ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of February 20, 2010

DATE: February 16, 2010

SUBJECT: Request to advertise for a public hearing for proposed amendments to the County's Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code.

C. M. RECOMMENDATION:

Authorize the request to advertise a public hearing to be held on March 13, 2010, to consider proposed amendments to the County's Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code concerning the use of emerging technologies for payment of parking meters.

ISSUES: The proposed changes to the County Code assure that the County can stay current with parking industry practice and implement emergent technologies. No issues have been identified.

SUMMARY: Parking payment technologies are always evolving and the adopted Master Transportation Plan Parking and Curb Space Management Element encourages the use of such technologies. Arlington County needs to update the Code language to reflect the current industry practices and provide for the use of any emerging technologies that may be developed in the future. The proposed ordinance addresses these needs.

BACKGROUND: In November 2007, the County Board adopted Policy 5 of the Master Transportation Plan (MTP): *"Utilize parking meter pricing strategies that vary by hour and location to better match parking availability and demand. Implement newer technologies such as multi-space meters and credit card and cell phone payment to enhance parking options."* In November 2009, the County Board adopted the MTP Parking and Curb Space Management Element which included Implementation Action 5a: *"Enact the appropriate ordinance amendments to install and implement multi-space parking meters and/or other current technology, including pay by cell phone technology to increase efficiency and payment options for customers."* This ordinance fulfills this implementation action.

There are many types of parking meters and parking payment devices. There are meters that work with single parking spaces and meters that can work for multiple parking spaces. Some single-space meters take credit cards and some do not take credit cards.

One design of multi-space meters looks like a single space meter but has buttons on them that allow paying for up to four (4) specific spaces. The County is interested in using this latter type

County Manager: BMD/GA

County Attorney: SAM

Staff: Sarah Stott, Department of Environmental Services

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of meter for motorcycle parking as it reduces the number of meters required and thus the visual clutter. On the other hand, the most common types of multi-space meters are pay stations, either in the form of pay-and-display meters or pay-by-space meters. Both take credit cards and cash. With pay-and-display meters, a receipt is issued which must be displayed on the dashboard. With pay-by-space meters the parking spaces are numbered and the patron enters their space number in the machine before payment. Parkers are issued a receipt but are not required to put the receipt on their vehicle. Enforcement personnel determine who has paid or not by obtaining a written record from the meter instead of looking for a receipt on the car.

Another type of technology is pay-by-cellphone parking technology. Patrons register their credit card with a service company and each time they park at a space, they call the company with the space number and pay by phone potentially without leaving their car. A patron can also call into the system and add more time to their space even when situated far from the parking space. Pay-by-cellphone technology is being used in over thirty jurisdictions in the U.S. Montgomery County, Maryland is currently involved in a pay-by-cellphone pilot program. The County does not use this technology currently, but is investigating it for the future.

DISCUSSION: The Motor Vehicle Code needs updating. It defines parking spaces as characterized by striped lines and describes meters as being assigned to single spaces. The Code also only allows for payment by coin and in-car payment devices. These definitions of parking spaces and parking meters are inconsistent with the current and evolving technology. Individually-striped parking spaces are not necessary with pay and display multi-space meters. In fact, curb space can be used more efficiently if spaces are not striped because an additional car or two can often park on a block.

Currently, most of the single-space meters accept only coins. Allowing drivers to pay by credit card or cellular phone, in addition to coins, will facilitate ease in payments, especially for longer-term parking when having to use a large number of coins is burdensome. Credit cards and cellular phones make for a very user-friendly payment system. Multi-space meters, new types of single-space meters that accept credit cards, and payment by cellular phone also provide back office support which generates detailed reports and data that is wirelessly transmitted to the County and can be used for analysis and projections. Multi-space meters provide an additional benefit of reducing the amount of equipment on a sidewalk. For example each Pay and Display meter on an average replaces 10 single space meters.

The proposed ordinance updates the Code to accommodate these changes in technology and anticipates any future types of technologies that may not have been invented yet.

FISCAL IMPACT: No fiscal impact. This action is a technical update to the County Code to recognize changes in parking payment technologies which promote customer convenience.

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 14.2, ARTICLE 1 (MOTOR VEHICLE CODE) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA, RELATING TO PARKING PAYMENT METHODS AND DEVICES.

I. BE IT ORDAINED by the County Board of Arlington County, Virginia that Chapter 14.2, Article 1 (Motor Vehicle Code) of the Arlington County Code is amended, reenacted and recodified, to read in pertinent part, as follows:

Chapter 14.2

MOTOR VEHICLES AND TRAFFIC

* * *

Article 1. Motor Vehicle Code

* * *

Subdivision D.

Parking Meter Zones

§ 14.2-39. Definitions.

The following words and phrases, when used in this Subdivision, shall have the meaning ascribed to them in this Section:

In-vehicle parking regulator shall mean and include any mechanical or electronic device or meter not inconsistent with this Section which is properly obtained for lease or purchase from the County and which is used, placed or attached inside a motor vehicle for the regulation of parking by authority of this Section. Each such in-vehicle parking regulator in use shall at all times indicate by appropriate signal or display the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

Multi-space parking meter shall mean a pay station located within a parking meter zone, placed or erected for the regulation of parking by authority of this Subdivision, that allows for a single location for the payment and control of parking thereon for multiple parking spaces placed at various locations along streets or on surface lots.

Park, parking shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than while actually engaged in receiving or discharging passengers or loading merchandise in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

Parking meter shall mean and include any single-space or multi-space mechanical or electronic device or other meter not inconsistent with this Section used, placed, or erected for the regulation of parking by authority of this Subdivision ~~Section~~. Each parking meter installed shall indicate by proper legend the legal parking times established by the County and when operated shall at all times either indicate the balance of legal parking time and the expiration of such period shall indicate illegal or overtime parking, or produce a receipt which provides the same information.

Parking meter space shall mean any space within a parking meter zone ~~adjacent to a parking meter and~~

which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

Parking meter zone shall mean and include any restricted street or surface lot upon which parking meters are installed and in operation.

Parking permit shall mean a printed sticker or card issued by the County Manager or his agent to allow parking at a designated off-street location.

Single-space parking meter shall mean and include any mechanical or electronic device or other meter not inconsistent with this Section used, placed, or erected for the regulation of parking at a single parking space immediately adjacent to the meter by authority of this Subdivision.

Street shall mean any public street, avenue, road, alley, highway, lane, path, or other public place located in the County and established for the use of vehicles.

(9-1-59; 7-3-67; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92)

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§ 14.2-41. Designation of parking spaces and areas; vehicles to be parked entirely within parking space.

The County Manager or designee is hereby directed and authorized to mark off, or have marked off, individual parking spaces in parking zones designated and described in Section 14.2-40 of this Code, and in such other zones as may hereafter be established, with such parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off it shall be unlawful to park any vehicle in such a way that the vehicle shall not be entirely within the limits of the space so designated. Parking areas without lines defining individual spaces may also be designated by the County Manager or designee in parking zones with such areas designated through the use of signs.
(9-1-59; Ord. No. 92-33, 7-11-92)

§ 14.2-42. Installation, display of signals showing legal parking, etc.

(a) In parking meter zones provided in Section 14.2-40 of this Code, the County Manager or designee ~~shall~~ may cause single-space parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, or use of a credit card or other acceptable form of payment as determined by the County Manager or designee, for the period of time prescribed by this Subdivision. Each single-space parking meter ~~device~~ shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor, or manager thereof shall be subject to the penalties provided.

(b) The County Manager or designee may also cause to be made available to the public for lease or purchase in-vehicle parking regulators for the regulation of parking which provides for prepaid parking. Each such device shall be able to differentiate between long-term and short-time parking periods and rates and shall be capable of being attached within the user's vehicle in such manner as to permit the unobstructed view of its display from outside said vehicle in the manner described in Section 14.2-43. Each such device shall be so set as to display a signal showing the amount of legal parking time remaining at the rate and for the period of time as is designated by proper direction on the parking meter for the parking space being used. Each such device shall also be so arranged that upon expiration of the lawful time limit it will indicate by a proper visible signal or display that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manger thereof shall be subject to the penalties provided. The County Manager or designee may also authorize accommodations for persons with disabilities as may be necessary concerning such in-vehicle parking regulators, including other means of prepaid parking for disabled persons who are not physically able to operate in-vehicle parking regulators.

(c) The County Manager or designee may also cause to be installed multi-space parking meters to provide metering for more than one parking space at a time on the street, in surface lots or in garages within parking meter zones. Immediately after occupancy of a multi-space parking meter space, the operator of a vehicle shall deposit a coin or paper currency of the United States or use a credit card or other acceptable form of payment as determined by the County Manager or designee, in said multi-space meter and follow operational procedures in accordance with the instructions posted on the meter. Failure to follow the operational procedures, or remain in the parking space upon the expiration of the lawful time limit, shall cause the operator, owner, possessor, or manager of the vehicle thereof to be subject to the penalties provided.

(9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 99-7, 4-10-99)

§ 14.2-43. Operation generally; overparking generally.

Except in a period of emergency determined by an officer of the Fire or Police Departments, or in compliance with the directions of a police officer or traffic-control sign or signal, when any vehicle shall be parked in any parking space ~~alongside of or next to which a parking meter is located~~ or area within a parking meter zone, during the hours of meter operation the operator of such vehicle shall, upon entering such ~~parking~~ space or area, immediately deposit or cause to be deposited in such meter such proper coin of the United States or use a credit card or other acceptable form of payment as determined by the County Manager or designee, and when appropriate display a receipt in or on the vehicle per the instructions on the parking meter or shall designate such time on the display of an in-vehicle parking regulator as is required for such parking space and as is designated by proper direction on the meter ~~for such parking space~~. Failure to deposit such proper coin, credit card or other acceptable form of payment and when appropriate to display a receipt in or on the vehicle per the instructions on the parking meter, or to designate such time on the display of an in-vehicle parking regulator and to attach said in-vehicle parking regulator to the inside of the parked vehicle in such manner that the parking time display on the regulator is not obstructed and clearly visible through the front windshield from outside said vehicle shall constitute a violation of this Section. Upon the deposit of such coin, credit card or other acceptable form of payment, or when appropriate the proper display of such receipt in or on the vehicle, or the proper designation of such time on the display of an in-vehicle parking regulator and the proper attachment of the in-vehicle parking regulator to the parked vehicle, the parking space or area may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which such parking space is located. Any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin, credit card, or other acceptable form of payment, or to designate time on an in-vehicle parking regulator so long as his occupancy of such space does not exceed the unused parking time indicated on the parking meter for such space. If such vehicle shall remain parked in any parking space beyond the parking time limit set for such parking ~~space~~, ~~and~~ or if the meter shall indicate illegal parking, and no remaining balance of legal parking time is displayed within said vehicle on an in-vehicle parking regulator obtained from the County, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this Section.
(9-1-59; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92)

§ 14.2-44. Parking time limits; when parking meters operative.

(a) The County Manager or designee may designate the approved parking meter zone as established under Section 14.2-40 of this Code as thirty (30) minute, one (1) hour, two (2) hour, or over two (2) hour parking meter zones.

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(b) Parking or standing a vehicle during the hours of meter operation in a designated space or area in a parking meter zone shall be lawful upon the deposit of coin or coins of the United States of America or upon the use of a credit card or other acceptable form of payment or upon the proper designation of time on an in-vehicle parking regulator at the following maximum rates:

(1) *Thirty (30) minute parking meter zone:* ~~Combination of Smartcard value, five cent ($0.05), ten~~

~~cent ($0.10), and twenty-five cent ($0.25) coins to equal one~~ One dollar ($1.00) for each hour parked.

(2) *One (1) hour parking meter zone:* ~~Combination of Smartcard value, five cent ($0.05), ten cent ($0.10), and twenty-five cent ($0.25) coins to equal one~~ One dollar ($1.00) for each hour parked.

(3) *Two (2) hour parking meter zone:* ~~Combination of Smartcard value, five cent ($0.05), ten cent ($0.10), and twenty-five cent ($0.25) coins to equal one~~ One dollar ($1.00) for each hour parked.

(4) *Four (4) hour parking meter zone:* ~~Combination of Smartcard value, five cent ($0.05), ten cent ($0.10), and twenty-five cent ($0.25) coins to equal one~~ One dollar ($1.00) for each hour parked.

(5) *Over four (4) hour meter zone:* ~~Combination of Smartcard value, and/or twenty-five cent ($0.25) coins to equal~~ Seventy-five cents ($0.75) for each hour parked.

(7-9-69; 6-3-72; 3-17-80; Ord. No. 83-12, 7-1-83; Ord. No. 88-10, 5-21-88; Ord. No. 89-30, 11-21-89; Ord. No. 92-33, 7-11-92; Ord. No. 98-4, 6-1-98; Ord. No. 99-7, 4-10-99; Ord. No. 07-06, 4-21-07, effective 7-01-07)

§ 14.2-45. Parking beyond legal parking time; parking when signal indicates overparking; parking across lines; depositing slugs.

It shall be unlawful and a violation of the provisions of this Subdivision for any person to:

(a) Cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone or to deposit in any parking meter any coin, credit card, or other acceptable form of payment, or to designate a balance of parking time on an in-vehicle parking regulator for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

(b) Permit any vehicle during the hours of parking meter operations to remain or be placed in any parking space adjacent to any single-space parking meter while the meter is displaying a signal or in the case of a multi-space meter when the receipt issued to the parker on payment or the payment record issued to parking meter enforcement personnel indicates ~~indicating~~ that the vehicle occupying such parking space has already parked beyond the period prescribed for such parking space, unless there is an in-vehicle parking regulator attached to the vehicle in the manner described in Section 14.2-43 and the display of such in-vehicle parking regulator indicates that a balance of legal parking time remains for such parking space or area.

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(9-1-59; Ord. No. 92-33, 7-11-92; Ord. No. 92-34, 7-11-92; Ord. No. 92-42, 8-8-92)

II. The remaining sections and subsections of Chapter 14.2 of the Code of Arlington County, Virginia not amended hereby shall remain in effect as previously enacted.