCOs dedicated to enforcing placard misuse.
- Identified a project lead for establishing more blue zones and begun identifying potential new blue zone locations. The SFMTA aims to install some new blue zones by the end of the year and complete the project by mid-2015.

### 3. LOCAL SUPPORT

**Late 2013**

- SFMTA Board of Directors resolution of support – November 19, 2013
- State Legislation Committee approval of inclusion in the City of San Francisco's state legislative agenda – December 11, 2013
- Letters of support from various local organizations

## 4. STATE LEGISLATIVE PROCESS

**Late 2013 to January 2015**

At the earliest, a bill could be introduced in 2014 and go into effect in 2015. The League of California Cities Transportation, Communications and Public Works Policy Committee has provided conceptual support for the state law changes and directed League staff to continue working on the issue.

The state bill could include the following:

- Improve DMV oversight of placard approvals, including tracking and verification of the medical providers who sign placard applications.
- Clarify placard eligibility requirements without removing any existing qualifying criteria.
- Make placard holder photo available to placard enforcement personnel.
- Remove the meter payment exemption requirement, so that local jurisdictions with accessible meter payment options can choose to require placard holders to pay at the meter.
- Allow jurisdictions the option of establishing placard holder time limits of no shorter than four hours in regular metered spaces and blue zones, and no shorter than 30 minutes in green zones.

## 5. ESTABLISH LOCAL POLICY

**Early 2015**

As envisioned, the state law change would authorize but not require qualifying jurisdictions to require time limits and meter payment for placard holders; San Francisco would still need to pass its own local policy. The SFMTA and the Mayor's Office on Disability would return to the community for additional input prior to establishing local time limits and meter payment requirements. This would provide an additional opportunity to hone the policies further in response to public feedback. Some issues that could be addressed during this phase include impacts on low income drivers with disabilities and the needs of people with disabilities who commute by automobile and need to park on the street.

## Outreach presentations list

**PUBLIC FORMS DEDICATED TO THE ACCESIBLE PARKING RECOMMENDATIONS (2)**

- July 31 – Disability parking forum hosted by FDR Democratic Club*
- October 19 – Accessible parking forum hosted by the SFMTA and the Mayor's Office on Disability*

**DISABILITY AND SENIOR GROUPS (11)**

- May 16 – SFMTA Multimodal Accessibility Advisory Committee*
- May 17 – Mayor's Disability Council*
- July 11 – Long Term Care Coordinating Council, with over 25 additional senior care and recreation center representatives invited*
- July 17 – Independent Living Resource Center, with Lighthouse for the Blind and California Council of the Blind invited
- July 30 – FDR Democratic Club Executive Board
- August 7 – Paratransit Coordinating Council*
- August 7 – FDR Democratic Club monthly meeting (discussion based on earlier presentations)
- September 18 – Advisory Council to the Aging and Adult Services Commission*
- October 2 – Aging and Adult Services Commission*
- October 7 – Alameda County Transportation Commission senior and disability mobility workshop
- October 9 – Metropolitan Transportation Commission Policy Advisory Council Equity & Access Subcommittee*
- December 17 – California Commission on Disability Access

**MERCHANT AND BUSINESS GROUPS (3)**

- August 7 – San Francisco Chamber of Commerce Public Policy Committee
- August 20 – San Francisco Council of District Merchants Associations
- October 28 – San Francisco Small Business Commission*

**TRANSPORTATION AND CITIZENS' ADVISORY GROUPS (5)**

- June 6 – SFMTA Citizens' Advisory Council*
- June 21 – SFMTA Board of Directors Policy and Governance Committee*
- August 21 – SPUR Transportation Policy Board
- August 28 – San Francisco County Transportation Authority Citizens Advisory Committee*
- September 11 – SPUR lunchtime forum

**OTHER GROUPS (3)**

- June 14 – League of California Cities Transportation, Communications, and Public Works Policy Committee
- November 8 – California Public Parking Association 30th Annual Conference
- November 25 – West of Twin Peaks Central Council

Note that Senior and Disability Action declined a presentation and let us know they are taking a neutral stance on the recommendations.

The San Francisco Chinatown Community Development Center also declined a presentation due to lack of time.

**Public meeting including time for public comment and participation. All public meetings posted on SFMTA.com/parkingaccess once the final agenda is released, in addition to regular public notices.*

## Appendix I: Committee meeting schedule

| Date and time | Meeting type | Meeting purpose |
|---|---|---|
| Oct. 23, 2012<br>2 p.m. – 4 p.m. | Full committee | Introduce participants; set ground rules; explain process and set calendar; background information presentation; stakeholder interview summary; solicit initial response to problem understanding; nominate steering committee members.<br>Agenda (PDF)[xiv]<br>Meeting notes (PDF) |
| Nov. 13, 2012<br>10 a.m. – 11:30 a.m. | Steering committee | Develop working relationships within the group; explore findings regarding problem definition; set agenda for next full committee meeting.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Nov. 27, 2012<br>2 p.m. – 4 p.m. | Full committee | Define problems related to accessible parking and explore roots of the problems.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Dec. 11, 2012<br>10 a.m. – 11:30 a.m. | Steering committee | Develop list of criteria to evaluate potential solutions to the problem; set full committee meeting agenda.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Dec. 18, 2012<br>10 a.m. – noon | Full committee | Finalize criteria to evaluate potential problem solutions; best practices presentation.<br>Agenda (PDF)<br>Meeting notes (PDF) |

| Date and time | Meeting type | Meeting purpose |
|---|---|---|
| Jan. 8, 2013<br>10 a.m. – 11:30 a.m. | Steering committee | Develop broad list of policy options to consider for further evaluation; finalize agenda for full committee meeting.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Jan. 22, 2013<br>10 a.m. – noon | Full committee | Agree on list of policy options for evaluation according to criteria; clarify process for evaluating policy options and developing final recommendations.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Feb. 5, 2013<br>10 a.m. – noon | Steering committee | Review and refine policy options discussed at full committee meeting.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Feb. 26, 2013<br>10 a.m. – noon | Full committee | Review policy options analysis; hone list of policy options for further consideration.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Mar. 12, 2013<br>10 a.m. – noon | Steering committee | Develop recommendations for discussion in final full committee meeting; set final full committee meeting agenda.<br>Agenda (PDF)<br>Meeting notes (PDF) |
| Mar. 26, 2013<br>10 a.m. – noon | Full Committee | Develop final recommendations.<br>Agenda (PDF)<br>Meeting notes (PDF) |

## Appendix II: Outreach for the Oct. 19 accessible parking forum

The report below summarizes the outreach efforts conducted for the October 19, 2013, accessible parking forum hosted by the Mayor's Office on Disability and the SFMTA.

### OVERVIEW

The SFMTA and the Mayor's Office on Disability conducted significant outreach for the accessible parking forum, including the following:

- Press release to:
    - ~1,000 reporters (including Chinese & Spanish language news sources)
    - Thousands of citizens across the region
- Two mailings to the accessible parking mailing list – 185 recipients
- Individual emails to leaders of disability, neighborhood, business, and advocacy organizations – 45 organizations
- Mailing to additional community leaders – 270 recipients
- Emails and flyers to San Francisco Supervisors – all 11 offices
- Emails to state legislators – 4 legislators
- Flyers distributed to libraries, senior centers, etc. – 200 flyers
- Web updates

This outreach resulted in the following known coverage:

- TV news coverage – 1
- Organizations that shared the event information with their members – 14
- Blog posts about the event– 8

### ORGANIZATIONS THAT SHARED ANNOUNCEMENT

We cannot be aware of each and every forum posting or news announcement, but we are aware of the following groups who shared the announcement at our request:

- Mayor's Office on Disability
- Independent Living Resource Center of San Francisco

- SFMTA Multimodal Accessibility Advisory Committee
- Paratransit Coordinating Council
- Support for Families of Children with Disabilities
- Designing Accessible Communities
- Californians for Disability Rights
- San Francisco County Transportation Agency
- South Beach Rincon Hill Community Association + Portside Building
- Planning Association for the Richmond
- Friends of Noe Valley
- Council of District Merchants Association
- Chamber of Commerce
- Mayor's office of Economic & Workforce Development
- Building Owners & Managers Association of San Francisco
- SF Bicycle Coalition (28,000 emails)
- Walk SF

**BLOG/NEWS COVERAGE**

- KCBS
- Independent Living Resource Center website
- SF Streetsblog
- Planning Association for the Richmond website
- Friends of Noe Valley website
- San Francisco FYI political blog
- Eastern Neighborhoods United Front (ENUF) blog
- Building Owners & Managers Association of San Francisco website and blog
- San Francisco Bicycle Coalition website

## GROUPS EMAILED

**Disability/Senior groups (22)**

- Access Northern California
- Advisory Council to the Aging and Adult Services Commission
- AIDS Legal Referral Panel
- Disability Rights California
- Disability Rights Education and Defense Fund
- Designing Accessible Communities
- Golden Gate for Seniors
- Long Term Care Coordinating Council
- Lighthouse for the Blind
- Independent Living Resource Center
- Institute on Aging
- SFMTA Multimodal Accessibility Advisory Committee
- Multiple Sclerosis Society of Oakland
- Paratransit Coordinating Council
- SFSU Students with Disabilities
- SD Action
- Self Help for the Elderly
- Support for Families of Children with Disabilities
- San Francisco Commission on Aging and Adult Services Commission
- SF County Transportation Authority Citizen Advisory Committee
- Swords to Plowshares
- Sutter Care at Home

**Merchant and business groups (48)**

- Small Business Commission
- Asian Business League of San Francisco
- Building Managers & Owners Association (BOMA)
- Clement Street Merchants Association
- Council for District Merchants
- Fillmore Merchants Association
- Fisherman's Wharf Community Benefit District
- Inner Sunset Merchants Association
- Glen Park Merchants Association
- Golden Gate Business Association
- Greater Geary Merchants
- Hayes Valley Merchant Association
- Japantown Merchants Association
- Judah Merchants Association
- Laurel Village Merchants Association
- Lower 24th Street Merchants
- Lower Haight Merchants Association
- Mayor's office on Economic and Workforce Development
- Marina Merchants Association
- Merchants of Upper Market & Castro
- Mid-Divisadero Merchants Association
- Mission Merchant Association
- Mission Economic Development Association
- National Association of Women Business Owners

- Noe Valley Merchants Association
- Noriega-Lawton Merchants Association
- North East Mission Business Association (NEMBA)
- North Beach Chamber of Commerce
- Outer Mission Merchants and Residents Association
- Outer Sunset Merchants Association
- Parkside Taraval Merchants Association
- Polk Street Merchants Association
- Potrero Hill Association of Merchants and Businesses
- Renew SF
- Sacramento Street Merchants Association
- San Bruno/Ocean Avenue Merchants
- South Beach Mission Bay Business Association
- South of Market Merchants
- San Francisco Convention and Visitors Bureau
- Small Business California
- Small Business Network
- Small Business Advisory Council
- San Francisco Renaissance Entrepreneurship Center
- Chamber of Commerce
- The union Street Association
- Union Square Association
- West Portal Merchants Association
- Tenderloin Merchants Association

**People of color community groups (11)**

- Asian Neighborhood Design
- Black Coalition on AIDS
- Chinese Chamber of Commerce
- Chinatown Merchants Association
- Chinatown Community Development Corporation
- Chinese for Affirmative Action
- Chinatown Alleyway Improvement Association
- Japanese Community Center
- Japanese Community Youth Council
- PODER
- La Casa de las Madres

**Neighborhood groups (70)**

- 16th Street/North Mission Association
- 37th Avenue SAFE Neighborhood Watch
- Alamo Square Neighborhood Association
- Balboa Terrace Homes Association
- BAYCAT
- Bayview Hill Neighborhood Assn.
- Buena Vista Neighborhood Association
- Cathedral Hill/Van Ness Neighborhood Association
- Cayuga Improvement Association
- Central Waterfront Citizens Advisory Committee
- Coalition for SF Neighborhoods
- Cole Valley Improvement Association
- Corbett Height Neighbors

- Cow Hollow Association
- Dolores Heights Design Review Committee
- Dolores Heights Improvement Club
- Duboce Triangle Neighborhood Association
- Eastern Neighborhoods Citizen Advisory Committee
- ENCORE(Bernal Heights Neighborhood Center)
- Excelsior Action Group (EAG)
- Forest Knolls Neighborhood Organization
- Forest Hill Association
- Francisco Heights Civic Association
- Friends of Duboce Park (FDP)
- Friends of McLaren Park
- Friends of Mountain Lake Park
- Friends of Noe Valley
- Golden Gate Valley Neighborhood Association
- Greater West Portal Neighborhood Association
- Glen Park Neighbors
- Glen Park Association
- Haight Ashbury Improvement Association
- Haight Ashbury Neighborhood Council
- Hayes Valley Neighborhood Association
- Ingleside Terraces Homes Assoc.
- Japantown Taskforce
- Jordan Park Improvement Association
- Julian Neighbors

- La Playa/Great Highway Neighborhood Watch
- La Raza Information Center
- Lakeside Property Owners Association
- Liberty Hill Residents Association
- Lincoln Park Homeowner's Association
- LMNOP Neighbors
- Lower Haight Neighborhood Organization
- Lower Polk Neighbors & Merchants
- Madrina Group
- Marina Community Association
- Marina Neighborhood Association
- Middle Polk Neighborhood Association
- Mission Dolores Neighborhood Association
- Miraloma Park Improvement Club
- Monterey Heights Homes Association
- Natoma Street Neighborhood Group
- Neighborhood Empowerment Network
- Neighbors of Ardenwood
- New Mission Terrace Improvement Association
- Ninth Avenue Neighbors
- Nob Hill Association
- Noe Valley Neighbors
- North of Panhandle Neighborhood Association (NOPNA)
- North Mission Neighborhood Alliance
- North West Bernal Alliance

- OMI Excelsior Beacon Center
- Outer Mission Residents Association
- Pacific Avenue Neighborhood Association
- Pacific Heights Resident's Association
- PANA(Pacific Avenue Neighborhood Association)
- People of Parkside/Sunset
- Pinelake Park Neighborhood Association
- Planning Association for the Richmond (PAR)
- Pond and Prosper Block Association
- Potrero Boosters
- Potrero Hill Neighborhood House
- POWER Bayview
- Residents of the Southeast Sector (ROSES)
- Richmond Community Association
- Richmond Village Beacon Center
- Russian Hill Improvement Association
- Russian Hill Neighbors
- St. Francis Homes Association
- SHARP-Sunset Heights Responsible
- SOMA Leadership Council
- SOMPAC
- South of Market Cultural Center (SOMARTS)
- South of Market Foundation
- South Beach/Rincon Hill Community Association (400 emails)
- Sunset District Neighborhood Coalition

- Sunset-Parkside Education and Action Committee (SPEAK)
- Sunnyside Neighborhood Assoc.
- Twin Peaks Improvement Association
- Visitacion Valley Meetings List
- West of Twin Peaks Central Council
- West Portal Avenue Association
- Westside Neighbors to End Homelessness
- Westwood Highlands Association
- Westwood Park Association
- Yerba Buena Alliance

**Transportation advocacy groups (4)**

- SF Bicycle Coalition
- SPUR
- Transit Riders Union
- Walk SF

**Elected officials**

- San Francisco Supervisors – all 11 offices
- Mayor Ed Lee
- State Legislators
    - Senator Leland Yee
    - Senator Mark Leno
    - Assemblymember Tom Ammiano
    - Assemblymember Phil Ting

## FLYERS

In addition to electronic media outreach we distributed approximately 200 flyers to nearly 20 locations. When we flyered these locations we also left flyers on the windshields of cars parked nearby with disabled placards.

- Independent Living Resource Center
- City hall/ Supervisors offices
- Main Library
- Chinatown Library
- Mission Library
- SPUR
- Women's Building
- Richmond Senior Center
- Western Addition Senior Center
- Kimochi Senior Center
- Veterans Equity Center
- Korean Center, Inc.
- Manilatown Senior Center
- Lighthouse for the Blind & Visually Impaired
- YMCA Mission senior center
- Women's Building
- Capp Street Senior Center
- Bike Share Open House @ The LGBTQ center (10/16/2013)
- Planning Association for the Richmond meeting (10/16/2013)

## End notes: URLs for links in document

[i] Accessible parking background information: http://www.sfmta.com/sites/default/files/projects/accessible_parking_overview_web.pdf

[ii] Blue zones overview: http://sfpark.org/wp-content/uploads/2012/11/20121107-Blue-zone-overview.pdf

[iii] Blue zone locations map: http://sfpark.org/resources/disabled-parking-census-map/

[iv] Disabled parking placards and license plates overview: http://sfpark.org/wp-content/uploads/2012/11/Disabled-placard-overview2.pdf

[v] Disability, low income status, and car availability statistics overview: http://sfpark.org/wp-content/uploads/2012/11/20121107-Disability-statistics-overview.pdf

[vi] New blue zone request form instructions: http://sfmta.com/services/streets-sidewalks/installation-requests/new-color-curb

[vii] California DMV disabled parking placard application: http://apps.dmv.ca.gov/forms/reg/reg195.pdf

[viii] Accessible parking policies and practices in other jurisdictions- document: http://www.sfmta.com/sites/default/files/projects/Research%20and%20analysis-%20accessible%20parking%20practices%20peer%20review.pdf

[ix] Interviews with advocates and staff in other jurisdictions: http://www.sfmta.com/sites/default/files/projects/Research%20and%20analysis%20-%20peer%20interviews.pdf

[x] Accessible parking policies and practices in other jurisdictions- presentation: http://sfpark.org/wp-content/uploads/2013/01/Accessible-parking-policies-in-other-jurisdictions1.pdf

[xi] Policy options analysis: http://www.sfmta.com/sites/default/files/projects/Research%20and%20analysis-%20accessible%20parking%20policy%20options%20evaluation.pdf

[xii] March 26 Accessible Parking Policy Advisory Committee meeting notes: http://sfpark.org/wp-content/uploads/2013/05/20130515-March-26-full-committee-mtg-notes-Accessible-Parking-Policy-Advisory-Committee1.pdf

[xiii] Overview of blue zone placement guidelines: http://sfpark.org/wp-content/uploads/2012/11/20121107-Blue-zone-overview.pdf

[xiv] Links to all agendas and meeting notes: http://sfpark.org/how-it-works/accessible-parking-policy/accessible-policy-schedule/

# San Francisco Accessible Parking Fact Sheet 2013

**Disabled parking placards and blue zones are meant to increase access for people with mobility disabilities by enabling them to park close to their destinations. Current policies are failing to achieve this goal.**

## Blue zones

Blue zones are intended to ensure that people with disabilities can park close to public destinations, and only those with valid disabled parking placards can park in them. Blue zones are marked by signage and blue curb paint and are generally located in areas with high public use, such as commercial areas and areas near public parks and playgrounds.

San Francisco has 29,200 metered parking spaces and approximately 700 unmetered on-street blue zones, representing 2.4% of metered spaces.

## Disabled parking placards and license plates

Governed by California state law and issued by the California Department of Motor Vehicles (DMV), disabled parking placards and plates enable users to park in on- and off-street blue zones and exempt users from time limits and meter payment at metered on-street parking spaces.

### ELIGIBILITY

Individuals who meet eligibility criteria related to limited mobility, reduced sight, cardiovascular or pulmonary conditions may apply for a placard. Full eligibility requirements can be found on the DMV application: http://apps.dmv.ca.gov/forms/reg/reg195.pdf

### CERTIFICATION

Applications for disabled placards are completed by an individual's doctor, chiropractor, optometrist, physician's assistant, purse practitioner, or nurse midwife.

The DMV's database system is decades old and unable to verify or track information about who is certifying for placards.

### INCREASING NUMBERS OF PLACARDS AND PLACARD USE

- San Francisco has twice as many disabled parking placards as metered spaces (29,200 metered spaces and 60,700 placards).
- There are an additional 454,000 placards issued to people in the other eight Bay Area counties, many of whom visit San Francisco.
- Placard issuance in the nine-county Bay Area has increased by 100% since 2001. Between 2001 and 2010, the Bay Area population increased by 5 percent and the 65+ population increased by 16 percent.
- Legitimate placards are sometimes misused by people they don't belong to, increasing rates of use.
- A 2008 SFMTA survey found that 45% of parking meters were occupied by cars displaying placards in the downtown study area. Of the vehicles using placards, 57% were registered outside of San Francisco.

## Disabled parking placard enforcement

### SPECIALLY TRAINED TEAM

The SFMTA has a team of 14 parking control officers (PCOs) plus one supervisor that dedicates all of its time to enforcing placard abuse.[1] This team conducts stakeouts and twice-weekly stings, confiscating roughly 1,800 placards per year. All officers currently help enforce accessible parking, issuing citations for blue zone infractions, ramp obstructions, and expired placards. They do not confiscate placards or attempt to catch misuse.

The most common form of placard misuse appears to be non-disabled people illegally using other people's placards, but that's also the hardest to catch. Because placard holders can use their placards when getting rides from other people, even finding a solo driver using someone else's placard isn't enough; the PCO has to prove that the placard holder isn't nearby.

[1] The SFMTA recently increased this team from 11 to 14 PCOs based on recommendations from the Accessible Parking Policy Advisory Committee.

### HIGH STANDARDS FOR ENFORCEMENT

- Citation for placard misuse: $825 + immediate placard confiscation.
- Almost 60% of placard-related citations are contested and 12% of those protests go all the way to the CA Superior Court.
- 82% of challenged citations are upheld as valid.
- Disabled Placard Detail PCOs work in teams of two, to provide a witness for future hearings and protect officers from violence.
- Placard Detail PCOs spend a quarter of their time writing reports with details to overcome protests.
- Revenue generated by citations issued during placard enforcement does not cover the costs of enforcement.

## Disabled parking placard policies across the U.S.

- California is one of 15 states that require cities to exempt placard holders from paying at the meter.
- California is one of 5 states that require both meter payment and time limit exemptions for placard holders.
- Introducing meter payment has helped open up parking in other cities. In Philadelphia, downtown parking availability increased from 2 to 13 percent when placard holders started paying at the meter.

## Disability, income, and car ownership[2]

- In San Francisco, 50 percent of people with disabilities have low incomes, compared to 25 percent of non-disabled people.
- 16 percent of people with disabilities in San Francisco are both low income and have a vehicle available in their households.
- Two percent of low income people with disabilities commute by automobile.

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[2] Source: US Census Bureau American Community Survey 3-Year Estimates, 2008-2010. "Low income" is defined as ≤ 200% of the federal poverty line. Disabilities include all those measured by the U.S. census, not just mobility impairments.

ILRCSF
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November 19, 2013
To Whom it May Concern:

As a person with a disability, a lifelong advocate of the rights of people with disabilities, and the Executive Director of the Independent Living Resource Center San Francisco, a disability rights organization, I fully support the proposed changes to San Francisco's Accessible Parking Policy, which include:

1. Increasing blue zones by 70%
2. Improving enforcement of placard misuse
3. Improving DMV oversight of placard approvals
4. Allowing jurisdictions to require placard holders to pay at the meter for on-street parking
5. Directing revenue to accessibility improvements, and
6. Allowing jurisdictions to establish reasonable time limits for placard holders

A great deal of time and thought went into developing these proposed changes, and members of the disability community – including myself - were directly involved throughout the process. The recommendations favor equity for people with disabilities while addressing what it has come to identify as rampant abuse by drivers for whom disability placards and Blue Zones were never intended.

The current system for Accessible Parking was launched 30 years ago - before the ADA was signed into law - at a time when San Francisco, and society as a whole, was far less accessible than it is today. This antiquated system makes it astoundingly simple for any person with an impairment - a broken leg, for instance - to receive a disability placard and keep it for life. The system was never intended to provide non-disabled drivers who suffer minor impairments with a lifetime of unlimited free parking. Unfortunately, it is currently being used as such by many, forcing people with significant functional limitations to struggle to find parking. Applications for placards have gone up by 200%, which is suspiciously disproportionate to the number of drivers in San Francisco who have disabilities. This is a program that Joe Public has figured out how to hack.

In stark contrast, the proposed changes address the progress that has since been made by disability rights advocates, and by our culture, as a whole. We have reached a point in time where achieving equity no longer means free parking for anyone with a disability placard (which, sadly, are too easily obtained by fraudsters who do not have disabilities.)

The conditional recommendation to remove the meter payment exemption has been made in an effort to dissuade would-be abusers from using ill-gotten placards to park in metered spots without paying. The result of a similar shift in another major American city - Philadephia - speaks volumes: availability of metered parking spaces increased by 500%. To be clear, proposed meter payments will only be required if payment options are made fully accessible - the absence of which acted as a trigger for payment exemption during the program's inception.

The recommendation that addresses reasonable time limits reflects the growth of equity in San Francisco over the last 30 years. We are a very different city than when this system was first adopted. Steps were taken back then to help level the playing field and, as the City becomes more accessible and we get closer to true equity, amending the parameters in areas such as parking time limits makes sense: members of the Accessible Parking Policy Advisory Committee who themselves drive (or are driven) and park in San Francisco agree that the time has come to establish reasonable time limits on parking.

As it stands, today, the system leaves a lot to be desired. Every individual who engages in dishonest placard use deprives a person with a disability of a parking spot that is rightfully theirs. In addition, s/he deprives the City of revenue which could and should be used to make San Francisco an even more accessible city than it already is.

Sincerely,

Jessie Lorenz
Executive Director

Independent Living Resource Center San Francisco
649 Mission Street, 3rd Floor • San Francisco, CA 94105-4128 • (415) 543-6222 • (415) 543-6318 Fax • (415) 543-6698 TTY only
www.ilrcsf.org

METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TTY/TDD 510.817.5769
FAX 510.817.5848
EMAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

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Deputy Executive Director, Policy

*Andrew B. Fremier*
Deputy Executive Director, Operations

November 18, 2013

San Francisco Municipal Transportation Agency Board of Directors
1 South Van Ness Avenue, Seventh Floor
San Francisco, CA 94103

Dear Chairman Nolan and Board Members,

At the invitation of the Mayor's Office on Disability and the San Francisco Municipal Transportation Agency, I served as a member of the Accessible Parking Policy Advisory Committee whose recommendations are now before you for consideration. The Advisory Committee included a diverse group of stakeholders who participated in an extensive and thoughtful deliberation to develop a list of recommendations to increase access to persons with disabilities and reduce disabled parking placard misuse in San Francisco.

I appreciate the diversity of personal experience and policy perspectives that were discussed by the Advisory Committee and I commend the willingness of the Advisory Committee members to engage in an open dialog, to accept new ideas identified through extensive research on this subject, and to allow meetings to be facilitated in a manner that resulted in meaningful recommendations.

I believe the Advisory Committee's recommendations will effectively address the issues surrounding access to parking that are apparent to all stakeholders, including persons with disabilities for whom access is most necessary, and for all people who work in and support San Francisco's business community, including the employers and employees that they represent. The recommendations are comprehensive and build upon the best practices identified from cities across the country.

As a member of the Advisory Committee, I look forward to your support for, and implementation of, the Committee's recommendations.

Sincerely,

Ann Flemer

Ann Flemer
Deputy Executive Director, Policy

cc: Ed Reiskin, Director of Transportation
Roberta Boomer, Secretary to the Board
Lisa Foster, Project Manager

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SPUR
San Francisco | San Jose

November 18, 2013

San Francisco Municipal Transportation Agency
Board of Directors
1 South Van Ness Avenue
Seventh Floor
San Francisco, CA 94103

Chair Nolan and Board Members,

SPUR is writing to demonstrate **our support for the Accessible Parking Policy Advisory Committee recommendations.** These recommendations seek to increase access to parking for people with disabilities while also reducing disabled parking placard misuse.

We appreciate the Mayor's Office on Disability and the San Francisco Municipal Transportation Agency for their leadership in convening this committee and for working with a broad array of stakeholders to develop an effective list of recommendations.

SPUR is a 100 year-old civic organization and urban policy think tank focused on good planning and good government. We have been a leader in encouraging San Francisco to adopt innovative solutions to urban policy issues. SPUR was instrumental in the creation of the SFMTA as a department in 1999 and remains an active participant in policy issues around public transit and transportation in San Francisco and the region. SPUR met with members of Accessible Parking Policy Advisory Committee as well as SFMTA staff and was supportive of the balanced and thorough approach they took in developing recommendations to study and improve accessible parking in San Francisco.

We believe the committee's recommendations will increase the quality of life not only for those to whom access is most necessary, but also for all people in San Francisco. The recommendations are comprehensive and represent the best practices identified from cities across the country.

The committee process made it clear that the issues surrounding disabled parking placards are apparent to all stakeholders. Not only are people with disabilities unable to find parking where they need it due to the increasing use and misuse of placards, but employees, customers and delivery drivers also face challenges in finding parking. Improving the overall management of the parking supply in San Francisco is a key goal of SPUR's and has economic and environmental benefits.


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Cindy Wu

Therefore, we respectfully express our **strong support for the Accessible Parking Policy Advisory Committee recommendations, and we urge the City to seek full implementation of the policy changes**, including those at the local and state level.

Sincerely,

Egon Terplan
SPUR Regional Planning Director

cc: Ed Reiskin, Director of Transportation
Roberta Boomer, Secretary to the Board
John Knox White, Project Manager

SPUR
654 Mission Street
San Francisco, CA 94105
(415) 781-8726
spur.org

SPUR SAN JOSE
76 South First Street
San Jose, CA 95113
(408) 510-5688
spur.org/sanjose

**From:** Conway, Andrew M., DMV
**Sent:** Tuesday, November 19, 2013 9:23 AM
**To:** MTABoard
**Subject:** Recommendations of the Accessible Parking Policy Advisory Committee - Item 12 11/19/2013

Greetings

This regards calendar item 12 on the agenda for the SFMTA Board Meeting of November 19, 2013.

Please accept my apologies for not joining you today as the recommendations of the Accessible Parking Policy Advisory Committee are being considered. I was honored to serve on the committee; the experience was valuable to me personally and thought-provoking given my professional responsibilities with regard to the Department of Motor Vehicles' disabled person license plate and placard programs. I want to extend a special thanks to Ed Reiskin and his staff at the SFMTA and the Carla Johnson of the Mayor's Office on Disability for making me feel welcome as a contributor to this important effort.

While disabled parking policy is largely set at a statewide level, the impact is acutely local. Parking is a limited resource, and its availability affects business success, civic revenue streams, and the general 'livability' of a community. As the Registration Policy and Automation Chief at DMV, I am acutely aware of how our disabled person plate and placard programs affect businesses, individuals, and communities. Unfortunately, discussions involving parking availability, as well as the needs of the disabled community in having access to key parking privileges, inevitably pit stakeholders against each other; success for one group is seen too often as coming at the expense of another. In addition, the conversation often focused on common misconceptions, prejudices, and suffered from a general lack of data.

The significant departure I saw with the Accessible Parking Policy Advisory Committee was a reliance on data and an insistence on collaboration between stakeholders. SFMTA staff should be congratulated on the information they provided to assist the committee in arriving at recommendations. Our facilitators continually promoted thoughtful discussion and progress, and committee members demonstrated valuable honesty.

I urge you to consider moving forward with all the recommendations of the committee, because they represent a significant breakthrough in managing the limited resource that accessible parking has become in so many communities. I am especially moved by the thoughtful and selfless approach taken by committee members representing the disabled community, who made the difficult choice to support recommendations that could restrict existing privileges for disabled person placard and license plate owners. I urge you to respect their sacrifice and intellectual honesty by extending your support to the recommendations of the committee. This action will also further the positive conversations taking place across the state and contribute significantly to solutions to a growing statewide problem.

Thank you for your consideration.

Andrew Conway, Chief
Registration Policy and Automation Branch
916.657.6259

SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

November 8, 2013

Mr. Tom Nolan, Chairman
Board of Directors
San Francisco Municipal Transportation Agency
1 S. Van Ness Ave., 7th Floor
San Francisco, CA 94103

**Subj: Letter of Support for Policy Recommendations of the SFMTA's Accessible Parking Policy Advisory Committee**

Dear Chairman Nolan:

On October 28, 2013, the Small Business Commission (SBC) voted 7-0 in support of the policy recommendations put forth by the SFMTA's Accessible Parking Policy Advisory Committee (APPAC).

Committee member Bob Planthold and SFMTA consultant Lisa Foster presented the impressive work performed by the Committee. The SBC appreciates the difficulties faced by disabled persons seeking convenient accessible parking. Small businesses are familiar with chronic shortages of parking for their customers, and the detrimental effects it has on their livelihoods. For small business owners, the matter is especially acute, as the disability community provides a valuable customer base. Convenient access to commerce is important to the quality-of-life of disabled persons, and is of great interest to small businesses. Accordingly, the SBC acknowledges the shortage of available disabled spaces as one of the most pressing among the many parking-related issues within the City.

The Commission fully supports the efforts proposed by the APPAC to increase disabled parking availability. In addition to the APPAC's recommendations, the Commission calls on SFMTA to consider construction of additional parking garage capacity in neighborhoods throughout the City as part of a comprehensive strategy to alleviate overall on-street parking congestion, which will also directly benefit the disabled.

The APPAC's report of September 9, 2013, contains sensible reforms to state and local laws that the SBC believes will improve conditions for disabled drivers. While many recommendations will require substantial effort at the state level and implementation may take time, the SBC encourages SFMTA to pursue action on those measures within the purview of its Board of Directors or the Board of Supervisors. To its credit, the SFMTA has already acted on at least one recommendation, and deserves to be commended for increasing staff resources dedicated to enforcement against placard misuse!

The SBC was grateful for the presentation and hard work from the APPAC. The Commissioners look forward to expanding their dialogue with SFMTA on a host of issues impacting small businesses, and hope this experience serves as a model for the future.

SUBJ: LETTER OF SUPPORT FOR POLICY RECOMMENDATIONS OF THE SFMTA'S ACCESSIBLE PARKING POLICY ADVISORY COMMITTEE (11/7/2013)

Sincerely,

Regina Dick-Endrizzi
Director, Office of Small Business

Cc: Board of Supervisors
Ed Reiskin, SFMTA
Jason Elliot, Mayor's Office
Carla Johnson, Mayor's Office on Disability
Todd Rufo, Office of Economic and Workforce Development
Steven Castellanos, California Commission on Disability
Scott Hauge, Small Business California

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August 12, 2013

San Francisco Municipal Transportation Agency
Board of Directors
1 South Van Ness Avenue
Seventh Floor
San Francisco, CA 94103

Chair Nolan and Board Members,

The Building Owners and Managers Association (BOMA) of San Francisco supports the Accessible Parking Policy Advisory Committee recommendations to increase access to parking for people with disabilities and reducing disabled parking placard misuse. We appreciate the Mayor's Office on Disability and the San Francisco Municipal Transportation Agency for their leadership in convening this group, and for including a BOMA San Francisco representative on the advisory committee.

The committee process made it clear that misapplication of disabled parking placards is apparent to all stakeholders. Not only are people with disabilities unable to find parking where they need it, but employees, customers and delivery drivers are negatively affected as well. Indeed, the disable parking placard system has a direct impact on the economic vitality of San Francisco's small business community.

We urge the City to seek implementation of the recommended policy changes at the local and state level as soon as possible. Thank you.

Sincerely,

John Bozeman
BOMA San Francisco
Manager, Government and Public Affairs

Cc: Ed Reiskin, Director of Transportation
Robert Boomer, Secretary to the Board
John Knox White, Project Manager

SAN FRANCISCO CHAMBER OF COMMERCE
Our City. Your Business.

October 10, 2013

Mr. Tom Nolan, Chair of the Board
San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, Seventh Floor
San Francisco, CA 94103

RE: SF Chamber Supports Accessible Parking Policy Advisory Committee Recommendations

Dear Chair Nolan and SFMTA Board Members,

The San Francisco Chamber of Commerce, representing over 1500 local businesses, supports the SFMTA's Accessible Parking Policy Advisory Committee recommendations that will reduce disabled parking placard misuse and increase parking availability for everyone. We commend the Mayor's Office on Disability and the San Francisco Municipal Transportation Agency for their leadership in convening a broad cross-section of our community on this committee, including the Chamber of Commerce and others representing diverse stakeholder groups impacted by the difficult issues the committee successfully addressed.

The committee's recommendations will increase parking resources for all motorists and help alleviate traffic congestion by reducing the number of cars circling blocks searching for available parking. These improvements will benefit those who operate businesses and provide services in San Francisco as well as their customers and clients, and will contribute to a healthier economic climate in the city.

The San Francisco Chamber of Commerce supports the Accessible Parking Policy Advisory Committee recommendations, and urges the City to seek full implementation of the policy changes, including those at the local and state levels.

Sincerely,

Jim Lazarus
Senior Vice President for Public Policy

cc: Roberta Boomer, Secretary to the Board (to be distributed to all SFMTA board members); Ed Reiskin, Director of Transportation; John Knox White, Project Manager

235 Montgomery Street, Suite 760 | San Francisco, CA 94104-2803 | Tel: 415.392.4520 | Fax: 415.392.0485
SFChamber.com

# 17) San Francisco Parking Policy

## Documents provided Richard Skaff

**From:** Richard Skaff [mailto:richardskaff@designingaccessiblecommunities.org]
**Sent:** Wednesday, December 18, 2013 5:40 PM
**To:** 'richardskaff@designingaccessiblecommunities.org'
**Subject:** FW: California Commission on Disability Access, Executive Committee meeting - December 19, 2013 - Agenda Item #17 - San Francisco Accessible Parking Recommendations

Hello,

I am forwarding an email from Howard Chabner, a person with a disability who lives in San Francisco. He has put the proposed changes to the California Department of Motor Vehicles regulations governing on-street parking for persons with disabilities by San Francisco, Sacramento, Los Angeles and other cities into clear and concise thoughts. This issue will be on the agenda of the California Commission on Disability Access Executive Committee tomorrow, December 19th, from 1pm to 3pm. The Commission provides interested parties the ability to call in to the meeting. The teleconference number is 1-866-662-5089 and the passcode is 24114538. The agenda item for the San Francisco proposal is #17.

I hope you will join Howard and me in our attempt to stop the effort by those cities that will negatively effect persons with disabilities across the state. The proposals will be discussed at the state legislature sometime in the new year. I will try to keep our community updated as this moves forward.

Happy holidays to all of you.

Richard Skaff, Executive Director
Designing Accessible Communities
15500 Monte Rosa Avenue
Guerneville, CA 95446
Voice/Fax: 707-604-7675
Cell: 415-497-1091
Email: richardskaff@designingaccessiblecommunities.org
Web: www.designingaccessiblecommunities.org

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**From:** Howard Chabner [mailto:hlchabner@jps.net]
**Sent:** Wednesday, December 18, 2013 12:24 PM
**Subject:** California Commission on Disability Access, Executive Committee meeting - December 19, 2013 - Agenda Item #17 - San Francisco Accessible Parking Recommendations

Dear Chair Leemhuis and Members:

These comments are submitted about the San Francisco Accessible Parking Policy Advisory Committee (the "Parking Committee") recommendations. I've lived in San Francisco since 1982 and have used an electric wheelchair since 1990. My wife and I own a wheelchair accessible lowered floor minivan. I no longer drive, but did for around 25 years.

**Introduction and Background.**

Before commenting on the Parking Committee's recommendations, I will discuss the larger context. The recommendations should not be considered in a vacuum; the following factors must be considered:

1. People with major mobility disabilities have fewer transportation choices available than able-bodied people, and rely heavily on automobiles. (Separately I will distribute an email I've written about this.)

2. Most of the time, people with mobility disabilities park in regular (non-blue zone) metered and unmetered spaces, not blue zones. Almost all on-street parking spaces except perpendicular and angled spaces, those on the driver's side of a one-way street, and those on a steep hill are, in effect, accessible spaces even though not labeled as such.

3. SFMTA ("MTA") is engaged in a relentless campaign against cars that includes reducing the number of on-street parking spaces, adding meters to previously unmetered spaces (including in residential neighborhoods), and increasing the cost and required payment hours at metered spaces. MTA has not shared with the public any overall plan with respect to parking meters, instead opting for a piecemeal, divide-and-conquer, stealth strategy.

Here are some specifics about MTA's campaign against cars and how it is negatively impacting people with mobility disabilities. Because its charge and scope of inquiry from MTA are narrow, the Parking Committee did not consider these essential facts.

- MTA is reducing the number of on-street parking spaces throughout the city by, among other things, eliminating parking spaces and replacing them with bike lanes. The bike lane project on Fell and Oak Streets is but one example. Others include Masonic Avenue, 2nd Street and the plan to eliminate parking along a large commercial/residential area on Polk Street.
- Eliminating parking spaces and replacing them with bike lanes eliminates more parking spaces than acknowledged by MTA, because residents can no longer park in the curb lane across their driveways as they have done for decades.
- Parking spaces that are, in effect, disabled accessible although not designated as such are being removed. For example, all of the parking spaces on Oak Street that were eliminated as part of the bike lane project are on the South side of Oak and, before implementation of the project, were effectively accessible; those that remain are on the North side and are not accessible to wheelchair users because a side ramp or lift would have to be redeployed into travel lanes. The JFK Drive cycle track is another example - by moving the parking lane away from the curb, the number of effectively accessible spaces was drastically reduced, even though a handful of blue zones were added.
- Changing parallel parking to angled or perpendicular also eliminates spaces that previously were effectively accessible for wheelchair users and other people with mobility limitations. For example, as part of the Fell and Oak Street bike lane project, MTA converted parking on several side streets from parallel to perpendicular or angled, which exacerbated, not mitigated, the parking loss hardship for people with mobility disabilities.
- MTA is installing parking meters in spaces that previously were unrestricted or in some cases were in neighborhood permit zones. This is going on not only in commercial neighborhoods, but residential. See Meter Madness http://metermadness.wordpress..com/ for details. For example, on February 21, 2013, I attended a meeting at USF about MTA's plan to install meters in the neighborhood around USF and along the perimeter of the John Adams CCSF campus, near where I live. A roomful of irate, distrustful neighbors were nearly unanimous in their outrage at the plan and their disdain for MTA. As another example, MTA has been trying to install meters in residential/small business/artist areas in the Northeast Mission. Although MTA has in some areas backed off in the face of a neighborhood outcry, this is merely a tactical retreat, not an acknowledgment that its plans are wrong and create hardships for residents, merchants, employees, artists, etc.
- Parking spaces are being removed in order to install Muni rail and bus bulbouts that, in some cases, are unnecessary. For example, around four spaces on Carl were eliminated near the Northeast corner of Cole/Carl to create a larger boarding area for the outbound N Judah, even though few passengers board the outbound train at that stop. (Many passengers exit at that stop; they walk away and don't wait there.)
- Bike parking racks on the sidewalk block access to parking spaces for wheelchair users and others with mobility limitations, thereby reducing the number of effectively accessible spaces.
- Since the beginning of 2013, parkers have been required to pay at metered spaces on Sundays.
- In some areas, parking meters now operate at night.

- The cost of parking at metered spaces is quite expensive in some areas, and it keeps going up.
- The high-tech parking meters make it technically easy for MTA and its contractor, Serco, to continue raising prices and increasing payment hours, and to do so insidiously and without fair notice.
- Serco, the for-profit contractor that operates the parking meters and to which MTA has delegated substantial power over parking policy, has financial and other interests that are different from those of San Francisco residents, businesses, employees and visitors.
- The fines for parking tickets in San Francisco are high and continue to increase. They are among the highest in the nation, if not the highest.
- The cost of being towed is unconscionably high – now around $500 for towing plus a ticket of nearly $100.

**Comments on the Parking Committee's Recommendations.**

**#1 – Increase Blue Zones**

San Francisco has fewer blue zones than legally required. This has been pointed out many times over the years. I agree with the general recommendation to increase the number of blue zones in areas where there are metered parking spaces.

San Francisco also has too few blue zones in residential areas and other areas where there are unmetered parking spaces. (MTA argues that there is no legal requirement for blue zones in areas where there are unmetered parking spaces; this is wrong.) San Francisco also should install more blue zones in these areas. Therefore, I support the recommendation to consider changing San Francisco's blue zone placement guidelines, if that is what is required to enable blue zones in more places.

Although the Parking Committee report emphasizes that all of the recommendations function as a package, increasing the number of blue zones should be done ASAP and regardless of whether, or when, the other recommendations are adopted and implemented. Installing more blue zones does not require any change to state law.

The report states that increasing the number of blue zones to 4% of metered spaces would mean an increase of approximately 470 blue zones. To put that number in context, it's important to recognize that during the past few years San Francisco has lost at least that number of de facto accessible unmetered and metered street parking spaces, through outright elimination and changes in configuration (e.g. converting parallel spaces to perpendicular or angled, and moving the parking lane away from the curb).

**#2 – Improve Enforcement of Placard Misuse**

I agree with these proposals. There should be a photo on the placard itself and on the receipt. Local enforcement should be improved. These recommendations should be done ASAP and regardless of whether, or when, the other recommendations are adopted and implemented.

Moreover, and although not among the Parking Committee's recommendations, San Francisco should consider increasing the penalty for placard misuse. (Although a penalty of $825 and immediate confiscation of the placard seems high, the penalty amount is less than twice that of the towing fee plus parking ticket for someone who, even if mistakenly, in good faith, and for only a short amount of time, parks in a tow-away zone.)

A caveat, however. Placard abuse harms everyone. It must be punished and reduced. But just what constitutes placard abuse isn't as simple as it may appear. Sometimes a disabled person is accompanied by an able-bodied person in one direction but not both. For example, a disabled person and her able-bodied spouse or friend may park at night in a blue zone or metered space near her home. In the morning the able-bodied person may return to the car alone while the disabled person remains at home, takes a stroll in the neighborhood, or takes public transportation somewhere else. If a parking control officer sees the able-bodied one returning to a car parked in blue zone or metered space with a placard, the officer may wrongfully assume placard abuse. The reverse situation also happens. An able-bodied friend or family member of a disabled person may drive somewhere alone, park at a blue zone or meter, and display the disabled person's placard. The able-bodied person may exit her car alone, meet the disabled person and the two of them leave together, sometimes much later. This, too, is a legitimate use of disabled parking placard even though it may not appear to be. There are other permutations of these situations.

**#3 - Increase Oversight of Placard Approvals**

The huge increase in placards issued during the past 10 years - an increase far greater than the increase in overall population and seniors - is strong evidence that placards are being issued too easily. It is shocking, and grossly negligent, that DMV does not currently have the technical capacity to maintain information about medical providers who certify placards in a searchable database. I support the Parking Committee's three recommendations. These recommendations should be implemented ASAP and regardless of whether, or when, the other recommendations are adopted and implemented.

Placard renewals are sent out automatically. I've had one since I moved to San Francisco in 1982, and after I submitted a doctor's note to get my first placard, the renewals have come in the mail automatically every two years. I could have moved away or died (or my medical condition could have been cured!) many years ago and the renewal placards would probably still keep coming.

In addition to the Parking Committee's recommendations, the following should be adopted:

- Require a new certification every two or three years, even for placard holders with permanent disabilities.
- Have a photo ID on the disabled parking placard.

- Require DMV to cross check the database of placard holders with databases of deaths, to make sure the survivors of decedents turn in the placards after death.
- Consider reducing the types of medical providers eligible to certify people for placards. Not everyone has access to a medical doctor, but the current list of providers seems too broad. For example, chiropractors should probably not be eligible, and perhaps not optometrists and nurse midwives.
- Conduct an outreach campaign to medical professionals emphasizing the harm done by falsely, or even in good faith but too leniently, certifying patients for placards.

**#4 - Remove the Meter Payment Exemption Requirement**

**I strongly oppose this recommendation. Many people own cars but don't have garages, so they rely on street parking. If local jurisdictions were allowed to require placard holders to pay at meters (including blue zones in metered areas), San Francisco would certainly change its current policy and require payment. If it did this, and if MTA continued to reduce the overall number of street parking spaces, change the configuration of parking spaces to reduce the number of de facto accessible spaces, install meters in residential areas (and, if MTA has its way, do so with minimal notice to the people who would be impacted), increase the price and hours of meters, and increase the penalties for parking violations, some people with mobility disabilities - especially working-class and middle-class people - would end up leaving San Francisco. Others who live elsewhere but work in San Francisco would not be able to continue working here. Moreover, many of those with mobility disabilities who would be negatively impacted are seniors.**

These would be terrible demographic consequences and would conflict with the principle often stated by elected officials, civic leaders and San Franciscans of all stripes, of encouraging and supporting a population that is diverse in, among other characteristics, age, disability status, family status, income and occupation.

When the free parking policy was implemented decades ago, among the reasons for not requiring payment were the physical inaccessibility of meters and the physical difficulty for disabled people in returning to meters frequently in order to pay before the time expired. Meter payment technology has changed dramatically since then, and the recommendation would allow jurisdictions to require payment only if their meters have accessible payment options. But in considering whether or not free parking should be continued, it's essential to consider the overall parking situation today. The parking situation in San Francisco today is much more difficult, complex and expensive than when the free parking policy was initially adopted. The transportation choices of people with mobility disabilities continue to be quite limited compared to those available to able-bodied people, and, as referred to at the beginning of this email, many of us with mobility disabilities rely heavily on automobiles. Among other things, major access limitations and problems still exist in public transportation and are likely to persist for the foreseeable future.

The justification for continuing free parking is similar to that for reduced fares on public transportation for disabled people (and for seniors and children), and in other contexts. Although the poorest segment of the population, whether disabled or able-bodied, cannot afford automobiles, many working-class and middle-class disabled people do own and rely on cars. Many people with mobility disabilities, including those who are relatively affluent, have high medical expenses year after year that are not covered by insurance - caregivers who assist with activities of daily living, home access modifications (including installation and ongoing maintenance), long-term care, accessible vehicles, medical transportation, medical equipment (for example, insurance typically does not cover the entire cost of purchasing and maintaining complex wheelchairs, nor does it cover essential items such as lifts), medical supplies and drugs. Continuing to provide free on-street parking would be a fair acknowledgment of those extra burdens.

The parking situation in San Francisco is uncertain and constantly changing. For those who rely on an automobile and don't have a garage, street parking is essential. But MTA is installing parking meters in residential areas. If this continues, some people with mobility disabilities who rely on automobiles would have to move. It would be a huge mistake to eliminate free parking in such an uncertain, changing environment.

**MTA has estimated that, at an average rate of $1.50 per hour, it had a revenue loss of $12.3 million in 2013 due to metered hours occupied by cars with disabled placards who don't pay, plus $2.5 million in lost revenue because of free parking at blue zones.** (Source: July 31, 2013, MTA draft revenue estimate from accessible parking proposal; provided to me per a Sunshine Ordinance request.) (This estimate also includes, as a cost of implementing the recommendations, one full-time equivalent MTA employee salary for one year, at $200,000. If $200,000 is the typical annual cost for a full-time equivalent employee, no wonder MTA is so hungry for money!) The total of nearly $15 million annually is based on an average rate of $1.50 per hour; since MTA can be expected to raise hourly rates and install more meters in the future, the revenue gain would be even greater. Also, the $15 million does not include parking ticket citation revenue that would be generated from placard holders for parking violations at metered spaces. Although there are one-time costs of installing meters at blue zones, installing more blue zones, and implementing accessible payment options, the revenue gained by eliminating free parking would continue year after year.

**I believe that capturing this large amount of lost revenue is MTA's main motivation for promoting this proposal. If MTA were truly interested in increasing overall parking access for disabled people, it would not be doing the things mentioned elsewhere in this email. It's also interesting that this revenue estimate was made months after the Parking Committee completed its meetings and formulated its recommendations.** Importantly, MTA Director Ed Reiskin is Co-chair of the Parking Committee, Nelson Nygaard consultants acted as facilitators, and parking contractor Serco was heavily involved in the process. These players have a powerful economic incentive to increase MTA revenue.

Requiring placard holders to pay at the meter is part of MTA's overall "demand management" strategy for parking. Like most goods, increasing the price of parking can be expected to reduce demand, but that shouldn't be the ultimate goal. If MTA charged $20 per

hour to park at meters, it would undoubtedly open up spaces, but at what cost? Should San Francisco be a city where only the affluent can afford cars?

It's true that free parking for placard holders invites fraud and abuse. So does any benefit - Medicare, Medi-Cal, Social Security, workers' compensation, unemployment insurance, disability insurance. But society should target fraud and abuse, not eliminate a benefit that is justified. According to the evidence in the Parking Committee report, the DMV has not really seriously tried to tackle fraud and abuse, and San Francisco's attempts have been limited. The Parking Committee's justification for eliminating free parking is that evidence from other jurisdictions indicates that targeting fraud and abuse alone is not sufficient. But why not try it first, instead of throwing out the baby with the bathwater?

The practices of other jurisdictions are of limited relevance. Other jurisdictions are not undergoing a campaign against cars as intense and relentless as MTA's campaign in San Francisco, and mobility disabled people there are not facing the same looming threats to their ability to use and own cars.

Many San Francisco and California officials and employees pride themselves on going beyond legal requirements in access and implementing progressive practices even if not legally required. Certainly San Francisco and California can learn from other places, but they shouldn't emulate places that don't have forward-thinking disability access policies. Moreover, as the Parking Committee notes, 15 states do require cities to exempt placard holders from paying at the meter.

There are other problems with the recommendation:

- Allowing each jurisdiction to formulate its own policy invites confusion and inconsistency. If someone parks near a boundary between municipalities with different policies, how would they know what to do? Signs and meters would have to be perfectly explicit, which is unlikely considering that currently they are often unclear about rules that are simpler than accessible parking payment rules undoubtedly would be.
- A jurisdiction could only require payment if it provided an accessible payment option. How would this be defined? Would each jurisdiction have its own definition? And even if there were a standard, agreed-upon definition, there would inevitably be disputes about whether a particular municipality met the requirement. Municipalities would have a strong economic incentive to plow ahead and charge disabled people for parking even though payment access was incomplete or flawed. Lawsuits would be likely.
- MTA often wrongly issues parking tickets. For example, it issues many tickets for parking in a temporary construction zone to cars that parked there when there was no signage indicating that parking is prohibited. It is difficult and burdensome for the general public to fight wrongly issued parking tickets. For a mobility disabled person who loses his or her initial appeal by correspondence, it is even more burdensome to go in person to fight the ticket than it is for the general public.

**Although the Parking Committee's recommendations did not include a discount on parking meter fees for people with low incomes, the final MTA Board resolution of November 19, 2013 directs MTA staff to develop a discount program for low income drivers with a disabled placard. This is certainly a step in the right direction, because disabled placard holders with low incomes would be the most impacted by eliminating free parking. However, such a discount would not be required by the state law changes the Parking Committee and MTA are promoting – whether or not to provide a discount would be up to each individual jurisdiction; therefore, low income drivers would not be protected. Also, there is no definition or threshold of low income, nor any specifics about the amount of discount; this is quite a fudge factor, and quite possibly added by the MTA Board primarily for the sake of optics in its campaign for state law changes. Finally, for the reasons described above, requiring payment would be a hardship for disabled placard holders with middle and upper-middle incomes, although not as great a hardship as for those with low incomes.**

**#5 – Direct Revenue to Accessibility Improvements**

If payment is required for blue zones - which I oppose - the money should go into the same MTA fund as general parking meter revenues, not be specifically earmarked for accessibility improvements. With limited exceptions, money received from taxes and fees should go into a general pot in the relevant jurisdiction (federal, state, or local), and society should decide how to allocate all of that money. Earmarking blue zone meter revenue for access improvements would violate that principle. Parking meter revenue should not be considered a user fee (unlike, for example, admission fees to state and national parks), nor should it be considered like proceeds from a bond issued for a specific purpose.

Access is legally required. It should be part of every project and be funded in the same way as the rest of the project - from San Francisco's general fund, general capital sources, bond proceeds (for example, proceeds from a parks improvement bond should be used to provide access as part of the parks projects funded by the bond), general operating revenues, etc. San Francisco's ADA Transition Plan should be fully funded. Providing complete access should not depend on the existence of "special" sources such as blue zone meter revenues.

Moreover, would there be any mechanism in place under the Parking Committee's proposal to ensure that these funds would be spent on improvements that would not otherwise have been made in the absence of these funds? Isn't it possible or likely that MTA would simply spend less money from other sources on access improvements?

There is also a practical problem. Who would choose how to direct those funds to access improvements, and by what process? This recommendation would invite political wrangling about how to spend the funds and who gets to decide.

**#6 - Allow Jurisdictions to Establish Reasonable Time Limits**

**As with the issue of free parking for placard holders, the overall parking situation in San Francisco must be considered. If MTA continues to install meters in residential and**

**mixed residential/commercial areas that previously didn't have them (and, to make things worse, with even less public notice), continues reducing the overall number of street parking spaces, and continues reducing the number of de facto accessible spaces by changing the configuration of spaces from parallel to perpendicular/diagonal, mobility disabled people would rely more and more on metered spaces, and time limits would create a hardship, especially for those without garages, ultimately forcing some people with mobility disabilities out of San Francisco.**

If payment is required for regular metered parking and blue zones, according to the Parking Committee's reasoning, the incentive for abuse would be reduced and the rationale for time limits would be greatly diminished. If payment is required, there should be no time limits.

If metered parking and blue zones continue to be free for placard holders, I would support reasonable time limits but only if MTA stops doing the things described in this email and significantly increases the number of blue zones in the whole gamut of areas, so that plenty of unmetered spaces remained available in residential and mixed residential/commercial areas.

But a four hour time limit isn't enough. For example, people often spend more than four hours at a park. Golden Gate Park is closed to automobiles on Sundays (which I have supported for years). Meters now operate on Sundays. People with mobility disabilities who find street parking in the neighborhoods near parks should not be limited to four hours. Similarly, people spend more than four hours at music festivals, street fairs and similar events. They often spend more than four hours visiting friends in hospitals or at home. Dinner and a movie or concert can take more than four hours.

I support the recommendation to set time limits for placard holders in green zones. Businesses pay for green zones and rely on them for deliveries and short-term customer parking, so I never park at green zones for more than a few minutes when the business is open. However, time limits should only apply during business hours and days. If, for example, a business is closed on Saturdays and Sundays, time limits should not apply to placard holders parking in that business's green zone on those days.

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Thank you for considering this email.

Sincerely

Howard Chabner