

CALIFORNIA COMMISSION ON DISABILITY ACCESS

LISTENING FORUM CALIFORNIA DISABLED PARKING PROGRAMS PART 2

March 13, 2018

Sierra 2 Center for the Arts and Community
2791 24th Street
Sacramento, CA 95818

Commissioners Present:

Douglas Wiele, Vice Chair
Brian Holloway
Scott Lillibridge
Celia McGuinness
Michael Paravagna
Betty Wilson (with Tanya Jimenez)

Staff Present:

Angela Jemmott, Executive Director
Dave Chung, Analyst
Dharon Grayson, AGPA
LaCandice Ochoa, Operations Manager
Taylor St. Mary, Analyst
Matthew Wang, Analyst

1. WELCOME, INTRODUCTIONS, AND PURPOSE OF THE DAY

Angela Jemmott, CCDA Executive Director, welcomed everyone to the Listening Forum and thanked them for coming. She noted that the first forum had been held in July in Los Angeles.

Executive Director Jemmott introduced Douglas Wiele, CCDA Vice Chair. He cited the CCDA's mandate: to facilitate communications between the disability community and the business community. He emphasized that the CCDA thrives on public input and expressed appreciation to the attendees for participating.

Executive Director Jemmott introduced the CCDA Board Members as well as Eileen Jacobowitz, Facilitator.

2. AGENDA REVIEW

Ms. Jacobowitz reviewed the Agenda. There would be three ways for the attendees to provide feedback and input:

- Rotated discussions in the small groups
- Forms for writing comments
- Forms for submitting questions to the panelists

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3. PANEL ON CALIFORNIA'S DISABILITY PARKING PROGRAMS

Ms. Jacobowitz introduced the panelists.

Presenters:

California Foundation for Independent Living Centers (CFILC)

Christina Mills, Executive Director

Department of Motor Vehicles (DMV)

Andrew Conway, Deputy Director, Registration and Operations

Armando Botello, Deputy Director, Office of Public Affairs

City of Sacramento Parking Services Division

Matthew Eierman, Manager

Matthew Eierman

Mr. Eierman stated that there is an array of technologies and techniques the city uses for managing parking within the 30 blocks of the core central city. The Parking Services Division manages both the on- and the off-street parking; there are 25,000 spaces versus 6,200 parking meters. The Parking Services Division is a compliance-based organization.

Mr. Eierman continued that the purpose of on-street parking is to encourage the short-term use of the space. Long-term parking works better in parking garages. Parking meters are not the first line of defense that the Parking Services Division uses. Mr. Eierman showed photos illustrating that non-metered spaces may be 100% occupied while metered spaces are not.

Around large employment centers, the Division typically finds 100% of parking meters used for long-term parking; this reduces the overall supply. As the city grows and expands, the pressure will only get worse.

Sacramento City Code regulates how parking meters are installed, their hours of operation, and the establishment of meter rates; and it specifies how parking meter and machine funds can be used.

The roles of Parking Enforcement Officers include ensuring the safety of the right-of-way; enforcing and regulating accessible parking spaces; and doing undercover work and issuing citations for misuse of the disability placard.

People will often spend 20 minutes circling blocks looking for parking meters instead of going into parking garages. Spaces may be taken up all day when they were designed for one- or two-hour use to support the local businesses. Residents cannot find parking in front of their homes because of vehicles parked for hours. People with disabilities are affected as they look for spaces near their destinations.

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Andrew Conway and Armando Botello

Mr. Conway operates the DMV's Disability Parking Program. It currently has about 2.5 million participants, which represents only a small percentage of California's population of 40 million people. There is no relation between disability parking privileges and driver licenses.

People with temporary disabilities are issued red placards good for up to six months. All permanent disability placards expire at the same time: June 30 of every odd year. As the DMV mails them out, well over 100,000 are returned because people have not updated their addresses.

The DMV has made changes to the program this year in response to the California State Audit report and SB 611.

- Identification is required to establish a placard record.
- Every six years, people will be required to come to the DMV to renew their status.

Of the 22 findings from the audit, DMV accepted them all and has made the following changes.

- The DMV must now scrutinize applicants very carefully.
- The DMV must now conduct quarterly audits with the medical boards of California.
- The legislature now states that podiatrists should be included in the program.
- The program now uses the Social Security Administration's death master file.
- Applicants must re-apply every six years.
- The full legal name and date of birth must be included.
- DMV must limit the number of replacement placards. The limit is four every two years; people asking for more must have their doctor requalify them.
- The health boards will check certifications.
- The DMV will cancel placards of people who do not follow up within 90 days when they are audited.
- The DMV will analyze data in the system, identifying applicant relationships with people such as doctors who may be participating in provider fraud. The DMV is looking at heat-mapping people who fit certain profiles – provider fraud is a significant problem in this state.
- The DMV will provide local police and parking enforcement people with "hot lists" of disability placards that have been cancelled.

Other changes to the program:

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- The DMV is creating a training video for staff on how to treat people with disability at the counter: how to interact respectfully and also how to look for fraud.
- The DMV is working with investigators on undercover stings.
- The DMV is working to change public perception and shape public policy.

Mr. Botello spoke about a public outreach program that shames people into stopping their abuse of the program. One of the Office of Public Affairs' tasks is to develop media marketing plans. The 300-400 investigators go around the state looking for abuse of disabled placards. The office launched an awareness campaign last year which alerted media when investigators went into high-volume media markets – the large cities. It created a buzz and resulted in news reports on TV, radio and newspapers.

Investigators hold as many as 24 operations around the state each month. Every month the DMV publicizes the results in a press release. The DMV also sends out a video Public Service Announcement (PSA) which stations are running for free.

The office has created a webpage dedicated to the problem of placard abuse and to the campaign.

A second phase of the campaign started this month with the creation of a slogan and emphasis: *Save the Space*. This media blitz includes Public Service Announcements and testimonial videos. A poster is available through social media to encourage people to print and post it.

Christina Mills

Ms. Mills stated that having a visible disability and placard may not be enough to prevent an officer from ticketing – the certificate is also necessary to show.

CFILC is a statewide disability rights organization established in California over 35 years ago. They serve as a statewide organization of programs and services to people with disabilities. CFILC is unique in that it is the membership organization of independent living centers across the state.

People with disabilities are going to be having more opportunities to get behind the wheel through autonomous vehicles, which can increase employment options and community participation. This also means that infrastructures need to be accessible to the disability population.

Ms. Mills noted that parking structures that do not have attendants present, and do not have accessible ticket dispensers, are barriers. The new pay stations for parking spaces may be too high or lack curb cuts. Gas stations can also present problems.

Accessible spaces are becoming more limited as electronic vehicle spaces take up placard spaces.

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Options that make driving more accessible and available for people with all types of disabilities show that we are forward thinkers.

4. SMALL GROUP DISCUSSIONS

Ms. Jacobowitz explained that the meeting attendees would be rotating in discussion groups of three different topics: Disability Parking Access, DMV Placard Program Management, and Program Innovations.

A Commissioner and a staff member would be located at each table to facilitate.

Program Innovations

Commissioner Holloway provided a summary of the discussion. Participants had chosen five of the more popular program innovations:

1. A public awareness campaign about the difference between a van space and a non-van disabled space; to try to leave the extra space available.
2. For placards, integrating RFID devices or photos of the owner so that enforcement can drive by and recognize the placard. (Having the photograph of the owner on the placard has been somewhat controversial).
3. Although you can park for free with a placard at a meter, at a parking garage you must pay to get out. Disabled spaces in parking garages should be free.
4. A public awareness campaign about the law that with a parking placard, you can actually take two normal parking stalls.
5. Accessible vehicle options for ride-sharing programs such as Lyft and Uber.

Disability Parking Access

Commissioner Paravagna summarized the discussion on what is and isn't working with accessibility parking.

What's working:

- There is better public awareness.
- Education is better.
- Useful discussion comes out of these meetings.

What isn't working:

- More education is needed for building inspectors, planners, the public, etc. so people can understand the impact of the built environment.
- More accessible street parking is needed; and, should people have to pay?
- Enforcement is lacking.
- There is concern about the design of garages.

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DMV Placard Program Management

Commissioner Wilson reported that the group had discussed technology and how it can help both to increase access to parking, and to protect the rights of those who legally should have parking. Recommendations come through the CCDA Legislation and Education Outreach Committees.

There is also a need for education of the medical community. The DMV, community agencies, and other bodies of the government that help protect civil and human rights can help with education. This apparently has been a common thread among all three discussion groups.

Phone Feedback

Commissioner McGuinness had spoken with the phone participants; they had covered all three of the topics. The Commissioner covered issues not yet raised in the prior summaries.

Regarding parking access: everyone was happy to hear of the DMV's new approach to enforcement. One issue that was raised is that private parking lots and businesses are refusing to enforce disabled parking spots. People would appreciate it if the DMV and law enforcement could provide education to them about their legal obligations.

People called out government agencies for not providing sufficient numbers of disabled parking spots – a systemic problem.

Where cities provide disabled identified parking spaces, the spaces are put in the middle of the block or they do not have curb cuts.

Regarding program management: one person commented on the smooth new process for renewing permanent placards.

Two people asked if the new PSAs coming out could be more accessible for people with visual disabilities.

People want to know what kind of judgment call doctors are able to make when issuing placards. There is a real problem with doctors not understanding both what is needed and best practices. The DMV could exert extra effort on this.

People identified another area of misuse: caregivers and IHSS workers use the placards of their employers when the employer is not in the car.

On innovation: in Illinois and in Portland, Oregon there is a two-placard system dividing mobility disabilities and arm function/short stature problems.

People talked about putting ISA wheelchair signs on driver licenses.

People asked if the DMV would consider providing education to placard holders when they renew, to remind them of their responsibilities.

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5. WRAP-UP, NEXT STEPS, AND CLOSING REMARKS

Executive Director Jemmott thanked the panelists for stimulating the discussion. She thanked the meeting attendees – they represented a variety of cities and communities, and had assisted the CCDA in bringing information together. Last, she thanked the Commissioners for facilitating and leading the way on this topic.

Executive Director Jemmott encouraged the attendees to use the cards to communicate any additional concerns. She also requested them to give their evaluations of the listening forum.

She invited everyone to the Coffee Chat to follow.

6. ADJOURN

Ms. Jacobowitz talked about next steps. Besides the Coffee Chat, the content of the forum will be compiled into a report available on the website. She again thanked the panelists.

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LEGISLATIVE COFFEE CHAT

1. WELCOME AND INTRODUCTIONS

Executive Director Jemmott welcomed everyone to the informal discussion with legislators. She introduced the following CCDA Commissioners:

- Brian Holloway, President of the Holloway Land Company, a local land development and entitlement consulting firm
- Scott Lillibridge, Vice-President of the Rick Engineering Company and Branch Manager of the Sacramento office
- Celia McGuinness, disability rights trial partner at the public interest law firm at Derby, McGuinness & Goldsmith
- Michael Paravagna, retired from the California Department of Rehabilitation and is now in private consulting for ADA coordination
- Betty Wilson, founding CCDA Commissioner with a variety of professional leadership experience in government, management, policy development, civil rights culture and ethnic parties, and accessibility

Also present were the following Legislative Commissioners:

- Assemblyman Tom Lackey
- Assemblyman Jim Frazier
- Deputy District Director Joe Debbs from Senator Pan's office.

Executive Director Jemmott acknowledged the legislative staffers present as well.

2. LISTENING FORUM SUMMARY

Ms. Jacobowitz began the conversation by inviting the Commissioners to share what they had heard today on the subject of disability parking programs.

Commissioner McGuinness provided the summary.

Among those who had participated in the forum, both in the room and on the phone, were non-profit organizations, government entities representing both municipalities and parking organizations, business interests, and individuals who came because parking issues affect their daily lives. Commissioner McGuinness was pleased with the broad cross-section.

The panelists had spoken about various aspects of disabled parking programs. The DMV representatives had spoken about their audit, which had turned out to be productive as they learned what had not been going right. They have responded with changes to the program.

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After the panelists spoke, the forum attendees broke into small groups where every individual could give an opinion on three topics: parking access itself, the DMV parking placard program and its management, and innovation.

Parking access

- Everyone was very pleased that law enforcement and the DMV were doing more enforcement against placard abuse.
- People would like to see more scoping and an expansion of disabled-designated parking spots.
- They also recognized the problem with private businesses not having the number of disabled parking spots they are supposed to – and when they do have them, not enforcing them.
- People requested education for these private businesses.
- There is a problem with government agencies not having sufficient disabled parking spaces.
- There is a problem with street parking: cities either do not provide sufficient street parking for people with disabilities, or they place the parking in the middle of blocks without curb cuts.

Management of the DMV parking placard program

- An individual related a positive experience with renewing his placard.
- There were many questions about how much of a judgment call doctors make when approving someone for a parking placard.
- People want doctors to be educated about what comprises a disability and problems of placard abuse.
- Caregivers and IHSS workers sometimes borrow placards of disabled persons.

Innovation

- The issue came up of integrating RFID or photos into placards, or putting Disabled ISA wheelchair identifiers onto driver's licenses. On the other side of this issue is privacy concerns.
- There was much discussion on education. Improving public awareness came up. Making people aware of the difference between a disabled spot and a van-accessible disabled spot came up.
- The DMV could educate people on responsible ways to use their placards.
- People who cannot find metered parking could be allowed to park in garages.
- There was discussion on two-tiered parking payment systems.

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3. PANEL CHAT

Assemblyman Jim Frazier

Assemblyman Frazier, who is Chairman of the Assembly Transportation Committee, stated that the committee has seen legislation that starts to address the issues of placards – not only accessibility, but also misuse and forgery. The committee has also looked at the issue how physicians administer qualification for the placards.

When introducing legislation on these matters, we need to be very segmented with the subtopics and take steps to plan for success.

Local government has to be part of the planning process, as well as a voice for private development.

Assemblyman Tom Lackey

Assemblyman Lackey stated that our society and our government are now engaged in disability awareness and improvement. Progress is incremental when it comes with government and public policy.

He agreed that working with local governments is a powerful piece for bringing real solutions. The way advocacy is done is important. We need to work smart and work cooperatively.

Deputy District Director Joe Debbs

Deputy District Director Debbs stated that he had been a caregiver for 10 years, during which time he learned about accessibility problems. He also noted that Senator Pan is a pediatrician; legislators have a wide variety of interests.

Many of the issues discussed today do not need legislation – they need enforcement.

It was a diverse group of people that met today; if they all left with a mission and a charge, they could get a lot done.

Discussion

Ms. Jacobowitz asked Assemblyman Frazier about striking a balance between access, enforcement, and accountability of the disability parking program. He replied that the players must be in the room, talking about what is important to them. Experts and advocates must get together and construct a plan (which may take some compromise). The plan becomes a starting point and it can also be a living document.

Assemblyman Frazier noted that many cities are understaffed because public safety is underfunded – parking enforcement may be cut first.

Assemblyman Lackey stated that communication is very powerful. Engagement and honest dialogue are where meaningful progress begins. A one size fits all approach usually misses the mark. We must collaborate with local governments because they are the ones that implement the policy. Once we can communicate the practical challenges

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associated with the common goal, while making necessary compromise, we move toward a meaningful outcome. Sometimes incremental improvement is what we must be satisfied with.

Deputy District Director Debbs stated that buy-in from all the players is necessary. He noted that the CCDA comprises a balance of individuals who all agree on the same mission. When this is the situation, success will come.

Commissioner Wilson suggested a recommendation from the legislators for getting the media and private industry involved in dispensing the information. There is a broad definition, and sometimes a misperception, of what disability is and what it entails. We are a visual culture, and unless you continue showing and stating the message, it doesn't move as quickly as we need it to.

Assemblyman Frazier responded that it would be beneficial to work with every Chamber of Commerce going forward, making sure they purvey the message to private business owners. This would be in collaboration with police departments and social media. Also, in the Legislature we have the capacity to do PSAs on TV and radio. He would be happy to work with the Commissioners in how he can send that message going forward (using a CCDA Mission Statement would be helpful).

Assemblyman Frazier noted that media as a whole is monetary-driven. We want to be able to move the message ourselves through social media.

Assemblyman Lackey agreed that with our visual culture, the best and quickest way to educate is through visual education. There are champions for this issue that we can call upon to help us communicate with the public. PSAs come at no cost.

Deputy District Director Debbs spoke as an advocate: you must have something that is worth media attention. The membership of the CCDA is grass roots, and having grass roots people is where you take the message. The media loves events and good ideas that make noise to attract attention.

4. WRAP-UP, NEXT STEPS AND CLOSING REMARKS

Ms. Jacobowitz thanked the panelists for coming. She noted that the recordings would be posted on the website.

Commissioner McGuinness commented that the reason the CCDA all pulls in the same direction is that the Commissioners recognize that ultimately, disability rights are civil rights – not a balancing of interests – on a par with gender rights and racial rights.