



Councilmember Ben Bartlett  
City of Berkeley, District 3

CONSENT CALENDAR

September 25, 2018

To: Honorable Mayor and Members of the City Council  
From: Councilmembers Ben Bartlett and Cheryl Davila  
Subject: Refer to the Commission on Disability to examine the impacts that the parking citation system may have on persons with low income and disabilities

RECOMMENDATION

Refer to the Commission on Disability to examine the impacts that the parking citation system may have on people with low income and disabilities.

BACKGROUND

As the system stands, when a parking citation is issued, the registered owner of the vehicle is given 21 days to pay the citation. After this period, the fine for the citation increases. Allowing just three weeks to pay parking fines results in already-vulnerable citizens being unable to pay their citations on time.

This issue of equity in parking ticket payment deadlines is especially poignant for the disabled community because of the correlation between ability and income. US Census findings report that the average monthly income of a person without a disability is \$2,724, while the average for a person with moderate disability is \$2,402 and \$1,577 for those with severe disabilities.<sup>1</sup> This would indicate that individuals with disabilities are more likely to be significantly impacted by tickets, unable to pay fees and therefore be subjected to additional fines, have their licenses revoked, and possibly face negative financial and personal implications such as loss of employment and inability to access child care.

While parking tickets are meant to create a universal punishment for a violation of the law, the fines pose a greater risk to the financial security of low-income individuals while subsequent fees for inability to meet payment deadlines create endless cycles of delinquent debt. The subsequent fines and revocation of one's license as a result of being unable to pay parking tickets imposes additional financial strain on these individuals, infringing upon one's ability to work and meet basic needs, such as getting to and from doctor's appointments, school, and child care. This, in turn,

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<sup>1</sup> [https://www.census.gov/newsroom/cspan/disability/20120726\\_cspan\\_disability\\_slides\\_15.pdf](https://www.census.gov/newsroom/cspan/disability/20120726_cspan_disability_slides_15.pdf)

negatively impacts individuals' family members as they are forced to take on additional financial strain and perform additional tasks to meet basic needs.

Although the establishment of more equitable payment deadlines for parking tickets would prove beneficial to individuals with disabilities, there is also evidence that it would be financially beneficial to the city. This is supported by findings of the California Amnesty Program that equitable payment programs resulted in triple the revenue in comparison to delinquent debt collections.<sup>2</sup>

According to Title II of the Americans with Disabilities Act, "A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability."<sup>3</sup> Taking this into consideration, we must alter the parking citation payment system so that it does not unfairly discriminate against and criminalize those with disabilities.

#### FISCAL IMPLICATIONS

Unknown.

#### ENVIRONMENTAL SUSTAINABILITY

N/A

#### CONTACT PERSON

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<sup>2</sup> [https://insightccd.org/wp-content/uploads/2017/07/May2017\\_DrivingintoDebt-Final.pdf](https://insightccd.org/wp-content/uploads/2017/07/May2017_DrivingintoDebt-Final.pdf)

<sup>3</sup> [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#title2regs](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#title2regs)