

Curb Painting/Coloring or Not Clearly Marked/Visible

This condition is commonly claimed when curbs have faded paint, are inadequately repainted, lettering is missing or faded, posted signs conflict with curb markings, or color rendition of paint is difficult to see because of sodium lighting.

VERIFICATION FROM CONTESTEE

1. A statement from the citizen that explains why they were unable to observe the indicated curb regulation
2. Photographic evidence supporting claim

VERIFICATION BY INVESTIGATION

1. Request a field investigation and report from the issuing agency or perform a *Google* search and review the street view if available.
3. Review the report from the issuing agency or Google street view and compare the findings to the citizen's statement including any evidence submitted.

DECISION

If the issuing agency report is consistent with the contestee's claim the citation should be dismissed.

If the issuing agency reports that signs and curbs were adequately and correctly marked at the time of violation then the citation should be upheld.

If no field investigation or agency report is provided/available and all verification sent is consistent with the contestee's statement then the citation should be dismissed.

If no field investigation or agency report is provided/available and any evidence submitted is not consistent with the contestee's statement then the citation should be upheld.

All other citations should be upheld.

DISMISSAL AUTHORITY: California Vehicle Code §40215 (a)(1)

Comments: Throughout the United States and in most other countries, curb painting is a commonly used method for indicating that parking is either prohibited or strictly regulated in the area. It is common for permanently posted signs to be located at either end of a block even if the distance of the sign from some parking spaces is significant. This does not excuse a person from failing to see or look for signs and obey them in conjunction with a painted curb