

Signs Missing or Not Visible

Generally, officers will report missing or damaged/worn signs and will not issue citations until the signs are replaced/repared. Occasionally officers may not notice that a permanent sign is missing or in disrepair. Temporary signs are used to indicate that regular parking regulations will be suspended and a temporary restriction will be in place for a specific period. Temporary signs are posted at least 24 hours in advance, and do supersede the regulation posted on permanent signs. Citizens will claim that the signs are hard to see, contradictory, not correctly or sufficiently marked, or were not there when they parked the vehicle.

VERIFICATION FROM CONTESTEE

1. A statement from the citizen that explains why they were unable to observe and comply with the relevant regulations and signage
2. Photographic evidence supporting claim

VERIFICATION BY INVESTIGATION

1. Request a field investigation and report from the issuing agency.
2. Review the report from the issuing agency and 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 signage was adequate 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.