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MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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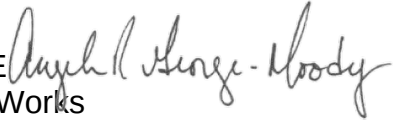
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REFER TO FILE: **TPP-9**
10400-4-1

December 29, 2022

TO: Each Supervisor

FROM: Mark Pestrella, PE 
for Director of Public Works

BOARD MOTION OF AUGUST 2, 2022, AGENDA ITEM 6 DECRIMINALIZING MOBILITY THROUGH IMPLEMENTATION OF THE VISION ZERO ACTION PLAN

On November 16, 2021, the Board approved a motion Decriminalizing Mobility Through the Implementation of the Vision Zero Action Plan, instructing the Departments of Public Health, Public Works, County Counsel, the Executive Director of Anti-Racism Diversity and Inclusion (ARDI), and other County departments to report back on proposed ordinance changes to allow bicycle riding on sidewalks, the establishment of a diversion program for persons cited for infractions related to walking and bicycling, and other recommendations related to enforcement practices involving people riding bicycles. Two reports submitted to the Board on April 19, 2022, and June 24, 2022, by Public Health and ARDI, respectively, addressed these items.

Subsequently, on August 2, 2022, the Board approved a motion (Attachment 1) that directed:

1. Public Works, in collaboration with County Counsel and Public Health, to commence a full review of the draft ordinance provided as part of the April 19, 2022, report back.
2. The Chief Executive Office (CEO) to coordinate the implementation of Recommendations 1-6 and 8 proposed in the June 24, 2022, report back.

These include proceeding with implementing various recommendations related to improving bike and pedestrian safety with a racial equity lens, including reviewing

pedestrian and bicycle safety to avoid the potential of further criminalizing bicycling and supporting State legislative efforts related to these topics.

3. ARDI to consult with representatives from the CEO Legislative Affairs and Intergovernmental Relations, Public Health, District Attorney, Public Defender, County Counsel, Alternatives to Incarceration Initiative, Public Works, and other affected departments to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision.
4. Public Works, in partnership with Public Health, to explore other County Code changes related to other human-powered forms of transportation and micromobility devices with the goal of improving safety on roadways and sidewalks.

The effort to decriminalize mobility aligns with Public Works' commitment to equity and enhancing mobility for all users.

This report presents status updates for Directives 1 through 3 and addresses Directive 4.

Review of the draft ordinance (Directive 1)

County Counsel, in coordination with Public Works and Public Health, completed a full review of the proposed changes to Title 15. Public Works will place the ordinance on a future Board agenda for adoption. This action also necessitated the review of Title 19, which will be placed on a future Board agenda.

Implementation of Recommendations 1-6 and 8 in the June 24, 2022, report back (Directive 2)

Public Works has participated in meetings led by the CEO and will continue to provide support as needed.

Legislative options to limit searches with minor traffic stops (Directive 3)

Public Works has participated in meetings led by ARDI to provide technical input and will continue to provide support as needed.

Exploring Los Angeles County Code changes related to human-powered transportation and micromobility (Directive 4)

Public Works researched County Code, the California Vehicle Code (CVC), and other jurisdictions' regulations related to the following forms of human-powered transportation and micromobility:

- Walking, including those assisted by a wheelchair or electric personal assistive mobility devices
- Bicycles, including Class 1, 2, and 3 e-bikes
- Skateboarding and skating
- Scooters (nonmotorized and motorized)

Given the diverse and changing landscape of human-powered transportation and micromobility, this report should not be considered an exhaustive list of legal requirements that may apply.

County Code and CVC review

Attached are listings and the full text of County Code (Attachment 2) and CVC (Attachment 3) sections that pertain to human-powered transportation and micromobility. Also, attached is a discussion of notable County Code sections (Attachment 4).

Board Actions on Human-Powered Transportation and Micromobility

In recent years, the Board has taken action to keep pace with the evolution of human-powered transportation and micromobility. For example, the increases in skateboard riding on steep slopes in the Angeles National Forest and the emergence of shared mobility devices along Marvin Braude Bike Path, including electric scooters and electric bicycles prompted the Board to take actions around the regulation of these devices.

On September 11, 2018, the Board adopted an ordinance to expand the definition of a skateboard in the County Code to include devices that contain a flat surface that could be steered. The Sheriff's Department recommended this change as the prior version of the County Code was not inclusive of most modern skateboards.

On October 16, 2018, the Board passed a motion that directed Public Works to establish a County Bike Path Guidance document on bike path usage and signage in collaboration with County Counsel and various jurisdictions where bike paths exist. As part of the report

back, draft language was prepared that could be used by beach cities when considering an ordinance prohibiting shared mobility devices along the Marvin Braude Bike Path. On November 20, 2018, the Board approved a motion instructing the CEO to work with County departments to study the impact of e-scooters and e-bikes in other jurisdictions, identify potential public safety issues, and report back with a list of recommendations on how to move forward with a potential regulation of these technologies, including a proposed ordinance. The report back recommended the Board request all shared mobility companies cease operations in the unincorporated communities except for Marina del Rey and that the County develop a pilot permitting program with an accompanying set of regulations to allow the safe operation and storage of these devices on County roadways. The pilot program permit applications were made available on May 1, 2019. As a result, three companies applied to participate in the program. However, no applicants completed the process.

Conclusion and Recommendation

County Code and the CVC provide several code sections related to various human-powered mobility devices. Some prohibit the use of certain devices in different areas, while others provide limitations. Based on the research conducted, there are opportunities to better align the County Code with the CVC and increase mobility while still preserving safety.

If you have any questions, please contact me or your staff may contact Steve Burger, Deputy Director, at (626) 458-4018 or sburger@pw.lacounty.gov.

MD:yr

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Attach.

cc: Chief Executive Office
County Counsel
Executive Office
Department of Public Health

REVISED MOTION BY SUPERVISOR HILDA L. SOLIS

August 2, 2022

Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

A 2021 analysis conducted by the Los Angeles Times revealed that out of more than 44,000 cyclist stops made by the Los Angeles Sheriff's Department since 2017, 70 percent involved Latino bicyclists. According to that analysis, the stops have been used by the Sheriff's Department as a tool to "fight crime." However, searches conducted during these stops resulted in finding illegal items just 8 percent of the time and seizing weapons less than 0.5 percent of the time. These stops also occurred at greater rates in communities of color, such as unincorporated East Los Angeles, when compared to more affluent neighborhoods throughout the County.

On November 16, 2021, the Board of Supervisors unanimously adopted a motion authored by Supervisor Solis to report back on immediately implementing recommendations from the County's Vision Zero Action Plan pertaining to cycling on sidewalks and on preparing an ordinance to allow the safe operation of bicycles on sidewalks. In response to the motion, the Director of Public Health reported back to the Board on April 19, 2022, and the Chief Executive Officer reported back on June 24, 2022.

MOTION

SOLIS	_____
KUEHL	_____
HAHN	_____
BARGER	_____
MITCHELL	_____

The reports propose County Code updates to allow the operation of bicycles on sidewalks, specify processes and partners for establishing a diversion program for persons cited for infractions related to walking and biking, provide recommendations from the Vision Zero Action Plan to further decriminalize and enable alternative modes of transportation in unincorporated communities, and compared Los Angeles County's policies with other local and national jurisdictions. The April 19, 2022 report also includes a draft ordinance that will update County Code to legalize riding bikes on the sidewalk with exceptions where signage is posted. Action by the Board of Supervisors is necessary to implement the recommendations included in the reports and to move forward with an ordinance.

I THEREFORE MOVE that the Board of Supervisors

- 1) Direct the Director of Public Works, in collaboration with County Counsel and the Department of Public Health, to immediately commence a full review of the draft ordinance provided as part of the April 19, 2022 report back;
- 2) Direct the Chief Executive Office to coordinate the implementation of Recommendations 1 – 6 and 8 proposed in the June 24, 2022 report back;
- 3) Direct the Anti Racism and Diversity Initiative to consult with ~~convene a work group as mentioned in Recommendation 7 in the June 24, 2022 report back comprised of~~ representatives from the CEO Legislative Affairs and Intergovernmental Relations branch, Public Health, District Attorney, Public Defender, County Counsel, Alternatives to Incarceration Initiative, Public Works and other affected Departments to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong

causal connection to a collision. These minor infractions might include, but would not be limited to, technical violations, equipment violations, proper lighting, jaywalking, and broken taillights;

- 4) Direct the Director of Public Works, in partnership with Public Health, to explore other County Code changes related to other human-powered forms of transportation and micromobility devices with the goal of improving safety on roadways and sidewalks; and
- 5) Direct the specified Departments to report back on their respective directives in December 2022.

#

HLS:mr:bnf

Attachment 2

Los Angeles County Code Sections Related to Human-Powered Transportation and Micromobility

Los Angeles County Code sections that pertain to human-powered transportation and micromobility are listed in Table 1. The full text of these code sections follows and are accurate as of December 6, 2022.

Table 1. County Code Sections

Code Section	Code Section title
326.18	Use of Motorcycle, Motor scooter, and Motor Vehicles
15.08.185	Skateboard
15.08.200	Vehicle
15.52.030	Pedestrians and Bicyclists – Roadway crossing restrictions
15.54.010	Skateboards – Prohibited on greater than three-percent grade
15.54.020	Roller skates – Prohibited on greater than three-percent grade
15.54.030	Wheeled Devices – Prohibited on greater than three-percent grade or in excess of ten miles per hour
15.76.080	Driving or riding vehicles on sidewalk
15.76.090	Riding on bicycle or motorcycle handlebars
15.76.100	Clinging to moving vehicles prohibited
17.04.1300	Skateboard parks – Skateboard equipment
17.04.412	Dog Off-Leash Area Rules and Regulations
17.04.1310	Skateboard Parks – Skateboard Equipment
17.12.230	Motor vehicle restrictions
17.12.240	Bicycle Paths
17.20.010	Skateboarding and roller skating prohibited
19.12.1340	Bicycle and motorcycles

326.18 – Use of Motorcycle, Motor Scooter, and Motor Vehicles

No person shall operate any motorcycle, motor scooter, or motor vehicle, except upon clearly established public or private roads within any wildfire risk area without first having secured a permit to do so from the fire code official. No such permit shall be issued unless written permission from the property owner is first presented.

15.08.185 – Skateboard

Skateboard means any board or any other object containing a flat surface which has wheels attached to it by any means whatsoever and which is designed to be or can be ridden or propelled by one or more persons standing, lying, sitting, or kneeling upon it. (Ord. 2018-0030 § 1, 2018: Ord. 12259 § 1, 1980: Ord. 6544 Ch. 1 Art. 2 § 1222, 1954.)

15.08.200 – Vehicle

Vehicle means every device or animal by which any person or property is or may be transported or drawn upon a street or highway, excepting devices moved by human power or used exclusively upon rails. (Ord. 6544 Ch. 1 Art. 2 § 1221, 1954.)

15.52.030 – Pedestrians and Bicyclists-Roadway Crossing Restrictions

The commissioner may place signs where it has been determined that conditions of vehicular and pedestrian or bicycle traffic are such that a traffic hazard would exist if pedestrians or bicyclists were permitted to cross the roadway at these locations directing that pedestrians and bicyclist shall not cross at a location so indicated. (Ord. 10840 § 1, 1974: Ord. 9113 § 1, 1966: Ord. 6881 § 2 (part), 1956: Ord. 6544 Ch. 2 Art. 2 § 2204, 1954.)

15.54.010 – Skateboards-Prohibited on Greater than Three-Percent Grade

No person shall ride on or propel any skateboard, as defined in Section 15.08.185, on any county road, street, highway, lane or alley which has a grade in excess of three percent, nor shall any person ride on or propel any skateboard on any county road, street, highway, lane or alley in excess of 10 miles per hour. (Ord. 12259 § 2, 1980: Ord. 6544 Ch. 1 Art. 4 § 1404.1, 1954.)

15.54.020 – Roller Skates-Prohibited on Greater than Three-Percent Grade

No person shall, while wearing roller skates or other similar wheeled devices attached to his or her feet, travel on any county road, street, highway, lane or alley which has a grade in excess of three percent, nor shall any person, while wearing roller skates or other similar wheeled devices attached to his or her feet, travel on any county road, street, highway, lane or alley in excess of 10 miles per hour. (Ord. 12259 § 3, 1980: Ord. 6544 Ch. 1 Art. 4 § 1404.2, 1954.)

15.52.070 – Bicycle Lanes-Pedestrians Prohibited

A pedestrian shall not walk upon a bicycle lane, except to cross, where such lane has been posted with appropriate signs or markings pursuant to Section 15.52.060. (Ord. 10985 § 2, 1974: Ord. 6544 Ch. 1 Art. 4 § 1401.52, 1954.)

15.54.030 – Wheeled Devices-Prohibited on Greater than Three-Percent Grade or in Excess of Ten Miles Per Hour

A. No person shall ride on or propel any wheeled device, except a motor vehicle as defined in California Vehicle Code Section 415; a bicycle as defined in California Vehicle Code Section 231; or a self-propelled wheelchair, motorized tricycle, or motorized quadricycle, if operated by a person who, by reason of physical disability, is

otherwise unable to move about as a pedestrian, on any County road, street, highway, lane, or alley which has a grade in excess of three percent. B. No person shall ride on or propel any wheeled device, except a motor vehicle as defined in California Vehicle Code Section 415; a bicycle as defined in California Vehicle Code Section 231; or a self-propelled wheelchair, motorized tricycle, or motorized quadricycle, if operated by a person who, by reason of physical disability, is otherwise unable to move about as a pedestrian, on any County road, street, highway, lane, or alley in excess of 10 miles per hour.(Ord. 2018-0030 § 2, 2018.)

15.76.080 – Driving or Riding Vehicles on Sidewalk

A person shall not operate any bicycle or any vehicle or ride any animal on any sidewalk or parkway except at a permanent or temporary driveway or at specific locations thereon where the commissioner finds that such locations are suitable for, and has placed appropriate signs and/or markings permitting such operation or riding. (Ord. 11149, 1975: Ord. 7033 § 1, 1956: Ord. 6544 Ch. 1 Art. 4 § 1401, 1954.)

15.76.090 – Riding on Bicycle or Motorcycle Handlebars

The operator of a bicycle or motorcycle shall not carry any other person upon the handlebars of such bicycle or motorcycle. A person shall not ride upon the handlebars of any bicycle or motorcycle. (Ord. 6544 Ch. 1 Art. 4 § 1402, 1954.)

15.76.100 – Clinging to Moving Vehicles Prohibited

A person operating, riding, or traveling upon any bicycle, motorcycle, toy vehicle, or other moving device of any nature whatever on any public highway shall not cling to or attach himself to, or his vehicle or device to, any other moving vehicle or streetcar.

17.04.412 – Dog Off-Leash Area Rules and Regulations

It shall be a violation of this section to violate any of the following rules and regulations:
Z. Bicycles, rollerblades, roller skates, skateboards, strollers, and similar items are not permitted in any Dog Off-Leash Areas. Wheelchairs and other aids for the disabled are permitted. (Ord. 2017-0020 § 4, 2017.)

17.04.1300 – Skateboard Parks-Skateboard Equipment

Any person riding a skateboard at a skateboard park owned or operated by the county, that is designed and maintained for the purpose of recreational skateboard use, must wear a helmet, elbow pads, and knee pads. (Ord. 2002-0002 § 1, 2002)

17.04.1310 – Skateboard Parks-In-line Skating Equipment

Any person using in-line skates at a skateboard park owned or operated by the county, that is designed and maintained for the purpose of recreational skateboard and/or in-line skate use, must wear a helmet, elbow pads, and knee pads. (Ord. 2002-0002 § 1, 2002)

17.20.010 – Skateboarding and Roller Skating Prohibited

No person shall use or operate any skateboard or roller skates on county property at the following locations, except in areas designated for such purposes by the director of the county department having jurisdiction thereof: A. The Los Angeles County Superior Court at 200 West Compton Boulevard, Compton, California; B. The Compton Branch of the County Public Library at 240 West Compton Boulevard, Compton, California. (Ord. 2001-0015 § 1 (part), 2001.)

17.12.230 – Motor Vehicle Restrictions

If the Director finds that at certain times, or under specified restrictions, or at designated places a person can so operate a motor vehicle so as to not interfere in any way with the use of any beach, he may grant such person permission so to operate such motor vehicle. Otherwise, a person shall not bring to or operate on any beach any motor vehicle except as permitted by the Director, and subject to all of the conditions which are a part of such permission. If permission to operate a motor vehicle is granted, a person shall park such motor vehicle only in those areas designated by the director for parking. (Ord. 2012-0005 § 32, 2012: Ord. 2007-0071 § 4, 2007: Ord. 9767 Art. 3 § 44, 1969.)

17.12.240 – Bicycle Paths

The Director, or the Director of the County Department of Public Works, may from time to time designate, by sign or postings, certain areas to be used exclusively by persons riding bicycle upon bicycle lanes or paths set aside for that use on the beach. (Ord. 2012-0005 § 34, 2012: Ord. 85-0206 § 3, 1985: Ord. 11028 § 1, 1974: Ord. 9767 Art. 3 § 44A, 1969.)

(PART 9 Marina Del Rey) 19.12.1340 – Bicycle and Motorcycles

A. Confined to Roads. No person shall ride a bicycle or motorcycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any area normally reserved for pedestrian use.

B. Immobile. No person shall leave a bicycle or motorcycle lying on the ground or pavings, or set against a building or tree, or in any place or position that may cause a person to trip over or be injured by it.

C. Bicycle Paths. The Director or the Director of the County Department of Public Works may from time to time designate, by sign or postings, certain areas to be used exclusively by persons riding bicycle upon bicycle lanes or paths set aside for that use in Marina del Rey. (Ord. 2012-0006 § 23, 2012: Ord. 9359 Art. 9 § 913(a)(5), 1967.)

Attachment 3

California Vehicle Code Sections Related to Human-Powered Transportation and Micromobility

California Vehicle Code sections that pertain to human-powered transportation and micromobility are listed in Table 1. The full text of these code sections follows and are accurate as of December 6, 2022.

Table 1. California Vehicle Code Sections

Code Section	Code Section description
313	Definition of electric personal assistive mobility devices
313.5	Definition of electrically motorized boards
467.5	Definition of a pedicab
670	Definition of a vehicle
12500	Licensing requirements
12509.5	Licensing requirements to drive various devices equipped with motors, including bicycles
12804.9	Licensing requirements, including a Class C to use a motorized scooter
21113 (f)(g)	Flexibility to transit board and public agencies on their public property
21200	Rights and provisions applicable to a person riding a bicycle and operating a pedicab
21200.5	Unlawful to ride a bicycle on a highway under the influence of alcohol or drugs
21201	Bicycle safety requirements, including brakes, lights seats, reflectors, among others
21202	Requirements to operate a bicycle in direction of traffic
21203	Prohibition on attaching various devices to street cars and vehicles
21204	Seat requirements for bicycle operator and passenger
21205	One-hand on handlebars requirement when carrying articles on bicycles
21207	Local control to establish bike lanes
21207.5	Class 3 e-Bike ban and local flexibility to ban Class 1 or 2 e-Bikes on various facilities
21208	Requirements of bicycle riders when a bicycle lane is present
21209	Prohibitions on driving and parking in a bicycle lane
21210	Requirements on leaving a bicycle on the sidewalk
21211	Prohibitions on parking devices and loitering upon class I bikeways
21212	Helmet requirement for people under 18 years of age
21213	Age and helmet requirement for Class 3 e-Bikes
21215	Requirements for operating pedicabs
21221	Rights and provisions applicable to a person riding a motorized scooter
21221.5	Unlawful to operate a motorized scooter under the influence of alcohol or drugs

21223	Motorized scooter safety requirements, including brakes, lights seats, reflectors, among others
21224	Exemptions of various provisions of the CVC for motorized scooters
21225	Flexibility to local authorities in regulating the registration of motorized scooters
21227	Design requirements for motorized scooters
21228	Requirements for operating a motorized scooter on a highway
21229	Requirements for operating a motorized scooter in a bicycle lane
21230	Allowance of motorized scooters on various bike facilities unless prohibited by local authority
21325	Requirements of motorized scooter operators, including equipment, helmets, and licensing, among others
21281	Design requirements for EPAMD
21281.5	Restrictions around where an EPAMD can be operated
21282	Flexibility to local authorities in regulating the operation of EPAMDs
21291	Age requirement of 16 years or older to operate an electrically motorized board
21292	Helmet requirement when operating an electrically motorized board
21293	Electrically motorized board safety requirements, including lights and reflectors, among others
219294	Restrictions on where an electrically motorized board can be operated
21296	Unlawful to operate an electrically motorized board under the influence of alcohol or drugs
21949	State policy for all levels of government to advance safe and convenient pedestrian travel
21960	Flexibility to prohibit various modes on freeways and expressways
21966	Prohibitions around walking along a bicycle path or lane
21967	Flexibility to local authorities to prohibit skateboarding and other devices
21968	Prohibitions on motorized skateboard use on various facilities
22411	Unlawful to operate a motorized scooter in excess of 15 miles per hour
23330	Allowance of bicycles and other modes at vehicular crossings

313

The term electric personal assistive mobility device or EPAMD means a self-balancing, nontandem two-wheeled device, that is not greater than 20 inches deep and 25 inches wide and can turn in place, designed to transport only one person, with an electric propulsion system averaging less than 750 watts (1 horsepower), the maximum speed of which, when powered solely by a propulsion system on a paved level surface, is no more than 12.5 miles per hour.

313.5

An electrically motorized board is any wheeled device that has a floorboard designed to be stood upon when riding that is not greater than 60 inches deep and 18 inches wide, is

designed to transport only one person, and has an electric propulsion system averaging less than 1,000 watts, the maximum speed of which, when powered solely by a propulsion system on a paved level surface, is no more than 20 miles per hour. The device may be designed to also be powered by human propulsion.

(Added by Stats. 2015, Ch. 777, Sec. 1. (AB 604) Effective January 1, 2016.)

385.5

(a) A low-speed vehicle is a motor vehicle that meets all of the following requirements:

- (1) Has four wheels.
- (2) Can attain a speed, in one mile, of more than 20 miles per hour and not more than 25 miles per hour, on a paved level surface.
- (3) Has a gross vehicle weight rating of less than 3,000 pounds.

(b)

- (1) For the purposes of this section, a low-speed vehicle is not a golf cart, except when operated pursuant to Section 21115 or 21115.1.

(2) A low-speed vehicle is also known as a neighborhood electric vehicle.

(Amended by Stats. 2006, Ch. 66, Sec. 1. Effective July 12, 2006.)

467.5

Pedicab means any of the following:

(a) A bicycle, including an electric bicycle, that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by a person, and that is being used for transporting passengers for hire.

(b) A bicycle, including an electric bicycle, that pulls a trailer, sidecar, or similar device, that transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, that is operated by a person, and that is being used for transporting passengers for hire.

(c) A four-wheeled device that is primarily or exclusively pedal-powered, has a seating capacity for eight or more passengers, cannot travel in excess of 15 miles per hour, and is being used for transporting passengers for hire. A pedicab defined under this subdivision is subject to the requirements of Article 4.5 (commencing with Section 21215) of Chapter 1 of Division 11.

(Amended by Stats. 2021, Ch. 311, Sec. 3. (SB 814) Effective January 1, 2022.)

670

A vehicle is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks. (Amended by Stats. 1975, Ch. 987.)

12500

(a) A person may not drive a motor vehicle upon a highway, unless the person then holds a valid driver's license issued under this code, except those persons who are expressly exempted under this code.

(b) A person may not drive a motorcycle, motor-driven cycle, or motorized bicycle upon a highway, unless the person then holds a valid driver's license or endorsement issued under this code for that class, except those persons who are expressly exempted under this code, or those persons specifically authorized to operate motorized bicycles or motorized scooters with a valid driver's license of any class, as specified in subdivision (h) of Section 12804.9.

(c) A person may not drive a motor vehicle in or upon any offstreet parking facility, unless the person then holds a valid driver's license of the appropriate class or certification to operate the vehicle. As used in this subdivision, "offstreet parking facility" means any offstreet facility held open for use by the public for parking vehicles and includes any publicly owned facilities for offstreet parking, and privately owned facilities for offstreet parking where no fee is charged for the privilege to park and which are held open for the common public use of retail customers.

(d) A person may not drive a motor vehicle or combination of vehicles that is not of a type for which the person is licensed.

(e) A motorized scooter operated on public streets shall at all times be equipped with an engine that complies with the applicable State Air Resources Board emission requirements.

(Amended by Stats. 2007, Ch. 630, Sec. 3. Effective January 1, 2008.)

12509.5

(a) A person shall obtain an instruction permit issued pursuant to this section before operating or being issued a class M1 or M2 driver's license to operate, a two-wheel motorcycle, motor-driven cycle, motorized bicycle, moped, or bicycle with an attached motor. The person shall meet the following requirements to obtain an instruction permit for purposes of this section:

(1) If age 15 years and 6 months or older, but under the age of 18 years, the applicant shall meet all of the following requirements:

(A) Have a valid class C license or complete driver education and training pursuant to paragraph (3) of subdivision (a) of Section 12814.6.

(B) Successfully complete a motorcyclist safety program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.

(C) Pass the motorcycle driver's written exam.

(2) If 18 years of age or older, but under 21 years of age, the applicant shall meet both of the following requirements:

(A) Successfully complete a motorcyclist safety program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.

(B) Pass the motorcycle driver's written exam.

(3) If 21 years of age or older, pass the motorcycle driver's written exam.

(b) A person described in paragraph (1) or (2) of subdivision (a) shall hold an instruction permit issued pursuant to this section for a minimum of six months before being issued a class M1 or M2 license.

(c) A person issued an instruction permit pursuant to this section shall not operate a two-wheel motorcycle, motor-driven cycle, motorized bicycle, moped, or bicycle with an attached motor during the hours of darkness, shall stay off any freeways that have full control of access and have no crossings at grade, and shall not carry any passenger except an instructor licensed under Chapter 1 (commencing with Section 11100) of Division 5 or a qualified instructor as defined in Section 41907 of the Education Code.

(d) An instruction permit issued pursuant to this section shall be valid for a period not exceeding 24 months from the date of application.

(e) The department may perform, during regularly scheduled computer system maintenance and upgrades, any necessary software updates related to the changes made by the addition, during the 2009–10 Regular Session, of this section.

(Amended by Stats. 2019, Ch. 636, Sec. 6. (AB 1810) Effective January 1, 2020.)

12804.9

(b) In accordance with the following classifications, an applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(3) Class C includes the following:

- (I) A motorized scooter.
- (K) Class C does not include a two-wheel motorcycle or a two-wheel motor-driven cycle.
- (H) Firefighting equipment, provided that the equipment is operated by a person who holds a firefighter endorsement pursuant to Section 12804.11.

(4) Class M1. A two-wheel motorcycle or a motor-driven cycle. Authority to operate a vehicle included in a class M1 license may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination.

(5)

(A) Class M2 includes a motorized bicycle or moped, or a bicycle with an attached motor, except an electric bicycle as described in subdivision (a) of Section 312.5.

(B) Authority to operate vehicles included in class M2 may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination. Persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination.

(i) A person under 21 years of age shall not be issued a class M1 or M2 license or endorsement unless the person provides evidence satisfactory to the department of completion of a novice motorcycle safety training program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.

(Amended by Stats. 2021, Ch. 610, Sec. 1. (SB 287) Effective January 1, 2022. Repealed as of January 1, 2027, by its own provisions. See later operative version as added by Sec. 2 of Stats. 2021, Ch. 610.)

21200

(a) (1) A person riding a bicycle or operating a pedicab upon a highway has all the rights and is subject to all the provisions applicable to the driver of a vehicle by this division, including, but not limited to, provisions concerning driving under the influence of alcoholic beverages or drugs, and by Division 10 (commencing with Section 20000), Section 27400, Division 16.7 (commencing with Section 39000), Division 17 (commencing with Section 40000.1), and Division 18 (commencing with Section 42000), except those provisions which by their very nature can have no application.

(2) A person operating a bicycle on a Class I bikeway, as defined in subdivision (a) of Section 890.4 of the Streets and Highways Code, has all the rights and is subject to all the provisions applicable to the driver of a vehicle pursuant to Section 20001, except those provisions which by their very nature can have no application.

21200.5

Notwithstanding Section 21200, it is unlawful for any person to ride a bicycle upon a highway while under the influence of an alcoholic beverage or any drug, or under the

combined influence of an alcoholic beverage and any drug. Any person arrested for a violation of this section may request to have a chemical test made of the person's blood, breath, or urine for the purpose of determining the alcoholic or drug content of that person's blood pursuant to Section 23612, and, if so requested, the arresting officer shall have the test performed. A conviction of a violation of this section shall be punished by a fine of not more than Two Hundred Fifty Dollars and 00/100 (\$250.00). Violations of this section are subject to Section 13202.5.

(Amended by Stats. 1999, Ch. 22, Sec. 17. Effective May 26, 1999.)

21201

(a) No person shall operate a bicycle on a roadway unless it is equipped with a brake that will enable the operator to make one braked wheel skid on dry, level, clean pavement.

(b) No person shall operate on the highway a bicycle equipped with handlebars so raised that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.

(c) No person shall operate upon a highway a bicycle that is of a size that prevents the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner.

(d) A bicycle operated during darkness upon a highway, a sidewalk where bicycle operation is not prohibited by the local jurisdiction, or a bikeway, as defined in Section 890.4 of the Streets and Highways Code, shall be equipped with all of the following:

(1) A lamp emitting a white light that, while the bicycle is in motion, illuminates the highway, sidewalk, or bikeway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle.

(2) A red reflector or a solid or flashing red light with a built-in reflector on the rear that shall be visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(3) A white or yellow reflector on each pedal, shoe, or ankle visible from the front and rear of the bicycle from a distance of 200 feet.

(4) A white or yellow reflector on each side forward of the center of the bicycle, and a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles that are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors.

The reflectors and reflectorized tires shall be of a type meeting requirements established by the department.

(e) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the bicycle, may be used in lieu of the lamp required by paragraph (1) of subdivision (d).

(Amended by Stats. 2015, Ch. 549, Sec. 2. (AB 28) Effective January 1, 2016.)

21202

(a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

(1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.

(2) When preparing for a left turn at an intersection or into a private road or driveway.

(3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

(4) When approaching a place where a right turn is authorized.

(b) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of that roadway as practicable.

(Amended by Stats. 1996, Ch. 674, Sec. 4. Effective January 1, 1997.)

21203

No person riding upon any motorcycle, motorized bicycle, bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any streetcar or vehicle on the roadway.

(Amended by Stats. 1981, Ch. 813, Sec. 11.)

21204

(a) A person operating a bicycle upon a highway shall not ride other than upon or astride a permanent and regular seat attached thereto unless the bicycle was designed by the manufacturer to be ridden without a seat.

(b) An operator shall not allow a person riding as a passenger, and a person shall not ride as a passenger, on a bicycle upon a highway other than upon or astride a separate seat attached thereto. If the passenger is four years of age or younger, or weighs 40 pounds or less, the seat shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.

(Amended by Stats. 2009, Ch. 594, Sec. 1. (SB 527) Effective January 1, 2010.)

21205

No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars.

(Added by Stats. 1963, Ch. 479.)

21207

(a) This chapter does not prohibit local authorities from establishing, by ordinance or resolution, bicycle lanes separated from any vehicular lanes upon highways, other than state highways as defined in Section 24 of the Streets and Highways Code and county highways established pursuant to Article 5 (commencing with Section 1720) of Chapter 9 of Division 2 of the Streets and Highways Code.

(b) Bicycle lanes established pursuant to this section shall be constructed in compliance with Section 891 of the Streets and Highways Code.

(Amended by Stats. 1993, Ch. 517, Sec. 4. Effective January 1, 1994.)

21207.5

(a) Notwithstanding Sections 21207 and 23127 of this code, or any other law, a motorized bicycle or class 3 electric bicycle shall not be operated on a bicycle path or trail, bikeway, bicycle lane established pursuant to Section 21207, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or the governing body of a public agency having jurisdiction over the path or trail permits, by ordinance, that operation.

(b) The local authority or governing body of a public agency having jurisdiction over a bicycle path or trail, equestrian trail, or hiking or recreational trail, may prohibit, by ordinance, the operation of a class 1 or class 2 electric bicycle on that path or trail.

(Amended by Stats. 2015, Ch. 568, Sec. 5. (AB 1096) Effective January 1, 2016.)

21208

(a) Whenever a bicycle lane has been established on a roadway pursuant to Section 21207, any person operating a bicycle upon the roadway at a speed less than the normal

speed of traffic moving in the same direction at that time shall ride within the bicycle lane, except that the person may move out of the lane under any of the following situations:

- (1) When overtaking and passing another bicycle, vehicle, or pedestrian within the lane or about to enter the lane if the overtaking and passing cannot be done safely within the lane.
- (2) When preparing for a left turn at an intersection or into a private road or driveway.
- (3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.
- (4) When approaching a place where a right turn is authorized.

(b) No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal in the manner provided in Chapter 6 (commencing with Section 22100) in the event that any vehicle may be affected by the movement.

(Amended by Stats. 1996, Ch. 674, Sec. 5. Effective January 1, 1997.)

21209

(a) No person shall drive a motor vehicle in a bicycle lane established on a roadway pursuant to Section 21207 except as follows:

- (1) To park where parking is permitted.
- (2) To enter or leave the roadway.
- (3) To prepare for a turn within a distance of 200 feet from the intersection.

(b) This section does not prohibit the use of a motorized bicycle in a bicycle lane, pursuant to Section 21207.5, at a speed no greater than is reasonable or prudent, having due regard for visibility, traffic conditions, and the condition of the roadway surface of the bicycle lane, and in a manner which does not endanger the safety of bicyclists.

(Amended by Stats. 1988, Ch. 262, Sec. 1.)

21210

No person shall leave a bicycle lying on its side on any sidewalk, or shall park a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Local authorities may, by ordinance or resolution, prohibit bicycle parking in designated areas of the public highway, provided that appropriate signs are erected.

(Added by Stats. 1976, Ch. 751.)

21211

(a) No person may stop, stand, sit, or loiter upon any class I bikeway, as defined in subdivision (a) of Section 890.4 of the Streets and Highways Code, or any other public or private bicycle path or trail, if the stopping, standing, sitting, or loitering impedes or blocks the normal and reasonable movement of any bicyclist.

(b) No person may place or park any bicycle, vehicle, or any other object upon any bikeway or bicycle path or trail, as specified in subdivision (a), which impedes or blocks the normal and reasonable movement of any bicyclist unless the placement or parking is necessary for safe operation or is otherwise in compliance with the law.

(c) This section does not apply to drivers or owners of utility or public utility vehicles, as provided in Section 22512.

(d) This section does not apply to owners or drivers of vehicles who make brief stops while engaged in the delivery of newspapers to customers along the person's route.

(e) This section does not apply to the driver or owner of a rubbish or garbage truck while actually engaged in the collection of rubbish or garbage within a business or residence district if the front turn signal lamps at each side of the vehicle are being flashed simultaneously and the rear turn signal lamps at each side of the vehicle are being flashed simultaneously.

(f) This section does not apply to the driver or owner of a tow vehicle while actually engaged in the towing of a vehicle if the front turn signal lamps at each side of the vehicle are being flashed simultaneously and the rear turn signal lamps at each side of the vehicle are being flashed simultaneously.

(Amended by Stats. 2001, Ch. 127, Sec. 7. Effective July 30, 2001.)

21212

(a) A person under 18 years of age shall not operate a bicycle, a nonmotorized scooter, or a skateboard, nor wear in-line or roller skates, nor ride upon a bicycle, a nonmotorized scooter, or a skateboard as a passenger, upon a street, bikeway, as defined in Section 890.4 of the Streets and Highways Code, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

(b) A helmet sold or offered for sale for use by operators and passengers of bicycles, nonmotorized scooters, skateboards, or in-line or roller skates shall be conspicuously labeled in accordance with the standard described in subdivision (a), which shall

constitute the manufacturer's certification that the helmet conforms to the applicable safety standards.

(c) A person shall not sell, or offer for sale, for use by an operator or passenger of a bicycle, nonmotorized scooter, skateboard, or in-line or roller skates any safety helmet that is not of a type meeting requirements established by this section.

(d) A charge under this section shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under this section, unless it is otherwise established in court that the charge is not the first charge against the person.

(e)

(1) Except as provided in subdivision (d), a violation of this section is an infraction punishable by a fine of not more than Twenty-Five Dollars and 00/100 (\$25.00).

(2) The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this subdivision.

(f) A record of the action shall not be transmitted to the court and a fee shall not be imposed pursuant to Section 40611 upon a citation for not wearing a properly fitted and fastened bicycle helmet pursuant to subdivision (a) if the parent or legal guardian of the person described in subdivision (a) delivers proof to the issuing agency within 120 days after the citation was issued that the person has a helmet meeting the requirements specified in subdivision (a) and the person has completed a local bicycle safety course or a related safety course, if one is available, as prescribed by authorities in the local jurisdiction.

(g) Notwithstanding Section 1463 of the Penal Code or any other law, the fines collected for a violation of this section shall be allocated as follows:

(1) Seventy-two and one-half percent of the amount collected shall be deposited in a special account of the county health department, to be used for bicycle, nonmotorized scooter, skateboard, and in-line and roller skate safety education and for assisting low-income families in obtaining approved bicycle helmets for persons under 18 years of age, either on a loan or purchase basis. The county may contract for the implementation of this program, which, to the extent practicable, shall be operated in conjunction with the child passenger restraint program pursuant to Section 27360.

(2) Two and one-half percent of the amount collected shall be deposited in the county treasury to be used by the county to administer the program described in paragraph (1).

(3) If the violation occurred within a city, 25 percent of the amount collected shall be transferred to, and deposited in, the treasury of that city. If the violation occurred

in an unincorporated area, this 25 percent shall be deposited and used pursuant to paragraph (1).

(Amended by Stats. 2019, Ch. 497, Sec. 273. (AB 991) Effective January 1, 2020.)

21213

(a) A person under 16 years of age shall not operate a class 3 electric bicycle.

(b) A person shall not operate a class 3 electric bicycle, or ride upon a class 3 electric bicycle as a passenger, upon a street, bikeway, as defined in Section 890.4 of the Streets and Highways Code, or any other public bicycle path or trail, unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities. This helmet requirement also applies to a person who rides upon a class 3 electric bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

(Added by Stats. 2015, Ch. 568, Sec. 6. (AB 1096) Effective January 1, 2016.)

21215

(a) A pedicab defined in subdivision (c) of Section 467.5 shall operate subject to all of the following requirements:

(1) The pedicab shall have a seating capacity for not more than 15 passengers.

(2) The pedicab shall be authorized by local ordinance or resolution to operate within the applicable local jurisdiction.

(3) The operator of the pedicab shall be at least 21 years of age, with a valid California driver's license.

(4) The pedicab shall be equipped with seatbelts for all passengers, seat backs, brakes, reflectors, headlights, and grab rails. The pedicab shall be inspected annually for compliance with the requirements of this paragraph by an entity designated by the local jurisdiction that authorized the pedicab to operate. The entity may charge a reasonable fee to cover the costs of the inspection. A pedicab that does not meet these requirements shall meet these requirements by January 1, 2017, in order to continue operation.

(5) The operator of the pedicab shall at all times be able to establish financial responsibility in a minimum amount of One Million Dollars and 00/100 (\$1,000,000.00) general liability insurance coverage and an additional Five Hundred Thousand Dollars and 00/100 (\$500,000.00) general umbrella insurance that covers the pedicab. The local jurisdiction that authorized the pedicab to operate may require additional proof of financial responsibility.

(6) A pedicab shall not operate on any highway under the jurisdiction of the local authority unless authorized by resolution or ordinance. A pedicab shall not operate on any freeway and shall not operate on any highway with a posted speed limit in excess of 30 miles per hour, except to cross the highway at an intersection.

(7) The operator of the pedicab shall annually report to the Department of the California Highway Patrol, commencing on January 1, 2016, any accidents caused or experienced by the pedicabs.

(8) The pedicab shall not load or unload passengers on roadways or in the middle of highways.

(9) Pedicabs shall be operated as close as practicable to the right-hand curb or edge of the roadway, except when necessary to overtake another vehicle, to avoid a stationary object, or when preparing to make a left turn.

(b) This article only applies to pedicabs defined by subdivision (c) of Section 467.5 and does not apply to pedicabs defined in subdivision (a) or (b) of Section 467.5.

(Added by Stats. 2015, Ch. 496, Sec. 2. (SB 530) Effective January 1, 2016.)

21221

Every person operating a motorized scooter upon a highway has all the rights and is subject to all the provisions applicable to the driver of a vehicle by this division, including, but not limited to, provisions concerning driving under the influence of alcoholic beverages or drugs, and by Division 10 (commencing with Section 20000), Division 17 (commencing with Section 40000.1), and Division 18 (commencing with Section 42000), except those provisions which, by their very nature, can have no application.

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21221.5

Notwithstanding Section 21221, it is unlawful for any person to operate a motorized scooter upon a highway while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug. Any person arrested for a violation of this section may request to have a chemical test made of the person's blood or breath for the purpose of determining the alcoholic or drug content of that person's blood pursuant to subdivision (d) of Section 23612, and, if so requested, the arresting officer shall have the test performed. A conviction of a violation of this section shall be punished by a fine of not more than Two Hundred Fifty Dollars and 00/100 (\$250.00).

(Amended by Stats. 2000, Ch. 287, Sec. 25. Effective January 1, 2001.)

21223

(a) Every motorized scooter operated upon any highway during darkness shall be equipped with the following:

(1) Except as provided in subdivision (b), a lamp emitting a white light which, while the motorized scooter is in motion, illuminates the highway in front of the operator and is visible from a distance of 300 feet in front and from the sides of the motorized scooter.

(2) Except as provided in subdivision (c), a red reflector on the rear that is visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(3) A white or yellow reflector on each side visible from the front and rear of the motorized scooter from a distance of 200 feet.

(b) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the motorized scooter, may be used in lieu of the lamp required by paragraph (1) of subdivision (a).

(c) A red reflector, or reflectorized material meeting the requirements of Section 25500, attached to the operator and visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of the reflector required by paragraph (2) of subdivision (a).

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21224

(a) A person operating a motorized scooter is not subject to the provisions of this code relating to financial responsibility, registration, and license plate requirements, and, for those purposes, a motorized scooter is not a motor vehicle.

(b) A motorized scooter is exempt from the equipment requirements in Division 12 (commencing with Section 24000), except for Sections 24003 and 27400, Article 4 (commencing with Section 27450) of Chapter 5 of Division 12, and Section 27602.

(c) Notwithstanding subdivision (b), any motorized scooter may be equipped with equipment authorized by Division 12 (commencing with Section 24000).

(d) Any motorized scooter equipped with lighting equipment that is authorized by Division 12 (commencing with Section 24000) shall meet the lighting requirements in Article 1 (commencing with Section 24250) of Chapter 2 of Division 12 for that equipment.

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21225

This article does not prevent a local authority, by ordinance, from regulating the registration of motorized scooters and the parking and operation of motorized scooters on pedestrian or bicycle facilities and local streets and highways, if that regulation is not in conflict with this code.

(Amended by Stats. 2004, Ch. 755, Sec. 6. Effective January 1, 2005.)

21227

(a) A motorized scooter shall comply with one of the following:

(1) Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied.

(2) Operate in a manner so that the motor is engaged through a switch or mechanism that, when released, will cause the electric motor to disengage or cease to function.

(b) It is unlawful for a person to operate a motorized scooter that does not meet one of the requirements of subdivision (a).

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21228

Any person operating a motorized scooter upon a highway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or right edge of the roadway, except under the following situations:

(a) When overtaking and passing another vehicle proceeding in the same direction.

(b) When preparing for a left turn, the operator shall stop and dismount as close as practicable to the right-hand curb or right edge of the roadway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians in Chapter 5 (commencing with Section 21950).

(c)

(1) When reasonably necessary to avoid conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes, which make it unsafe to continue along the right-hand curb or right edge of the roadway, subject to Section 21656.

(2) For the purposes of paragraph (1), a “substandard width lane” is a lane that is too narrow for a motorized scooter and another vehicle to travel safely side by side within the lane.

(d) Any person operating a motorized scooter upon a highway that carries traffic in one direction only and has two or more marked traffic lanes may operate the motorized scooter as near the left-hand curb or left edge of that roadway as practicable.

However, when preparing for a right turn, the operator shall stop and dismount as close as practicable to the left-hand curb or left edge of the highway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians in Chapter 5 (commencing with Section 21950).

(Amended by Stats. 2003, Ch. 62, Sec. 306. Effective January 1, 2004.)

21229

(a) Whenever a class II bicycle lane has been established on a roadway, any person operating a motorized scooter upon the roadway shall ride within the bicycle lane, except that the person may move out of the lane under any of the following situations:

(1) When overtaking and passing another vehicle or pedestrian within the lane or when about to enter the lane if the overtaking and passing cannot be done safely within the lane.

(2) When preparing for a left turn, the operator shall stop and dismount as close as practicable to the right-hand curb or right edge of the roadway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians in Chapter 5 (commencing with Section 21950).

(3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

(4) When approaching a place where a right turn is authorized.

(b) No person operating a motorized scooter shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal in the manner provided in Chapter 6 (commencing with Section 22100) in the event that any vehicle may be affected by the movement.

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21230

Notwithstanding any other provision of law, a motorized scooter may be operated on a bicycle path or trail or bikeway, unless the local authority or the governing body of a local

agency having jurisdiction over that path, trail, or bikeway prohibits that operation by ordinance.

(Added by Stats. 1999, Ch. 722, Sec. 5. Effective January 1, 2000.)

21235

The operator of a motorized scooter shall not do any of the following:

(a) Operate a motorized scooter unless it is equipped with a brake that will enable the operator to make a braked wheel skid on dry, level, clean pavement.

(b) Operate a motorized scooter on a highway with a speed limit in excess of 25 miles per hour unless the motorized scooter is operated within a Class II or Class IV bikeway, except that a local authority may, by ordinance or resolution, authorize the operation of a motorized scooter outside of a Class II or Class IV bikeway on a highway with a speed limit of up to 35 miles per hour. The 15 mile per hour maximum speed limit for the operation of a motorized scooter specified in Section 22411 applies to the operation of a motorized scooter on all highways, including bikeways, regardless of a higher speed limit applicable to the highway.

(c) Operate a motorized scooter without wearing a properly fitted and fastened bicycle helmet that meets the standards described in Section 21212, if the operator is under 18 years of age.

(d) Operate a motorized scooter without a valid driver's license or instruction permit.

(e) Operate a motorized scooter with any passengers in addition to the operator.

(f) Operate a motorized scooter carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.

(g) Operate a motorized scooter upon a sidewalk, except as may be necessary to enter or leave adjacent property.

(h) Operate a motorized scooter on the highway with the handlebars raised so that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.

(i) Leave a motorized scooter lying on its side on any sidewalk, or park a motorized scooter on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic.

(j) Attach the motorized scooter or himself or herself while on the roadway, by any means, to any other vehicle on the roadway.

(Amended by Stats. 2018, Ch. 552, Sec. 1. (AB 2989) Effective January 1, 2019.)

21250

For the purposes of this article, a low-speed vehicle means a vehicle as defined in Section 385.5. A “low-speed vehicle” is also known as a “neighborhood electric vehicle.”

(Amended by Stats. 2004, Ch. 422, Sec. 3. Effective January 1, 2005.)

21260

(a) Except as provided in paragraph (1) of subdivision (b), or in an area where a neighborhood electric vehicle transportation plan has been adopted pursuant to Chapter 8 (commencing with Section 1965) of Division 2.5 of the Streets and Highways Code, the operator of a low-speed vehicle shall not operate the vehicle on any roadway with a speed limit in excess of 35 miles per hour.

(b)

(1) The operator of a low-speed vehicle may cross a roadway with a speed limit in excess of 35 miles per hour if the crossing begins and ends on a roadway with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees.

(2) Notwithstanding paragraph (1), the operator of a low-speed vehicle shall not traverse an uncontrolled intersection with any state highway unless that intersection has been approved and authorized by the agency having primary traffic enforcement responsibilities for that crossing by a low-speed vehicle.

(Amended by Stats. 2018, Ch. 564, Sec. 6. (SB 1151) Effective January 1, 2019.)

21266

(a) Notwithstanding Section 21260, local authorities, by ordinance or resolution, may restrict or prohibit the use of low-speed vehicles.

(b) Notwithstanding Section 21260, a local law enforcement agency with primary traffic enforcement responsibilities or the Department of the California Highway Patrol may prohibit the operation of a low-speed vehicle on any roadway under that agency's or department's jurisdiction when the agency or the department deems the prohibition to be in the best interest of public safety. Any such prohibition shall become effective when appropriate signs giving notice thereof are erected upon the roadway.

(Added by Stats. 1999, Ch. 140, Sec. 6. Effective January 1, 2000.)

21281

Every electric personal assistive mobility device, or EPAMD, shall be equipped with the following safety mechanisms:

(a) Front, rear, and side reflectors.

(b) A system that enables the operator to bring the device to a controlled stop.

(c) If the EPAMD is operated between one-half hour after sunset and one-half hour before sunrise, a lamp emitting a white light that, while the EPAMD is in motion, illuminates the area in front of the operator and is visible from a distance of 300 feet in front of the EPAMD.

(d) A sound emitting device that can be activated from time to time by the operator, as appropriate, to alert nearby persons.

(Added by Stats. 2002, Ch. 979, Sec. 6. Effective January 1, 2003. Section operative March 1, 2003, pursuant to Section 21283 (later repealed).)

21281.5

(a) A person shall not operate an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway at a speed greater than is reasonable and prudent having due regard for weather, visibility, pedestrians, and other conveyance traffic on, and the surface, width, and condition of, the sidewalk, bike path, pathway, trail, bike lane, street, road, or highway.

(b) A person shall not operate an EPAMD at a speed that endangers the safety of persons or property.

(c) A person shall not operate an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway with willful or wanton disregard for the safety of persons or property.

(d) A person operating an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway shall yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard.

(Added by Stats. 2007, Ch. 106, Sec. 5. Effective January 1, 2008.)

21282

Notwithstanding Section 21966, for the purpose of assuring the safety of pedestrians, including seniors, persons with disabilities, and others using sidewalks, bike paths, pathways, trails, bike lanes, streets, roads, and highways, a city, county, or city and county may, by ordinance, regulate the time, place, and manner of the operation of electric personal assistive mobility devices as defined in Section 313, and their use as a pedestrian pursuant to paragraph (2) of subdivision (a) of Section 467, including limiting, prohibiting entirely in the local jurisdiction, or prohibiting use in specified areas as determined to be appropriate by local entities. State agencies may limit or prohibit the time, place, and manner of use on state property.

(Added by Stats. 2002, Ch. 979, Sec. 6. Effective January 1, 2003. Section operative March 1, 2003, pursuant to Section 21283 (later repealed).)

21291

An electrically motorized board shall be operated only by a person who is 16 years of age or older.

(Added by Stats. 2015, Ch. 777, Sec. 3. (AB 604) Effective January 1, 2016.)

21292

A person shall not operate an electrically motorized board upon a highway, bikeway, or any other public bicycle path, sidewalk, or trail, unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards described in Section 21212.

(Added by Stats. 2015, Ch. 777, Sec. 3. (AB 604) Effective January 1, 2016.)

21293

(a) Every electrically motorized board operated upon a highway during darkness shall be equipped with all of the following:

(1) Except as provided in subdivision (b), a lamp emitting a white light that, while the electrically motorized board is in motion, illuminates the highway in front of the operator and is visible from a distance of 300 feet in front of the electrically motorized board.

(2) Except as provided in subdivision (c), a red reflector on the rear that is visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(3) Except as provided in subdivision (d), a white or yellow reflector on each side that is visible from a distance of 200 feet from the sides of the electrically motorized board.

(b) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front of the electrically motorized board, may be used in lieu of the lamp required by paragraph (1) of subdivision (a).

(c) A red reflector, or reflectorizing material meeting the requirements of Section 25500, attached to the operator and visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of the reflector required by paragraph (2) of subdivision (a).

(d) A white or yellow reflector, or reflectorizing material meeting the requirements of Section 25500, attached to the operator and visible from a distance of 200 feet from the

sides of the electrically motorized board, may be used in lieu of the reflector required by paragraph (3) of subdivision (a).

(Added by Stats. 2015, Ch. 777, Sec. 3. (AB 604) Effective January 1, 2016.)

21294

(a) An electrically motorized board shall only operate upon a highway designated with a speed limit of 35 miles per hour or less, unless the electrically motorized board is operated entirely within a designated Class II or Class IV bikeway.

(b) A person shall not operate an electrically motorized board upon a highway, bikeway, or any other public bicycle path, sidewalk, or trail, at a speed in excess of 15 miles per hour.

(c) Notwithstanding subdivision (b), a person shall not operate an electrically motorized board at a speed greater than is reasonable or prudent having due regard for weather, visibility, pedestrian and vehicular traffic, and the surface and width of the highway, bikeway, public bicycle path, sidewalk, or trail, and in no event at a speed that endangers the safety of any person or property.

(Amended by Stats. 2016, Ch. 86, Sec. 302. (SB 1171) Effective January 1, 2017.)

21295

The Commissioner of the California Highway Patrol shall submit a report to the Legislature, on or before January 1, 2021, to assist in determining the effect that the use of electrically motorized boards has on traffic safety. The report shall include detailed statewide traffic collision data involving electrically motorized boards, including property damage only, injury, and fatal traffic collisions. The report shall be submitted in compliance with Section 9795 of the Government Code. Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2025.

(Added by Stats. 2015, Ch. 777, Sec. 3. (AB 604) Effective January 1, 2016. Repealed as of January 1, 2025, by its own provisions.)

21296

(a) It is unlawful for a person to operate an electrically motorized board upon a highway while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug.

(b) A person arrested for a violation of this section may request to have a chemical test made of his or her blood or breath for the purpose of determining the alcoholic or drug content of that person's blood pursuant to subdivision (d) of Section 23612, and, if so requested, the arresting officer shall have the test performed.

(c) A conviction for a violation of this section shall be punished by a fine of not more than Two Hundred Fifty Dollars and 00/100 (\$250.00).

(Added by Stats. 2015, Ch. 777, Sec. 3. (AB 604) Effective January 1, 2016.)

21949

(a) The Legislature hereby finds and declares that it is the policy of the State of California that safe and convenient pedestrian travel and access, whether by foot, wheelchair, walker, or stroller, be provided to the residents of the state.

(b) In accordance with the policy declared under subdivision (a), it is the intent of the Legislature that all levels of government in the state, particularly the Department of Transportation, work to provide convenient and safe passage for pedestrians on and across all streets and highways, increase levels of walking and pedestrian travel, and reduce pedestrian fatalities and injuries.

(Added by Stats. 2000, Ch. 833, Sec. 6. Effective January 1, 2001.)

21960

The Department of Transportation and local authorities, by order, ordinance, or resolution, with respect to freeways, expressways, or designated portions thereof under their respective jurisdictions, to which vehicle access is completely or partially controlled, may prohibit or restrict the use of the freeways, expressways, or any portion thereof by pedestrians, bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle, motorized bicycle, motorized scooter, or electrically motorized board. A prohibition or restriction pertaining to bicycles, motor-driven cycles, motorized scooters, or electrically motorized boards shall be deemed to include motorized bicycles. A person shall not operate a motorized bicycle wherever that prohibition or restriction is in force. Notwithstanding any order, ordinance, or resolution to the contrary, the driver or passengers of a disabled vehicle stopped on a freeway or expressway may walk to the nearest exit, in either direction, on that side of the freeway or expressway upon which the vehicle is disabled, from which telephone or motor vehicle repair services are available.

21966

No pedestrian shall proceed along a bicycle path or lane where there is an adjacent adequate pedestrian facility.

21967

Except as provided in Section 21968, a local authority may adopt rules and regulations by ordinance or resolution prohibiting or restricting persons from riding or propelling skateboards, or electrically motorized boards, on highways, sidewalks, or roadways.

(Amended by Stats. 2015, Ch. 777, Sec. 5. (AB 604) Effective January 1, 2016.)

21968

(a) A motorized skateboard shall not be propelled on any sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or hiking or recreational trail.

(b) For purposes of this section, an electrically motorized board, as defined in Section 313.5, is not a motorized skateboard.

(Amended by Stats. 2015, Ch. 777, Sec. 6. (AB 604) Effective January 1, 2016.)

22111

All required signals given by hand and arm shall be given from the left side of a vehicle in the following manner:

(a) Left turn-hand and arm extended horizontally beyond the side of the vehicle.

(b) Right turn-hand and arm extended upward beyond the side of the vehicle, except that a bicyclist may extend the right hand and arm horizontally to the right side of the bicycle.

(c) Stop or sudden decrease of speed signal-hand and arm extended downward beyond the side of the vehicle.

(Amended by Stats. 1976, Ch. 751.)

21113(f)(g)

(f) A transit development board may adopt ordinances, rules, or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, electric bicycles, skateboards, electrically motorized boards, and roller skates on property under the control of, or any portion of property used by, the board.

(g) A public agency, including, but not limited to, the Regents of the University of California and the Trustees of the California State University, may adopt rules or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, electric bicycles, skateboards, electrically motorized boards, and roller skates on public property under the jurisdiction of that agency.

22411

No person shall operate a motorized scooter at a speed in excess of 15 miles per hour.

(Added by Stats. 1999, Ch. 722, Sec. 7. Effective January 1, 2000.)

23330

Except where a special permit has been obtained from the Department of Transportation under the provisions of Article 6 (commencing with Section 35780) of Chapter 5 of Division 15, none of the following shall be permitted on any vehicular crossing:

- (a) Animals while being led or driven, even though tethered or harnessed.
- (b) Bicycles, motorized bicycles, or motorized scooters, unless the department by signs indicates that bicycles, motorized bicycles, or motorized scooters, or any combination thereof, are permitted upon all or any portion of the vehicular crossing.
- (c) Vehicles having a total width of vehicle or load exceeding 102 inches.
- (d) Vehicles carrying items prohibited by regulations promulgated by the Department of Transportation.

(Amended by Stats. 1999, Ch. 722, Sec. 8. Effective January 1, 2000.)

Attachment 4

Discussion on Notable Code Sections Related to Human-Powered Transportation and Micromobility

Prohibitions on Human-Powered Mobility on Various County Facilities

Los Angeles County Code (County Code) and the California Vehicle Code (CVC) provide some prohibitions on where various forms of human-powered mobility can occur and provides the Road Commissioner the flexibility to impose prohibitions. Below are notable code sections that provide prohibitions:

- County Code 15.76.080: Bicycling is currently prohibited on sidewalks on County roads. However, an ordinance has been drafted to remove this prohibition, and Public Works has prepared a Board letter to place it on a future Board Agenda for adoption.
- County Code 15.52.070: Pedestrians are not allowed to walk upon a bicycle lane except when crossing the roadway on County roads. CVC 21966 allows walking upon a bike path or lane where there is not an adjacent pedestrian facility.
- CVC 21207.5: Class 3 electric bikes are not allowed on bicycle paths, trails, or bicycle lanes under State law unless the local authority makes a finding to allow.
- County Code 17.12.240: The Director of Public Works may from time-to-time designate beach bicycle lanes or paths for the exclusive use of persons riding bicycles.

Further, the Road Commissioner can restrict pedestrians at various locations in the County where a traffic hazard may exist (15.52.030), or a preferred crossing is nearby. These prohibitions are typically implemented at traffic signals or rail crossings. Beginning January 1, 2023, CVC 21451 through 21966 will be modified pursuant to Assembly Bill 2147 (2022), which limits when a peace officer can enforce these restrictions (Attachment 15).

Regarding the use of skateboards, roller skates, and wheeled devices, except bicycles or assisted devices used by a person with a disability, County Code restricts these devices on streets with a grade greater than three percent (15.54.10, 15.54.020, 15.54.030). This restriction may result in noncompliance as many County roadways exceed three percent in grade or the grade is unapparent to the public and law enforcement. Therefore, discretion would need to be utilized when enforcing this prohibition.

Additionally, State law does not allow a local authority to prohibit motorized scooter use on public roads but allows a local authority to impose regulations regarding how they are used. A local authority, however, may by ordinance regulate the time, place, and manner

of the operation of an Electric Personal Assistive Mobility Device as defined in Section 313 of the CVC (21282)

Finally, County Code bans the use of many devices in various areas to ensure public safety and maintain quality of life (e.g., dog-off-leash areas, wildfire zones, and some County facilities).

Limitations on Human-powered Mobility in Various County Facilities

Both the CVC and County Code provides regulations on how these human-powered devices, such as bicycles, scooters, and skateboards, should be operated, which requires greater discretion by the enforcing party. However, the majority of these are regulated by the CVC.

For example, under State law, bicyclists and users of micromobility devices are required to follow the rules of the road, similar to a motorist. These expectations include traveling in the appropriate direction, obeying traffic signs and signals, and not bicycling under the influence of alcohol or drugs. Under State law, users under 18 are required to wear a helmet, and State law provides up to a \$25 fine for noncompliance. Further, CVC prohibits forms of bicycling that may introduce a safety hazard, such as handlebar riding or clinging to moving vehicles.

Under State law, various mobility devices are required to have safety measures installed, including reflectors, lights, and seat(s), and State law restricts users on where these devices can be left (i.e., in the path of pedestrian travel.). It is also illegal to ride a bicycle where the handlebars are positioned such that someone's hands are above their shoulders.



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CHIEF EXECUTIVE OFFICER

Fesia A. Davenport

January 11, 2023

To: Supervisor Janice Hahn, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Kathryn Barger

From: Fesia A. Davenport 
Chief Executive Officer

**REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH IMPLEMENTATION
OF THE VISION ZERO ACTION PLAN (ITEM NO. 6, AGENDA OF AUGUST 2, 2022)**

On August 2, 2022, the Board of Supervisors (Board) adopted a motion directing the Chief Executive Office to coordinate the implementation of recommendations proposed in the June 24, 2022 Chief Executive Office (CEO) report entitled, "Decriminalizing Mobility Through Implementation Of The Vision Zero Action Plan," and also directing the Anti-Racism, Diversity and Inclusion (ARDI) Initiative to consult with representatives from the CEO Legislative Affairs and Intergovernmental Relations (LAIR) Branch, Departments of Public Health (DPH), District Attorney, Public Defender, County Counsel, Justice Care and Opportunities, Public Works (PW), and other affected County departments, to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions.

This memo provides a summarized list of updates on the above-mentioned directives. A detailed description of progress made on the implementation of the Vision Zero Action Plan to decriminalize mobility is found in Attachment I, addressing the following:

- Ongoing efforts led by County Counsel, or in consultation to explore, evaluate, and propose changes to Los Angeles County Code Titles 15 and 19;
- Progress made by PW and DPH considering factors pertaining to the safety of pedestrians and bicyclists, including plans to utilize California Office of Traffic Safety funds;



- Ongoing efforts led by ARDI to report on bicycle infraction enforcement strategies used in other jurisdictions to identify and explore legislative options that would limit searches associated with infractions, such as technical and equipment violations, proper lighting, jaywalking, and broken taillights; and
- Updates on advocacy efforts led by the LAIR Branch.

This is the second report responding to the Board's directives. The CEO established a workgroup that included the LAIR Branch, County Counsel, Office of Inspector General, Sheriff Civilian Oversight Commission, ARDI, DPH, and PW. The CEO has also engaged and received recommendations from community stakeholders as part of this process. The group convened to explore, evaluate, and recommend action that advances safety and decriminalizes pedestrian and bicycle mobility in line with the Board's motion.

The CEO will continue the coordination of this work by convening a workgroup and providing the Board with a further report in 120 days to: 1) provide updates regarding the timing and substance of any recommended proposed ordinance amendments to County Code Titles 15 and 19 to legalize bicycle riding on sidewalks; 2) report on additional enforcement strategies from other jurisdictions placing responsibility for enforcing bicycle infractions in a non-law enforcement agency; and 3) share outcomes of our consultation to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision.

Should you have any questions concerning this matter, please contact me or D'Artagnan Scorza, Ph.D., Executive Director of Racial Equity, at (213) 974-1761 or dscorza@ceo.lacounty.gov.

FAD:JMN:JFO
DS:CS:es

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Sheriff
Public Health
Public Works
Office of Inspector General
Sheriff Civilian Oversight Commission

Historical Background on Decriminalizing Mobility

A 2021 analysis conducted by the *Los Angeles Times* revealed that out of more than 44,000 bicyclists stops made by the Los Angeles County (County) Sheriff's Department (Sheriff) since 2017, 70 percent involved Latino bicyclists. According to that analysis, the stops have been used by the Sheriff as a tool to "fight crime." However, searches conducted during these stops resulted in finding illegal items just 8 percent of the time and seizing weapons less than 0.5 percent of the time. These stops also occurred at greater rates in communities of color, such as unincorporated East Los Angeles, when compared to more affluent neighborhoods throughout the County.

On November 16, 2021, the Board of Supervisors (Board) unanimously adopted a motion authored by Supervisor Solis to immediately begin implementing recommendations from the County's Vision Zero Action Plan pertaining to cycling on sidewalks and report back to the Board with an update on implementation and to prepare an ordinance to allow the safe operation of bicycles on sidewalks.

In response to the motion, the Department of Public Health (PH) reported to the Board on April 19, 2022, and the Chief Executive Office (CEO) reported on June 24, 2022. The report included a draft ordinance that would amend Title 15 to legalize riding bicycles on the sidewalk except where the Director of Public Works (PW) determined that it would be unsafe to do so, in which case, prohibitory signs would be posted. The CEO report contained recommendations for the Board's consideration.

Subsequently, on August 2, 2022, the Board adopted a motion to implement the recommendations included in these reports and to move forward with the draft ordinance. Per the motion, the Board issued a total of five (5) directives aimed at relevant departments, with the fifth directive requiring the specific departments to report back on their respective directives by December 2022.

Pursuant to the second and third directives, the CEO convened a workgroup comprised of CEO Legislative Affairs and Intergovernmental Relations Branch, County Counsel, Office of Inspector General, Sheriff Civilian Oversight Commission, the Anti-Racism, Diversity, and Inclusion (ARDI) Initiative, PH, and PW. The workgroup convened to evaluate and make recommendations on the various aspects of advancing safety and decriminalizing pedestrian and bicycle mobility.

Los Angeles County Code Titles 15 and 19

County Counsel, in consultation with ARDI, PW, PH, Office of Inspector General, Sheriff Civilian Oversight Commission, and Department of Beaches and Harbors, has evaluated sections of County Code Titles 15 and 19 and explored opportunities to decriminalize certain biking activities to mitigate the impacts of consent searches upon bicyclists. As part of this consultation, County Counsel continues to explore the feasibility of retroactive application of any ordinance amendments and potential to

forgive previous violations and any associated fines or fees. Although the implementation of recalling fines and fees involves action beyond ordinance changes, County Counsel continues to explore solutions. Additionally, Title 15 amendment recommendations from community stakeholders were received and reviewed. The outcomes of these efforts, led by County Counsel, or in consultation therewith, are as follows:

- Pursuant to first directive of the August 2, 2022 motion, PW, in collaboration with County Counsel and PH, continues to review and finalize the draft ordinance amending Title 15 as directed by the August 2, 2022, motion. PW intends to present the amended ordinance to the Board on a future agenda for consideration and adoption;
- Pursuant to the second directive of the August 2, 2022, motion which incorporated recommendations Nos. 1-6 of the CEO's June 24, 2022, report and as to the first recommendation: County Counsel continues to work with the Department of Beaches and Harbors on finalizing parallel amendments to Title 19 to remove prohibitions to bicycling on sidewalks in Marina del Rey area as overseen by the Director of Beaches and Harbors; and
- Similarly, as to the second and sixth recommendations: County Counsel continues to explore the feasibility of other recommended activities to mitigate the impacts of consent searches upon bicyclists, as well as the viability of retroactively forgiving outstanding violations and applicable fines and fees related to bicycle infractions under Title 15 or Title 19.

Mobility Safety and Plans to Use State of California Office of Traffic Safety Funds

PW has considered factors pertaining to the safety of pedestrians and bicyclists, to avoid the potential of further criminalizing bicycling while evaluating potential restrictions for bicyclists on sidewalks. Also, PH and PW explored the feasibility of using California Office of Traffic Safety (OTS) funds to enhance bicycle and pedestrian safety in partnership with non-law enforcement County departments. Key outcomes pertaining to bicycle and pedestrian mobility safety and utilization of OTS funds are as follows:

- In the event, after an evaluation is complete, that PW decides to place restrictions for bicyclists on certain portions of sidewalks, well-placed prohibition signage will be installed so sidewalk users are alerted of the prohibition. This may involve providing alternative options for bicyclists to ride their bicycles (where available) or direction to dismount their bicycle and walk;
- PW has previously used OTS funds to enhance traffic safety on roadways in the County and will continue to consider applying for appropriate grant opportunities as they arise. Additionally, PW will continue to support and

collaborate with PH in their use of any OTS funds that are awarded to them to enhance bicycle and pedestrian safety;

- PH applied and received a California OTS grant for \$150,000 to provide bicycle and pedestrian safety education and distribute safety equipment (helmets/lights/reflectors) in the unincorporated communities of East Los Angeles and Florence Firestone;
- PH anticipates hosting monthly classes in each community, distributing information through community events, and hosting evening street side outreach events to distribute lights to bicyclists that may not have them, along with safety information;
- PH is in the process of soliciting a contractor specialized in providing these services in English and Spanish;
- Programming is expected to begin in 2023, continuing until September 30, 2023, when the grant ends;
- PH anticipates continuing to pursue OTS grants to support bicycle and pedestrian safety education and distribution of safety equipment in the unincorporated communities; and
- The Sheriff had OTS funding from October 2021 until September 2022 for pedestrian and bicycle law enforcement operations. We are unable to ascertain the availability of current Sheriff OTS funding.

Enforcement in Other Jurisdictions and Legislative Options Limiting Searches

ARDI is currently consulting with PW, PH, Office of Inspector General and Sheriff Civilian Oversight Commission, to report on enforcement strategies used in other jurisdictions that place responsibility for enforcing bicycle infractions in a non-law-enforcement agency, which can lead to more equitable outcomes. Strategies to shift traffic enforcement to non-law enforcement agencies are emerging in other jurisdictions, which can help inform future County policies for traffic safety enforcement. For example, the City of Berkeley recently moved traffic enforcement from armed police to a new Department of Transportation "to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure," and to "identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations." Currently, it is recommended to further investigate additional strategies.

In response to the motion, ARDI is also in the process of convening representatives from Legislative Affairs and Intergovernmental Relations branch, PH, District Attorney, Public Defender, County Counsel, Justice Care and Opportunities Department, PW and other affected County departments to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision. Progress, outcomes, and recommendations of this consultation will inform a subsequent report to the Board.

Legislative Advocacy

On September 30, 2022, Governor Gavin Newsom completed action on legislative measures for the second year of the 2021-22 Legislative Session. This year, in response to the Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan, the County advocated in support of two key proposals to address decriminalizing mobility. The County supported AB 2147 (Ting)¹ which prohibits a peace officer from stopping a pedestrian for specified traffic infractions generally related to “jaywalking,” unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human power. The County also supported AB 2773 (Holden)² which requires a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking investigatory questions, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. These bills were signed into law by Governor Gavin Newsom and take effect January 1, 2023, and January 1, 2024, respectively.

Both the State Legislature and Congress will conclude two-year legislative terms this calendar year. The State Legislature adjourned on August 31, 2022 and convened the new legislative session on December 5, 2022. On the Federal level, due to the November 2022 midterm election, Congress is expected to have a condensed legislative schedule through the remainder of the year and is scheduled to convene the new session on January 3, 2023. For these reasons, additional proposals will not likely be introduced until the coming legislative cycles. In addition to legislative advocacy, new legislative policy recommendations to address decriminalizing mobility will be included in the recommended additions to the County’s State and Federal Legislative Agendas that will come before your Board later this month. The CEO-Legislative Affairs and Intergovernmental Relations Branch will continue to work closely with ARDI to identify and analyze advocacy opportunities to address decriminalizing mobility and will keep the Board apprised.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2147

² https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2773

Summary

CEO will continue the coordination of this work by convening a workgroup and providing the Board with a further report in 120 days to: 1) provide updates regarding the timing and substance of any recommended proposed ordinance amendments to County Code Titles 15 and 19 to legalize bicycle riding on sidewalks; 2) report on additional enforcement strategies from other jurisdictions placing responsibility for enforcing bicycle infractions in a non-law enforcement agency; and 3) share outcomes of our consultation to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision.



**Chief
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COUNTY OF LOS ANGELES

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CHIEF EXECUTIVE OFFICER

Fesia A. Davenport

May 30, 2023

To: Supervisor Janice Hahn, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Kathryn Barger

From: Fesia A. Davenport 
Chief Executive Officer
Fesia Davenport (May 30, 2023 18:28 PDT)

**REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH THE
IMPLEMENTATION OF THE VISION ZERO ACTION PLAN (ITEM NO. 6, AGENDA
OF AUGUST 2, 2022)**

On August 2, 2022, the Board of Supervisors (Board) adopted a motion directing the Chief Executive Officer to coordinate the implementation of recommendations proposed in the June 24, 2022 Chief Executive Office (CEO) report entitled, Decriminalizing Mobility Through Implementation Of The Vision Zero Action Plan, and also directing the Anti-Racism, Diversity and Inclusion (ARDI) Initiative to consult with representatives from the CEO Legislative Affairs and Intergovernmental Relations (LAIR) Branch, Los Angeles County (County) Departments of Public Health (PH), District Attorney, Public Defender, County Counsel, Justice Care and Opportunities, Public Works (PW), and other affected County departments, to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions. The motion further directed that each department engaged in this work to report back to the Board.

This memo provides an update on the progress of the above-mentioned directives, following CEO's previous report from January 11, 2023, and addresses the following: 1) status of the amendments to Los Angeles County Code (County Code) Titles 15 and 19 to decriminalize bicycle riding on sidewalks; and 2) share outcomes of our consultation to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision.



Status of Amendments to County Code Titles 15 and 19

PW, in collaboration with County Counsel and PH, commenced a full review of the draft ordinance to allow bicycle riding on sidewalks in unincorporated areas of the County, as directed by the August 2, 2022, motion. PW will place County Code Title 15 ordinance on a future Board agenda for consideration and adoption. ARDI, in consultation with County Counsel, developed language for review and consideration to minimize the effects of pretextual stops and to prevent evidence discovered or obtained as a result of a stop in violation of Title 15, from being admissible in any trial, hearing, or other proceedings. The outcome of this review was to recommend that Los Angeles Sheriff's Department (LASD) develop a policy on pretextual stops and effects similar to the City of Los Angeles Police Department.¹ ARDI has inquired with LASD about the process to explore the feasibility of a policy change.

County Counsel also worked with the Department of Beaches and Harbors (DBH) to review sections of County Code Title 19 to decriminalize bicycle riding in Marina del Rey. DBH is currently reviewing amendments to Title 19 for consideration and adoption. Contingent upon the Board's adoption of ordinance changes to Title 15, ARDI will then convene the District Attorney's Office, County Counsel, and other appropriate County departments to explore the feasibility of developing recommendations to retroactively forgive outstanding violations and applicable fines and fees related to bicycle infractions under County Code Titles 15 or 19.

Additional Legislative Advocacy

In response to the Board directive to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions for which there is not a strong causal connection to a collision, the following legislative options were considered to advance our Decriminalizing Mobility efforts:

- AB 93 (Bryan) – This bill would prohibit consent searches by peace officers without an evidence-based legal justification; and
- AB 825 (Bryan) – This bill would not allow a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway.

¹https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2022/03/3_9_22_SO_No._3_Policy_Limitation_on_Use_of_Pretextual_Stops_Established.pdf

Each Supervisor
May 30, 2023
Page 3

LAIR evaluated the bills for official County support. During March 2023, ARDI received confirmation of County support and advocacy position on State Legislation.²

Next Steps

We will continue to coordinate the implementation of the recommendations and provide an update in a subsequent report regarding: 1) amendments to County Code Title 19; and 2) assessment of the viability of retroactively forgiving outstanding violations and applicable fines and fees related to bicycle infractions under County Code Titles 15 or 19.

Should you have any questions concerning this matter, please contact me or D'Artagnan Scorza, Ph.D., Executive Director of Racial Equity, at (213) 974-1761 or dscorza@ceo.lacounty.gov.

FAD:JMN:JFO
DS:CS:es

c: Executive Office, Board of Supervisors
County Counsel
District Attorney
Sheriff
Beaches and Harbors
Justice Care and Opportunities
Public Defender
Public Health
Public Works
Office of Inspector General
Sheriff Civilian Oversight Commission

² https://file.lacounty.gov/SDSInter/ceo/legi/1139628_Sacto_033123_DecriminalizingMobility-GenderDiscrimination-FoodEquity-GIP-Attachment.pdf



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CHIEF EXECUTIVE OFFICER

Fesia A. Davenport

December 4, 2024

To: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Janice Hahn

From: Fesia A. Davenport 
Chief Executive Officer

**REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH THE
IMPLEMENTATION OF THE VISION ZERO ACTION PLAN (ITEM NO. 6,
AGENDA OF AUGUST 2, 2022)**

On August 2, 2022, the Board of Supervisors (Board) adopted a motion directing the Chief Executive Officer, through the Anti-Racism, Diversity and Inclusion (ARDI) Initiative, to coordinate the implementation of recommendations proposed in the June 24, 2022 Chief Executive Office (CEO) [report](#) entitled, "Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan" and to consult with the CEO Legislative Affairs and Intergovernmental Relations Branch, Department of Public Health (DPH), District Attorney (DA), Public Defender, County Counsel, the Justice, Care and Opportunities Department (the Alternatives to Incarceration Initiative at the time), Department of Public Works (DPW), and other affected County departments, to identify and explore legislative options that would limit searches associated with minor traffic or pedestrian infractions. The motion further directed that each department engaged in this work to report back to the Board.

Attachment I provides an update and final report on the progress of the above-mentioned directives and efforts to decriminalize mobility in alignment with the Vision Zero Action Plan including details on the following:

- Status of the amendments to County Code Titles 15 and 19;
- Efforts by ARDI to implement the Board's directives in partnership with CEO's Budget and Operations Management Branch, CEO's Legislative Affairs and Intergovernmental Relations, the Department of Beaches and Harbors, DPW, DPH, DA, the Office of Inspector General, and the Los Angeles Sheriff's Department (LASD);



Each Supervisor
December 4, 2024
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- Efforts to examine LA Superior Court data related to retroactivity and fee forgiveness for pending cases related to bicycle riding on sidewalks, and utilization of evidence gathered during consent stops;
- The visualization and mapping of bicycle stop data;
- Legislative updates; and
- Final recommendations related to retroactivity and fee forgiveness, future Title 15 and 19 language changes, creating or updating policies leading to more equitable policing, and limiting the utilization of evidence gathered during consent stops in any trial, hearing, or other proceeding.

Attachment II contains data visualizations of bicycle stops, including demographic and geographic indicators, for the period of August 2021 through July 2023. The maps, which were developed through a collaboration between ARDI, the Internal Services Department, and LASD, offer additional insight into the racial and geospatial disparity of law enforcement stops in order to increase transparency and awareness of the County's efforts to decriminalize mobility. This is the final memo reporting on the implementation of the Board's directives.

Should you have any questions concerning this matter, please contact me or D'Artagnan Scorza, Ph.D., Executive Director of Racial Equity, at (213) 974-1761 or dscorza@ceo.lacounty.gov.

FAD:JMN:CDM
DS:CS:es

Attachments

c: Executive Office, Board of Supervisors
County Counsel
District Attorney
Sheriff
Beaches and Harbors
Internal Services
Public Health
Public Works
Office of Inspector General
Sheriff Civilian Oversight Commission

Background

This report summarizes actions taken since the May 30, 2023 [report](#) and provides an update on actions taken to advance efforts to decriminalize mobility in policies related to law enforcement, pedestrian safety, bicycle riding, the utilization of various forms of micro-mobility, and address practices that have disproportionately affected Black and Latino/a/x people and communities¹ as described in the Board motion. The decriminalizing mobility workgroup focused on addressing County policies and practices that affect people using various forms of micro-mobility.² Communities relying on walking, bicycle riding, and other forms of transportation are exposed to fees, fines, and interactions with law enforcement. To meet the Board's directives, the Anti-Racism, Diversity and Inclusion (ARDI) Initiative, County Counsel, CEO's Budget and Operations Management Branch, the Legislative Affairs and Intergovernmental Relations (LAIR), the Department of Beaches and Harbors (DBH), Public Works (PW), the Department of Public Health (DPH), Los Angeles County District Attorney's Office (LADA), the Office of Inspector General (OIG), and the Los Angeles Sheriff's Department (LASD) coordinated to resolve outstanding activities.

The recommendations in this report emerged from workgroup and stakeholder meetings where ARDI collaborated with the above named departments to identify enforcement mechanisms associated with efforts to decriminalize mobility. This approach continued a process emerging from the November 16, 2021, Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan [motion](#). This motion instructed County Counsel, ARDI, the Civilian Oversight Commission and OIG to examine enforcement practices related to County residents riding bicycles and to examine whether the Los Angeles County Code and related enforcement practices are in line with County Anti-Racism and Vision Zero policies. In response to the most recent Board [motion](#) from August 2, 2022, ARDI reported on progress made and actions taken to achieve the Board's directives in the January 11, 2023, [report](#), the May 30, 2023, [report](#), and in this final report.

Through this process, ARDI and the decriminalizing mobility workgroup conducted multi-jurisdictional research, legislative analysis, reviewed County ordinances, examined related law enforcement policies and practices, and produced recommendations to coordinate the implementation of the Board directives. The workgroup also identified actions the County can take to further decriminalize mobility and improve enforcement to meet the Board's directives including:

- ARDI briefed the Board offices about the progress of this motion, and there is an interest and expectation from the Board offices that DBH will present amendments to Title 19 for Board consideration and approval to allow sidewalk bicycle riding similar to the amendments to Title 15 that PW presented to the

¹ Los Angeles Times Article, "L.A. Sheriff's deputies use minor stops to search bicyclists, with Latinos hit hardest.": <https://www.latimes.com/projects/la-county-sheriff-bike-stops-analysis/>

² Equitable Cities Report: Arrested Mobility- Barriers to walking, biking, and e-scooter use in Black communities in the United States Arrested Mobility: https://arrestedmobility.com/wp-content/uploads/2023/03/Arrested-Mobility-Report_web.pdf

Board. DBH worked with County Counsel to draft ordinance changes and intends to move forward on their efforts.

- In partnership and in alignment with OIG's recommendations on consent searches, and in communication with LASD, a broad approach was recommended to establish and adopt consent search policies to mitigate the impacts of consent searches upon bicyclists and improve pedestrian safety.
- Los Angeles Superior Court provided data related to the overall cost of fees and fines associated with sidewalk bicycle riding. This information can inform next steps to address the Board directive to explore the feasibility of retroactive enforcement of any ordinance amended to decriminalize bicycling language and applicable to any pending cases for violation of the ordinance for which individuals still owe fines and fees.
- Discussions with LADA highlighted the complexity of identifying cases where evidence was gathered through a pretextual stop. A process or policy can be established to better define and identify cases related to pretextual stops to mitigate the impacts of consent searches upon bicyclists and further decriminalize mobility.
- LASD is no longer reporting information related to bicycle stops and has transitioned to using the Racial and Identity Profiling Act (RIPA) [dashboard](#) which does not identify bicycle stops. However, LASD can make changes in the RIPA dashboard to include this information for the purpose of tracking mobility-related law enforcement stops.

To achieve the Board's directives and align with the actions identified by the decriminalizing mobility workgroup, this report presents updates on: 1) efforts related to County Code Titles 15 and 19; 2) efforts to advance equity in the built environment; 3) efforts to pursue OTS funding; 4) legislative advocacy efforts; 5) results from the analysis of bicycle stop data 6) recommendations to mitigate the impacts of consent searches; 7) recommendations to change enforcement practices; and 8) recommendations for retroactive fee forgiveness.

Update on Decriminalizing Certain Biking Practices in County Ordinances County Code Titles 15 and 19, and Advancing Equity in The Built Environment

On June 6, 2023, the Board unanimously approved amendments to County Code Title 15 presented by Public Works to allow bicycle riding on sidewalks in the unincorporated County Communities, except where prohibited by a sign. The Department of Beaches and Harbors has also finalized review of Title 19 of the County Code in collaboration with County Counsel related to bicycle riding on sidewalks in Marina del Rey. Beaches and Harbors is now advancing through internal processes toward consideration of proposed amendments to Title 19 by the Board. Although the Sheriff's Marina del Rey substation reported no instances of any related law enforcement actions, upon Board approval, the proposed amendments to Title 19 will clarify that safe bicycle riding is permitted on sidewalks in Marina del Rey.

In addition to the decriminalization of bicycle riding on sidewalks through the approved changes to Title 15, PW will install well-placed prohibition signage if after an evaluation PW decides to place restrictions for bicyclists on certain portions of

sidewalks to alert bicycle sidewalk users. As previously shared in the CEO ARDI [report](#) from January 11, 2023, this may involve providing alternative options for bicyclists to ride their bicycles (where available) or direction to dismount their bicycle and walk. Since adopting the Title 15 ordinance amendments, PW has not received any reports of issues regarding bicycling on sidewalks. ARDI has focused on advancing equity in the built environment in relation to bicycle safety as an active member of the Public Works led Los Angeles County Bicycle Master Plan (BMP) Bicycle Advisory Committee. Once updated, the BMP will serve as a guide for the development of safe and accessible bikeways and paths within unincorporated Los Angeles County and along County flood control district channels. The BMP will propose new bikeways, revisit the feasibility of unconstructed bikeways, incorporate new policies to share bikeway facilities with micro-mobility devices, and identify first/last mile bikeway improvements to further connect to transit stations and bus stops.

In partnership with community-based organizations and to create a space for dialogue among community members and County departments about bicycle riding and the built environment, ARDI is organizing screenings in all Supervisorial Districts of the film *Biking While Black*.³ The film is directed by Yolanda Davis-Overstreet, board member of the California Bicycle Coalition and Commissioner for Los Angeles County Highway Safety Commission. There will be opportunities to join in-person and virtual screenings. Each screening will have a panel discussion to address questions from attendees and present opportunities to stay engaged and informed.

Update on Progress to Mitigate Impacts of Consent Searches

ARDI has coordinated with the DA and LASD to respond to the Board directives related to consent searches. In consultation and collaboration with County Counsel and the Office of Inspector General (OIG), ARDI engaged LASD to identify policies and practices affecting bicycle riders, micromobility users, vehicle drivers, and pedestrians as they navigate through LA County communities. ARDI and OIG agree that adopting both a pretextual stop policy and a consensual search advisement to mitigate consent searches from law enforcement officers similar to an administrative order issued by the City of Los Angeles Police Department (LAPD) that requires a Consent to Search Verbal Advisement prior to a consensual search is needed.⁴ LASD will be reviewing that policy with its current monitors involved in the United States Department of Justice settlement agreement and will be reviewing it with the anticipated additional monitors that are expected to be appointed by the California Department of Justice following its investigation. Data will be used to evaluate the anticipated future LASD policies for potential future adoption. Other policies have

³ Biking While Black Film: <https://www.bikingwhileblack.com/>

⁴ OIG recommended the adoption of an advisement prior to a consensual search in its report, Reform and Oversight Efforts: Los Angeles County Sheriff's Department – October to December 2020, at pages 17 to 20, and the adoption of a policy similar to the Los Angeles Police Department's pretext stop policy in its report, Addressing Racial Disparities in Traffic Stops (March 2023).

recently been established by LASD to improve policing practices. These policies have established new parameters for the use of force and tasers.⁵

Furthermore, other collaborative efforts within LASD are taking place to promote culture change related to mobility decriminalization. ARDI has provided LASD with information about the changes to Title 15 to share with Sheriff's deputies, raise awareness that bicycle riding on sidewalks is no longer an infraction under the updated County Code, and limit the frequency of bicycle stops. LASD has shared the information about changes to Title 15 to officers in all patrol stations. To further promote cultural change around mobility law enforcement, ARDI invited LASD members to participate in the ARDI-sponsored training focused on the neuroscience of decision-making. This training is intended to provide tools to improve relationships with County residents and team members and implement practices that promote equitable outcomes. LASD invited sheriff deputies to participate in this training. ARDI will continue to promote future equity-related training with LASD as new training opportunities become available. ARDI has also engaged LASD to offer support with community engagement strategies to promote relationship-building opportunities with residents.

The importance of LASD having a consent search policy is emphasized in the [OIG report](#) titled "Reform and Oversight Efforts: Los Angeles County Sheriff's Department October to December 2020"⁶. According to the report, while consent searches are different than crime suppression stops, they have many of the same negative effects. On November 17, 2020, the Los Angeles Police Commission passed and approved an update to the existing Los Angeles Police Department (LAPD) consent search policy. The updated policy requires Los Angeles police officers to take additional steps to document and notify civilians of the search parameters before conducting what the law defines as "consensual searches."⁷ Consent searches are searches where the party being searched gives law enforcement agents' permission to conduct a search of their person or property. Consensual searches are constitutionally permissible and can be conducted without reasonable suspicion or probable cause. While the term may appear to be self-explanatory, courts have provided checks and balances as to when such a search can be done properly and when it exceeds the bounds of what is legally permissible. The onus is on the prosecution team, which includes law enforcement agents, to prove a search was consensual absent reasonable suspicion or probable cause.⁸ There are two main requirements for a consensual search to be legal: 1) the consent must be given voluntarily, and 2) the consent must be given by an individual/party with actual or implied authority over the items and/or place to

5 OIG reports that it received LASD's revised Use of Force and CEW (Taser) policies, it has not reviewed the policies to determine if OIG's comments incorporated in the revised policies.

⁶ Reform and Oversight Efforts: Los Angeles County Sheriff's Department - October to December 2020: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/27e9a79b-3d5a-43c5-a05b-ead6b6d8ce66/4thQuarter2020ReformAndOversightReport.pdf>

⁷ LAPD Chief of Police, "[01RM136_KM-C284e-20201021145746 \(lacity.org\)](#)," LAPD, November 17, 2020. (Accessed on December 14, 2020).

⁸ Bumper v. North Carolina 391 U.S. 543, 548 (1968).

be searched.⁹ The police may use ruses and deception to get consent and are under no obligation to tell a person of the right to refuse.¹⁰

In his October 27, 2020, "Interdepartmental Correspondence," LAPD's Chief of Police, Michael R. Moore, stated it was his hope by implementing such policies, his employees are better able to "communicate their investigative reasoning and actions. In doing so, officers further the Department's [LAPD's] initiatives to build trust and facilitate understanding with the community, as well as improve voluntary compliance in its enforcement efforts. Above all, greater transparency allows personnel to promote a better understanding amongst the public about actions taken by police officers and the reasons for them."¹¹ This new policy, through verbal or written advisement, requires LAPD officers to advise civilians they have an absolute right to refuse the request to search and can withdraw the consent at any time, something the law does not require. With the implementation of this policy LAPD now requires officers to capture on body-worn cameras or on Digital In-Car Video System, the officer's request to search and the civilian's answer to such a request.

In the alternative, the officer may provide the civilian a form in English and/or Spanish outlining the request for the search and must obtain a signed authorization from the civilian prior to conducting the search. While the new LAPD policy does not specifically prohibit the use of ruses or deception, the policy seemingly discourages the use of such tactics to gain consent. This level of transparency and documentation moves LAPD closer to its outlined goals of transparency and community trust. The Office of Inspector General reached out to LASD representatives to discuss whether it is considering implementing similar policies now that body-worn cameras are being distributed to all patrol deputies. LASD representatives directed the Office of Inspector General to LASD's Manual of Policies and Procedure section 3-06/200.08 – "Body Worn Cameras-Activation," which states:

Department personnel shall activate their body worn camera (BWC) prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public, including all:

- Vehicle stops;
- Pedestrian stops (including self-initiated consensual encounters);
- Calls for service;
- Code-3 responses, including vehicle pursuits;

⁹ Lemons, Bryan R., "Searching a Vehicle Without a Warrant Consent Searches," Federal Law Enforcement Training Centers.
https://www.fletc.gov/sites/default/files/imported_files/training/programs/legal-division/downloads-articles-and-faqs/research-by-subject/4th-amendment/searchingavehicle-consent.pdf.
(Accessed November 9, 2020).

¹⁰ Legal Information Institute, "Consent Searches," Cornell Law School.
<https://www.law.cornell.edu/constitution-conan/amendment-4/consent-searches#fn320> (Accessed November 9, 2020). LAPD Chief of Police, "01RM136_KM-C284e-20201021145746 (lacity.org)," LAPD, November 17, 2020.
(Accessed on December 14, 2020).

¹¹ LAPD Chief of Police, "[01RM136_KM-C284e-20201021145746 \(lacity.org\)](https://www.lapd.org/01RM136_KM-C284e-20201021145746)," LAPD, November 17, 2020, p. 1. (Accessed on December 14, 2020).

- Foot pursuits;
- Searches;
- Arrests;
- Uses of force, including any transportation of the subject;
- In-custody transports of persons who are uncooperative, belligerent, or threatening;
- Suspect, victim, and witness interviews (except as indicated below); and/or
- Any encounter with a member of the public who is or becomes uncooperative, belligerent, or otherwise hostile.

Department personnel may activate their BWC for the following reasons:

- Transportation of a member of the public; and/or
- Other investigative or enforcement activities where, in the Department member's judgment, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in documenting the incident for later investigation or review.

LASD's Manual of Policies and Procedure section 5-09/520.05, "Stops, Seizures, and Searches," states, "[d]epartment members shall not conduct arbitrary searches. The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual."

These policies require employees who are outfitted with body-worn cameras to turn them on when conducting searches. However, unlike the LAPD policy, the LASD policy does not require the consent to be captured and preserved in a video or in writing. It also does not require its employees to advise civilians of the parameters of the search, the right to refuse such searches, or the right to withdraw consent at any time during the search. LAPD policy explicitly details what its employees must say to civilians when conducting a consent. By specifying that the officer must state the place or items to be searched, by narrating the search as it is being conducted, and advising civilians they have a right to refuse, LAPD policy moves one step closer to the goal of transparency and building trust between its officers and the communities they serve. By documenting consent searches and obtaining written authorization or capturing it via video, it is also protecting its employees from potential baseless claims that consent was never given.

OIG's analysis of the updated consent policy implemented by LAPD and LASD's Manual of Policies and Procedure sections 3-06/200.08 and 5-09/520.05 informs the recommendations for LASD. The utilization of BWCs, written documentation with detailed records of the consent process, as well as requiring law enforcement agents to inform community residents about their rights during a consent search would increase transparency and help build trust. To successfully implement these practices, LASD will need to develop and socialize new policies to advance equity in policing practices.

OTS Funding Updates

The CEO ARDI report from January 11, 2023, provided information about OTS funding received by DPH to provide bicycle and pedestrian safety education and distribute safety equipment (helmets/lights/reflectors) in the unincorporated communities of East Los Angeles and Florence Firestone in 2023. DPH has continued these efforts by also receiving OTS funds for Fiscal Year (FY) 2023-2024. This funding has been used for an expansion of the program and to hire a Safe Routes for Seniors coordinator. The program now serves the communities of Florence Firestone, East Los Angeles, Willowbrook/West Rancho Dominguez, and Westmont/West Athens. The Safe Routes for Seniors program kicked off in Florence Firestone with a Health and Transportation Expo in May 31, 2024. DPH continues to pursue additional OTS funds to advance bicycle and pedestrian safety by applying for the FY 2024-2025 grant cycle.

Updates on Efforts to Change Enforcement Practices

In addition to the consultation and collaboration between County Counsel, OIG, ARDI, and LASD to promote equitable law enforcement practices and discuss the need to adopt a consent stop policy, ARDI has previously reported in the January 11, 2023 [report](#) on enforcement practices from other jurisdictions that can help inform future County policies for traffic safety enforcement. For example, the City of Berkeley recently has stated its vision establish the country's first civilian-led traffic enforcement unit by moving traffic enforcement from armed police to a new Department of Transportation to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and to identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations."¹²

According to legal scholar, Jordan Blair Woods, who established an extensive framework for civilian traffic enforcement, the implementation of unarmed, civilian-led traffic enforcement would involve: 1) establishing the types of traffic stops police officers will continue to perform such as stops for outstanding felony warrants and felony vehicle stops traffic monitors; 2) establishing traffic agencies that function independently from police departments that employs traffic monitors, that in case of more serious traffic violations or criminal offenses would request police assistance; and 3) reevaluating and trimming existing traffic codes.¹³

Updates on Retroactive Fee Forgiveness and Utilization of Evidence Gathered During a Pretextual Stop

In response to the Board's directives, ARDI has undertaken a comprehensive review of the policies and the fiscal implications of forgiving fines and fees for bicycle riding

¹² Civilian Traffic Enforcement in Berkeley: Is it Possible? <https://law.stanford.edu/2023/05/31/civilian-traffic-enforcement-in-berkeley-is-it-possible/>

¹³ Traffic Without the Police: <https://review.law.stanford.edu/wp-content/uploads/sites/3/2021/06/Woods-73-Stan.-L.-Rev.-1471.pdf>

on sidewalks. To produce this analysis, ARDI partnered with the CEO's Budget and Operations Management Branch to submit a data request to the Los Angeles Superior Court to access information about the number of violations of code section 15.76.080 for riding bicycles on sidewalks. Upon data review, it was found that there were 201 tickets issued by LASD in unincorporated areas since 2017 for this infraction. ARDI examined the number of citations with outstanding fees and fines related to citations for bicycling on sidewalks in unincorporated areas of the County. The data indicated that since 2017 and out of 198 LA Court Cases for infraction to Section 15.76.080, thirty-one cases have been dismissed, twenty-three cases have been closed and one case is in compliance. Table 1 is a summary count of all of the different case status found in the data received from the Court and their corresponding balance.

Table 1. Status and Outstanding Balance Report for Cases with Infractions to Section 15.76.080

Case Status	Case Count	Outstanding Balance
853.7 Penal Code Warrant	10	\$5,067.00
Bench Warrant	2	\$1,005.00
Closed	23	-
Compliance	1	-
Dismissed	31	-
In Collections FTA	123	\$35,220.00
In Collections FTP	3	\$821.03
Pending Collections	1	\$158.00
Re-Referral to Collections	1	\$172.00
Warrant	3	\$1,770.00
Total	198	\$44,213.03

ARDI worked with the Los Angeles Superior Court to identify the total dollar amount of the cases that have a penal code or bench warrant, are in collections, pending or being referred to collections. Knowing the total cost of those infractions will help inform whether the Board chooses to enact policy to cover the expense of retroactive fee forgiveness. This approach was taken to respond to the Board directive to coordinate the implementation of CEO's recommendations to explore the feasibility of potential ordinance language to mitigate the impacts on consent searches upon bicyclists and to explore the feasibility of providing retroactivity intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed so courts can recall arrest warrants and forgive fines associated with bicycling offenses.

ARDI also worked with County Counsel and LADA to evaluate the feasibility of mitigating the use of evidence discovered or obtained due to a pretextual stop for bicycle violations, including evidence discovered or obtained with the person's consent, in any trial, hearing, or other proceeding. ARDI provided individual case

details from the LA Superior Court to LADA to assess how many court records matched cases in the LADA database. No records were matched in the data analysis, determining that no instances of evidence gathered during a stop for riding a bicycle on a sidewalk have been used by LADA.

The analysis of the Court data can help inform the Board's consideration for fee forgiveness. In light of the revision of the County Code enabling bicycle riding on sidewalks, retroactive fee forgiveness may be an equitable approach to addressing the impact of enforcement. Finally, data analysis conducted by LADA found that identifying criminal cases with evidence gathered during a pretextual stop is a complex process that requires case reviews, informing the recommendation for LADA to establish a policy to help identify, reduce, or eliminate the use of evidence gathered during a pretextual stop, including evidence discovered or obtained with the person's consent in any trial, hearing, or other proceeding.

Legislative Updates

LA County's decriminalizing mobility efforts to advocate for equitable legislation through LAIR have continued beyond the previously reported support for AB 2147 (Ting) and AB 2773 (Holden), which were both signed into law by Governor Gavin Newsom. AB 2147 prohibits a peace officer from stopping a pedestrian for specified traffic infractions generally related to "jaywalking," unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human powers. AB 2773 requires a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking investigatory questions, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat.

The County advocated in support of additional proposals to continue advancing equitable legislation related to mobility. The County supported AB 93 (Bryan)¹⁴, which would have prohibited consent searches by peace officers without an evidence-based legal justification, but the bill did not pass even after a motion to reconsider made by Assembly Member Bryan was granted in May 2023. The County also advocated for AB 825 (Bryan), which would have prevented a local authority from passing a law that prohibited the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway. This bill, also known as the Safe Passage Bill, would have prevented bicycle riders to mix with potentially lethal car and truck traffic by finding a safe haven on sidewalks.¹⁵ The Bill was passed but vetoed by Governor Gavin Newsom in October 2023. The Governor's veto message indicated that the Assembly Bill was not signed into law because it would increase the risk of collisions with pedestrians since most sidewalks are not designed for bicyclists to safely use them and highlighted the need to continue

¹⁴ AB-93 Criminal procedure: consensual searches:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240AB93

¹⁵ Governor Newsom Vetoes AB 825 Safe Passage for Bikes Bill: <https://www.calbike.org/governor-vetoes-safe-passage-for-bikes/>

efforts to deliver the necessary infrastructure in all communities for safe bicycle and pedestrian travel¹⁶.

In response to another related Board motion to support Senate Bill SB 50 (Bradford): Vehicle Enforcement¹⁷, LAIR advocated for this Senate Bill that would have limited law enforcement's ability to use minor, non-safety-related traffic infractions to conduct racially biased pretextual stops, but it was moved to the inactive file by the author, Assembly Member Bryan¹⁸.

Updates on the Use of LASD Bicycle Stop Data

In order to provide further insight into the racial and geospatial disparity of law enforcement stops, ARDI collaborated with LASD and ISD to map the locations of bicycle stop data in an interactive [dashboard](#). The development of these maps helps identify the racial disproportionality of bicycle stops in all County communities and in each Supervisorial District. It also helps visualize geographically the multiple locations where Latino and Black residents have been overrepresented in bicycle stops as compared to the makeup of the population. This analysis shows that overrepresentation rates in some cities and communities have been as high as 10 times their share of the population.

LASD provided the Computer-Aided Dispatch (CAD) data, which has an indicator for bicycle stops. The data was requested for the period of August 2021 through July 2023. ARDI selected this timeframe to provide insight into the location of the bicycle stops after the LA Times report referenced in the Board motion. Using the available CAD data, ISD assisted ARDI by mapping bicycle stop data. Attachment II includes images of the map and key findings of this analysis including demographic data the age of the person being stopped, perceived race, and gender. The map also includes the number of stops of the Black and Hispanic population in every city and community within each Supervisorial District. In July 2023, LASD transitioned into the use of a dashboard representing the Racial and Identity Profiling Act (RIPA) data to track and visualize a wider array of law enforcement stops.¹⁹ LASD intends to review RIPA data for accuracy and determining if greater detail can be captured for the data to help conducting a thorough evaluation of stops. Further refinement is needed to help inform how to effectively address relevant issues related to stop practices.

¹⁶ AB-825 Vehicles: bicycles on sidewalks:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240AB825

¹⁷ Support for Senate Bill SB 50 (Bradford): Vehicle Enforcement:

<https://file.lacounty.gov/SDSInter/bos/supdocs/178954.pdf>

¹⁸ SB-50 Vehicles: enforcement:

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202320240SB50

¹⁹ AB-953 – R.I.P.A Stop Data Dashboard: <https://lasd.org/transparency/ripa-dashboard/>

Final Recommendations

While considerable progress in decriminalizing mobility has been made, ARDI has identified recommendations to build on the work that has been accomplished. While many of these recommendations have broader policy implications, they offer opportunities to further decriminalize mobility activities through related law enforcement practices for which there are no mobility-only approaches or policies, as in the case of recommendations related to consent searches and the use of evidence gathered during a consent stop. The following recommendations are also informed by the feedback from the decriminalizing mobility workgroup, which included LASD, PW, DA, DPH and OIG, among others, and are designed to advance equity in the following areas:

Focus Area	Recommendation(s)
Decriminalizing Certain Biking Practices in County Ordinances County Code Titles 15 and 19, and Advancing Equity in The Built Environment	1) Direct DBH, in consultation with County Counsel, to review and propose language in County Code Title 19 that permits bicycle riding on sidewalks.
Mitigating Impacts of Consent Searches	2) Request LASD, in consultation with County Counsel to adopt a policy for consent stops in alignment with the recommendations from the OIG report titled "Addressing Racial Disparities in Traffic Stops," including but not limited to the following provisions: a. Deputies shall not conduct pretextual investigatory stops unless they have articulable reasonable suspicion regarding a serious crime in addition to ascertaining probable cause of a minor offense, such as a traffic violation. b. Deputies shall articulate on their BWC the reason for the stop prior to their encounter with an individual. Any citations and warnings resulting from a stop, should also be articulated on BWC including the deputy's response to any questions posed by the individual stopped. c. If deputies fail to follow the policy as enumerated, the Department may initiate an administrative investigation with the appropriate disciplinary outcome. d. Deputies shall adhere to Manual of Policy and Procedure 5-09/520.05 by not using a person's race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause except as part of actual and credible description(s) of a specific suspect or suspects in any criminal investigation.
	3) Request LASD to limit pretextual investigative stops by creating policies restricting deputies from stopping, detaining, or arresting, drivers, bicyclists, and pedestrians for certain safety

	equipment and low-level traffic violations, in alignment with the recommendations from the OIG report titled "Addressing Racial Disparities in Traffic Stops"
	4) Request LASD to enact a policy to comply with section 2806.5 of the California Vehicle Code requiring deputies: a. to state the reason for the stop prior to any questioning, unless the deputy reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. b. to document in a report or on the citation the reason for the stop.
	5) Request LASD to create a policy limiting when deputies conducting traffic stops of vehicles, bicycles, and pedestrians inquire whether the person is on probation or parole
Retroactive Fee Forgiveness and Use of Evidence Gathered During a Pretextual Stop	6) Direct CEO, in consultation with County Counsel, to review infraction to Section 15.76.080 data from the Los Angeles Superior Court to establish a process and set policy to offer refunds for payees who could provide proof of payment of any fees and fines that originated from an infraction to the ordinance prior to the amendments that allowed bicycle riding in sidewalks.
	7) Request LADA to adopt a policy that limits the use of evidence gathered during a pretextual stop, including evidence discovered or obtained with the person's consent to be admissible in any trial, hearing, or other proceeding
LASD Bicycle Stop Data	8) Request LASD to include bicycle stop data in the RIPA dashboard

Summary

The continuation of the implementation of the Board directives for decriminalizing mobility has focused on 1) aligning County Code with the existing practice of allowing bicycle riding on sidewalks in Marina del Rey; 2) collaborating with LASD and DA to mitigate consent searches and the use of evidence obtained through consent searches by the courts; 3) retroactivity and fee forgiveness for violations of Title 15 related to bicycle riding on sidewalks; 4) creating a geospatial map of bicycle stops; and 5) legislative advocacy. Based on the progress that has been made with the participation and collaboration of various County Departments, ARDI has provided recommendations for this work to continue to achieve full implementation of the Board directives.

Analysis of LASD Bicycle Stops Between August 2021 and July 2023

The table and figures below show overall Countywide and Supervisorial-level (SD) data on bicycle stops in the County by the reporting agency Los Angeles Sherriff's Department (LASD). These data were drawn from the Computer Aided Data (CAD) database which records these stops. Data on number, location, and frequency of stops between August 2021 and July 2023 are racially disaggregated and also provided below. Based on previous findings that show that Hispanic and Black residents in the County are disproportionately stopped, the [dashboard](#) highlights these stops as well as the cities in the County and/or SD with the highest number of stops.

Countywide Bicycle Stops by Race

Table 1 below shows that of the total number of bicycle stops in LA County during the aforementioned time period was approximately 7,100. Among the individuals stopped, 76.1% were Hispanic or Latino, 16.9% were white, 10.1% were Black/African American, 1.5% were Asian, 0.03% were American Indian Alaska Native, 0.1% were Native Hawaiian Pacific Islander, and 1.0% were some other race.

Table 1. Total Bicycle Stops from August 2021 to July 2023¹

Race/Ethnic Group	Bicycle Stop Count	Bicycle Stop Percentage
Hispanic or Latino (of any race)	5,400	76.1%
White alone (Not Hispanic or Latino)	1,200	16.9%
Black or African American alone (Not Hispanic or Latino)	719	10.1%
American Indian and Alaska Native alone (Not Hispanic or Latino)	2	0.03%
Asian alone (Not Hispanic or Latino)	103	1.5%
Native Hawaiian and Other Pacific Islander alone (Not Hispanic or Latino)	5	0.1%
Some Other Race alone (Not Hispanic or Latino)	68	1.0%
Two or More Races ²	-	-
Total	7,100	100%

¹ Computer Aided Data (CAD)

² Category not recorded in CAD data

Table 2, however, shows the racial demographics of the County in which Hispanic or Latino residents comprised 48.7%, white residents comprised 25.2%, and Black/African American residents comprised 7.6% of the County's overall population.³

Table 2. Los Angeles County Demographic Makeup

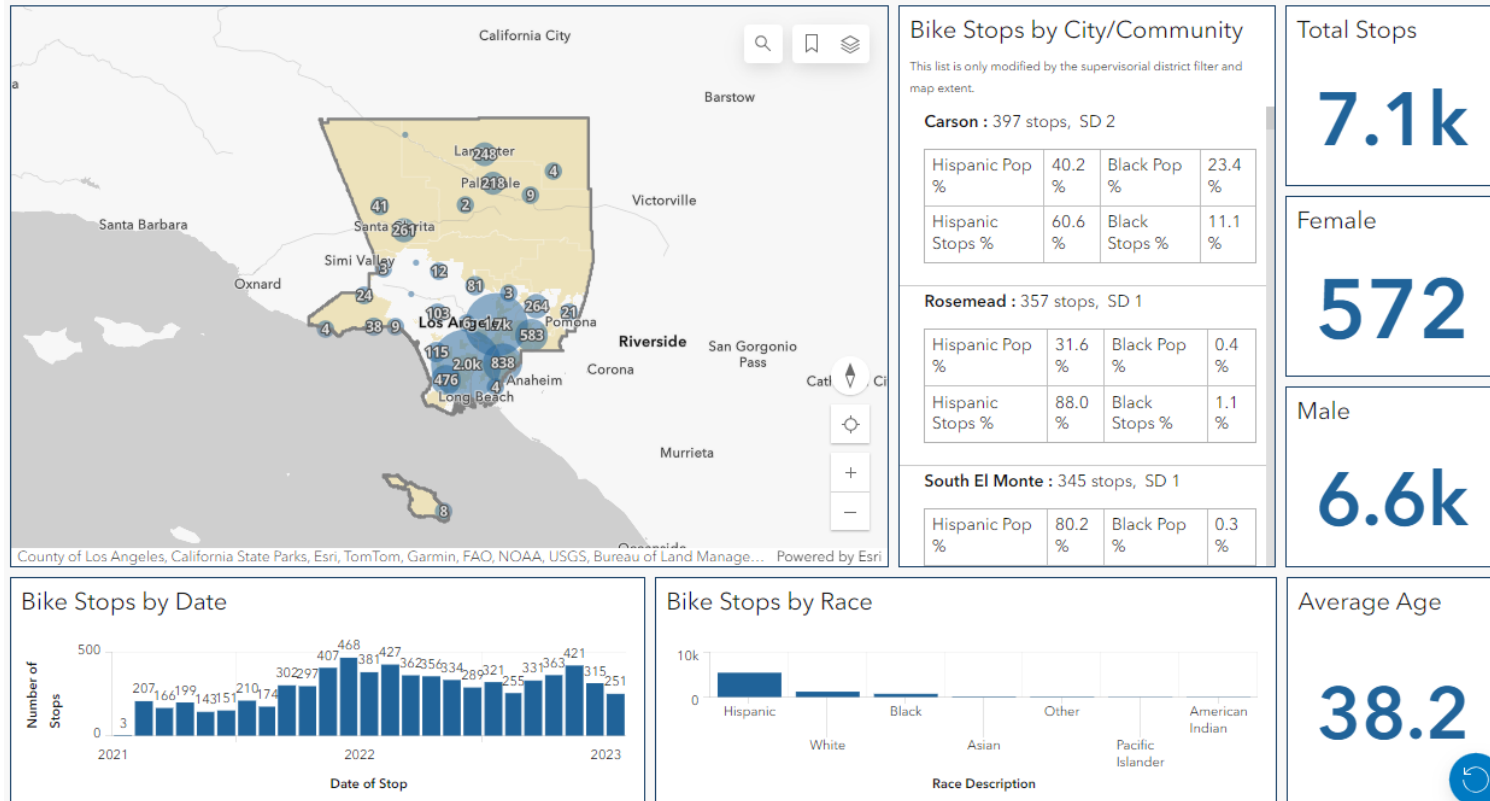
Race/Ethnic Group	Population	Percentage
Hispanic or Latino (of any race)	4,837,594	48.7%
White alone (Not Hispanic or Latino)	2,505,177	25.2%
Black or African American alone (Not Hispanic or Latino)	753,155	7.6%
American Indian and Alaska Native alone (Not Hispanic or Latino)	18,662	0.2%
Asian alone (Not Hispanic or Latino)	1,452,646	14.6%
Native Hawaiian and Other Pacific Islander alone (Not Hispanic or Latino)	20,597	0.2%
Some Other Race alone (Not Hispanic or Latino)	49,953	0.5%
Two or More Races*	298,906	3.0%
Total	9,936,690	100%

Comparing these data to the data on bicycle stops indicates that both Hispanic and Black residents are overrepresented among those stopped by law enforcement while riding a bicycle.

Overall, SD 4 had the highest number of total bicycle stops (approximately 2,000), followed by SD 1 (approximately 1,900), SD 2 (approximately 1,800), SD 5 (approximately 1,200), and SD 3 (185). Figure 1. below shows that the top three CSAs in the County with the highest number of total stops were Carson (SD 2) with 397 stops, Rosemead (SD 1) with 357 stops, and El Monte (SD 1) with 345 stops.

³ ACS Demographic and Housing Estimates: <https://data.census.gov/table/ACSDP5Y2022.DP05?q=050XX00US06037>

Figure 1. Countywide LASD Bicycle Stops



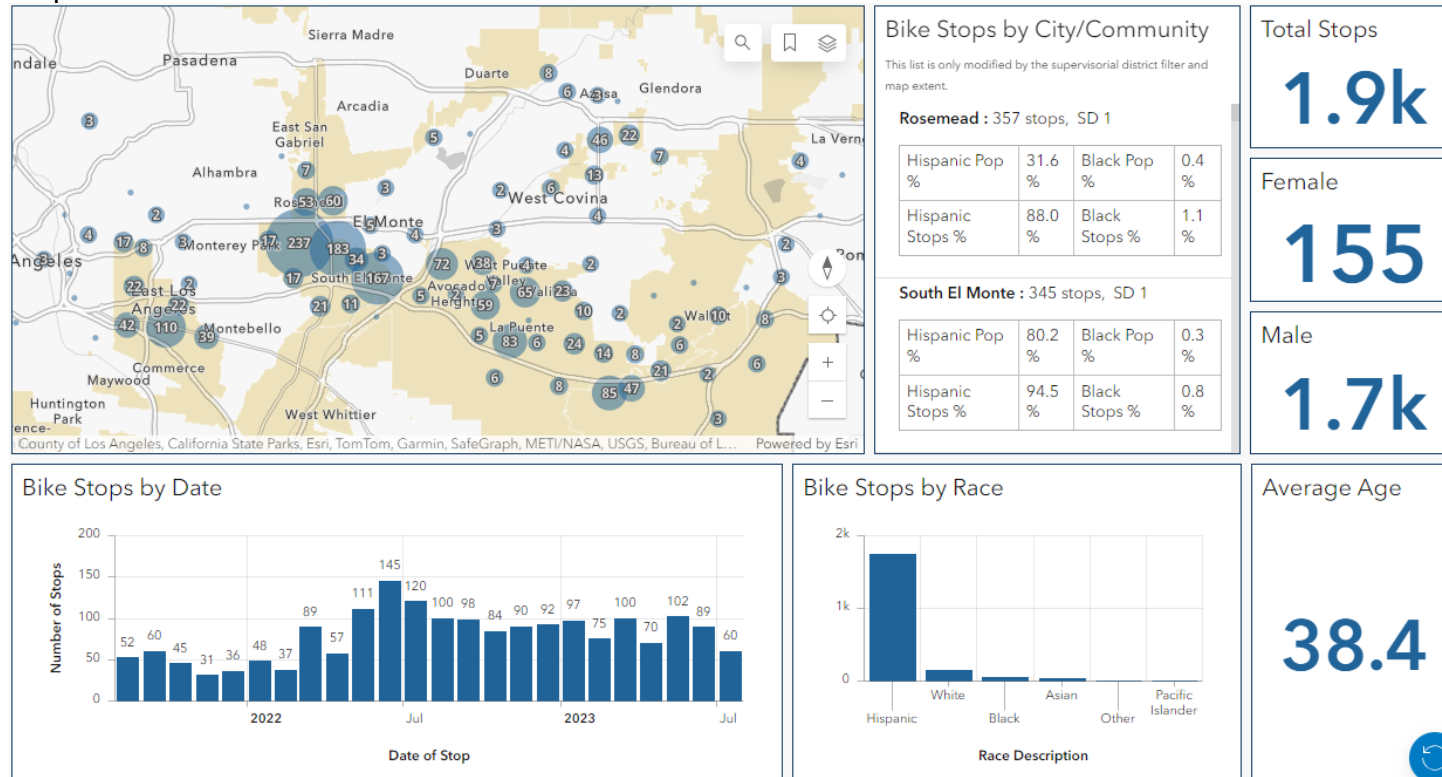
In Carson, Hispanic residents were disproportionately stopped, i.e., 60.6% of stops though they only comprise 40.2% of the population in Carson. Similarly, Hispanic residents in Rosemead, comprised 88.0% of those stopped, even though they make up just 31.6% of the population—almost three times their share of the population. In South El Monte, though the Hispanic population was 80.2%, they comprised 94.5% of all bicycle stops. For Black residents stopped in Rosemead, they were almost three times their share of the overall population in that area (i.e., 1.1% of stops compared to 0.4% of residents). In South El Monte, Black residents stopped were slightly over two and a half times their share of the population (0.3% compared to 0.8% of stops). Of those stopped, males comprised the overwhelming majority—93%.

Seemingly, at the countywide and supervisorial-level, bicycle stops tend to peak somewhere between April and June.

Bicycle Stops by Supervisorial District

In SD 1, there were approximately 1,900 bicycle stops during the time period analyzed (see Figure 2 below). During that time, Hispanic residents comprised 89.5% of all stops in the district, but only 55% of the overall population in the district.⁴

Figure 2. Supervisorial District 1

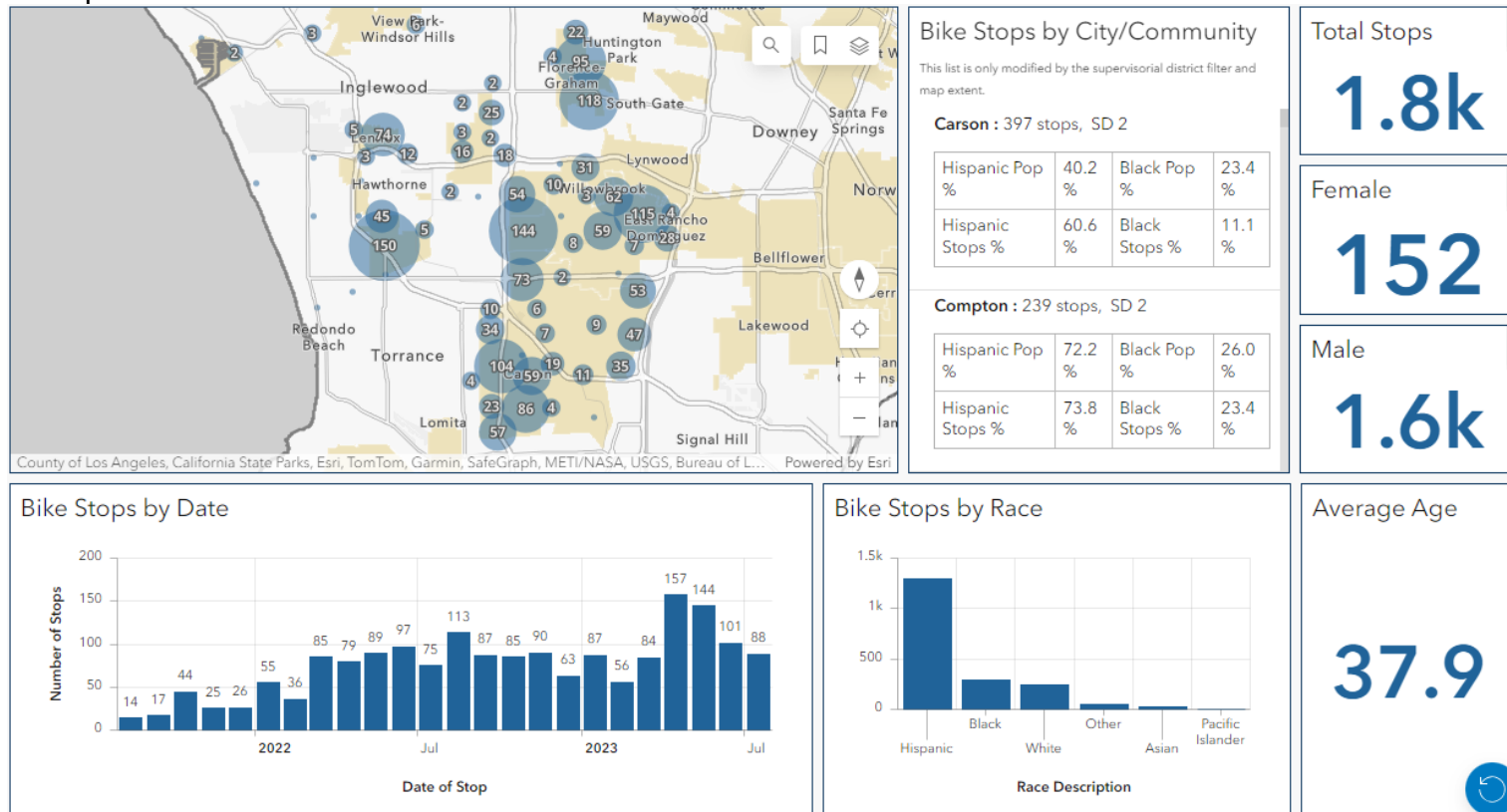


The CSAs with the highest number of stops in the SD were Rosemead (357 stops), South El Monte (345 stops), unincorporated East LA (251 stops). In all three, both Hispanic and Black residents were overrepresented among those stopped, as well as male residents.

⁴ Community Profile Supervisorial District 1: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%201.pdf

In SD 2, there were approximately 1,800 stops (see Figure 3 below). Hispanic residents, made up 72.2% of all stops yet comprised 47.7% of the overall population, were overrepresented among those stopped. Similarly, Black residents, comprising 14.7% of the district's population, were 16.1% of those stopped.⁵

Figure 3. Supervisorial District 2

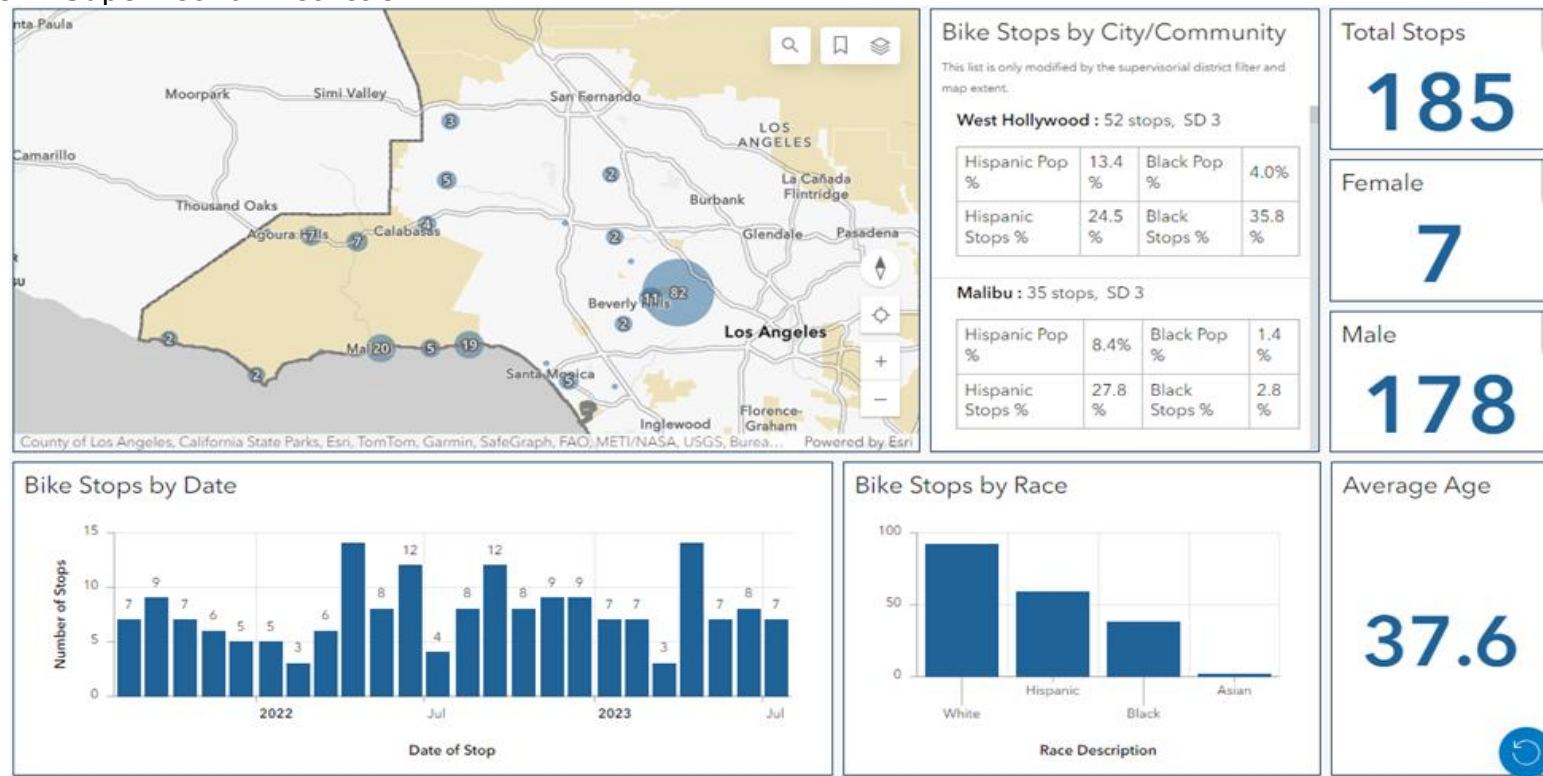


The CSAs in this district with the highest number of stops in were Carson (397 stops), Compton (239 stops), and unincorporated Florence-Firestone (223 stops). In all three, Hispanic residents were overrepresented among those stopped (i.e., 60.6% of stops compared to 40.2% of residents in Carson, 73.8% of stops compared to 72.2% of residents in Compton, and 92.1% of stops compared to 91.2% of residents in Unincorporated Florence-Firestone).

⁵ Community Profile Supervisorial District 2: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%202.pdf

During the time period assessed, SD 3 had the fewest number of stops compared to the other districts. Figure 4 below shows that of the total 185 stops, white residents comprised nearly half of those stopped (49.7%) and Black residents, who comprised 8.1% of the population were 20.5% of those stopped, more than 2.5 times their share of the population.⁶

Figure 4. Supervisorial District 3



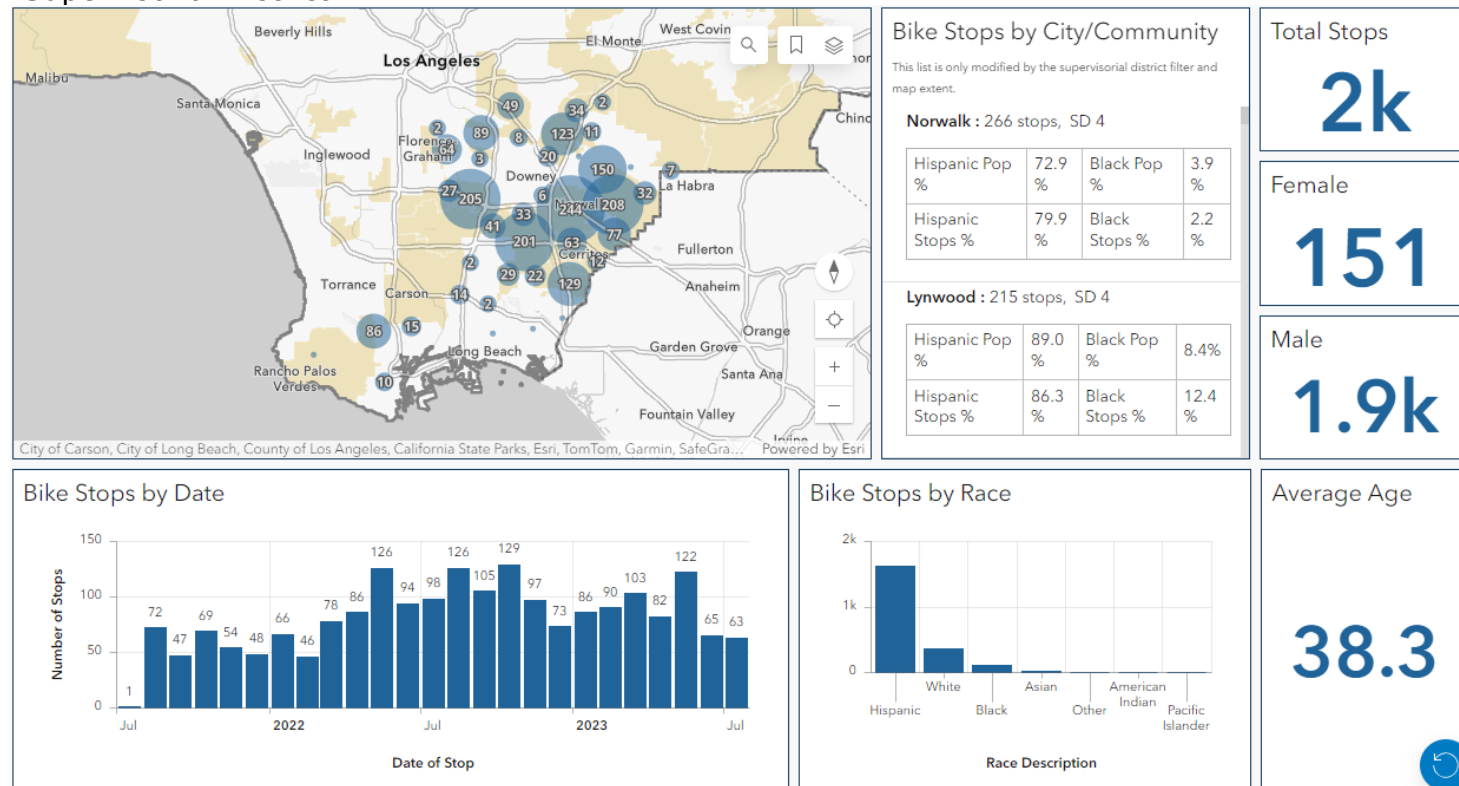
The CSAs with the highest number of stops in SD 4 were West Hollywood (52 stops), Malibu (35 stops), and Los Angeles Melrose (29 stops). In all three, Black residents were overrepresented among those stopped: 35.8% of stopped compared to 4% of residents in West Hollywood—nine times their share of the population; 2.8% of those stopped compared to 1.4% of residents in Malibu; and 41.4% of stops in Los Angeles Melrose compared to only 3.9%

⁶ Community Profile Supervisorial District 3: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%203.pdf

of residents—ten times their share of the population. Hispanics were also overrepresented among those stopped in West Hollywood: 24.5% of stops compared to 13.4% of residents; 27.8% of stops in Malibu while only comprising 8.4% of residents.

SD 4 had the highest number of bicycle stops in the County, with approximately 2,000 stops (i.e., 28.2% of all stops in the County) (see Figure 5 below). Hispanic residents, who made up 80% of all stops but comprised only 58.1% of the overall population, were overrepresented among those stopped.⁷

Figure 5. Supervisorial District 4

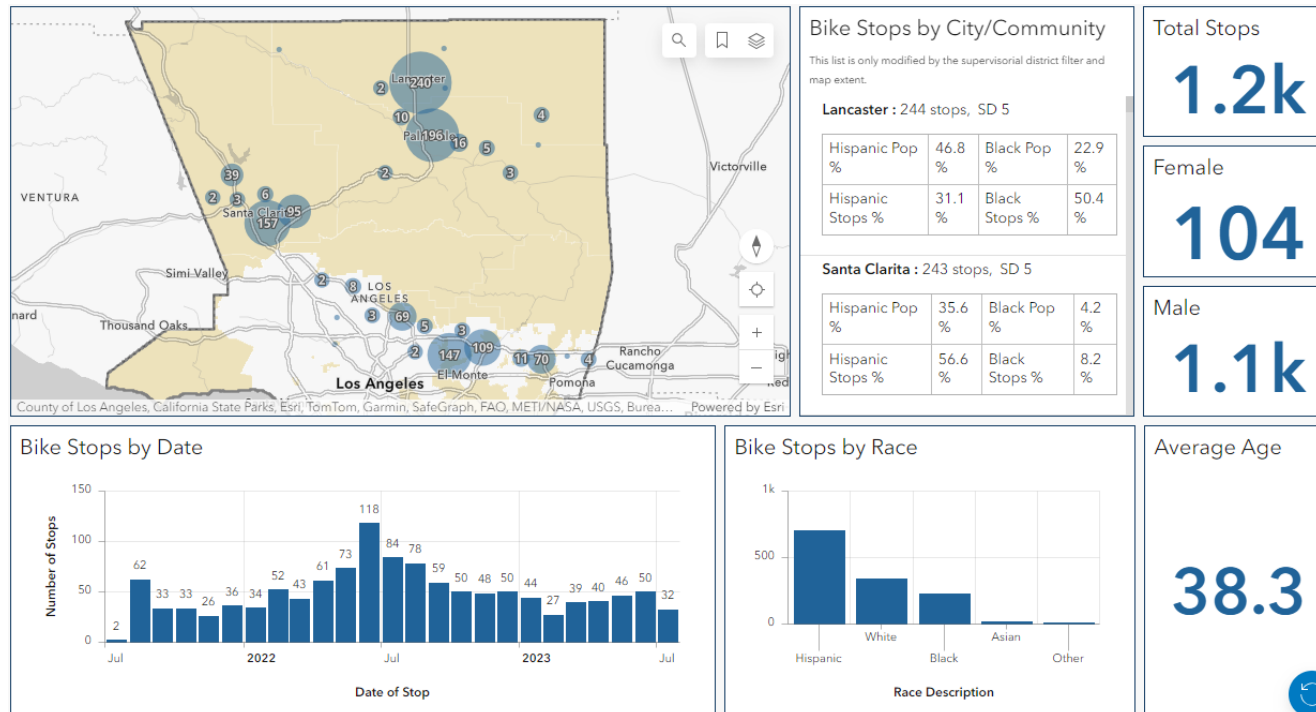


⁷ Community Profile Supervisorial District 4: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%204.pdf

The CSAs with the highest number of stops in the district include Norwalk (266 stops), Lynwood (215 stops), and Unincorporated South Whittier (192 stops). In Norwalk, Hispanic residents were slightly overrepresented among those stopped: 79.9% of stops compared to 72.9% of the population. Black residents were overrepresented among those stopped in Lynwood and Unincorporated South Whittier. In the latter, they comprised more than twice their share of population among those stopped (i.e., 1.2% of the population and 2.9% of those stopped).

Last, in SD 5, there were approximately 1,200 stops (see Figure 6 below). White residents made up 40.3 of the district's population, while Hispanic residents, made up 58.9% of all stops but only comprised 35.8% of the overall population, being overrepresented among those stopped. Similarly, Black residents, comprising 7.4% of the district's population, were 19% of those stopped, more than 2.5 their share of the population.⁸

Figure 6. Supervisorial District 5



⁸ Community Profile Supervisorial District 5: https://pwgjis.blob.core.windows.net/smpm/Community_Profiles/Supervisorial%20District%205.pdf

The CSAs with the highest number of stops in SD 5 were Lancaster (244 stops), Santa Clarita (243 stops), and Palmdale (215 stops). In all three, Black residents were overrepresented among those stopped: 50.4% of stopped compared to 22.9% of residents in Lancaster; 8.2% of those stopped compared to 4.2% of residents in Santa Clarita; and 17.3% of stops in Lancaster compared to 14.6% of residents. Hispanics were also overrepresented among those stopped in Santa Clarita: 56.6% of stops compared to 35.6% of residents; and 67.5% of stops in Palmdale while comprising 63.1% of residents.