



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

June 06, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

90 June 6, 2023

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**TRANSPORTATION CORE SERVICE AREA
AMENDMENT TO THE LOS ANGELES COUNTY
CODE TITLE 15: VEHICLE AND TRAFFIC SECTION 15.76.080, AND
ADDITION OF SECTIONS 15.76.081, 15.76.082, 15.76.084, 15.76.086, 15.76.088,
AND 15.76.089 TO ALLOW BICYCLE RIDING ON SIDEWALKS IN THE UNINCORPORATED LOS
ANGELES COUNTY COMMUNITIES
EXCEPT WHERE PROHIBITED BY A SIGN
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to amend the Los Angeles County Code Title 15, Section 15.76.080, and add Sections 15.76.081, 15.76.082, 15.76.084, 15.76.086, 15.76.088, and 15.76.089 to allow bicycle riding on sidewalks in the unincorporated Los Angeles County communities except where prohibited by a sign; establish when signs prohibiting bicycle riding on sidewalks are authorized; establish exceptions to compliance with signs prohibiting bicycle riding on sidewalks; establish when temporary restrictions prohibiting bicycle riding on sidewalks are authorized; and establish responsibilities of a bicyclist riding on or from a sidewalk.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed project is exempt from the California Environmental Quality Act for the reasons stated in the Board letter and in the record of the project.
2. Introduce, waive reading, and place the ordinance on a subsequent agenda for adoption.
3. Approve the ordinance amending Los Angeles County Code Title 15, Section 15.76.080, and

adding Sections 15.76.081, 15.76.082, 15.76.084, 15.76.086, 15.76.088, and 15.76.089 to allow bicycle riding on sidewalks in the unincorporated Los Angeles County communities except where prohibited by a sign; establish when signs prohibiting bicycle riding on sidewalks are authorized; establish exceptions to compliance with signs prohibiting bicycle riding on sidewalks; establish when temporary restrictions prohibiting bicycle riding on sidewalks are authorized; and establish responsibilities of a bicyclist riding on or from a sidewalk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find that the project is exempt from the California Environmental Quality Act (CEQA) and allow the County to make bicycle riding on sidewalks legal except where prohibited by a sign. These actions will expand active transportation options and enhance the quality of life for bicyclists traveling in the unincorporated County.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy II.2, Support the Wellness of our Communities. Providing additional places to ride a bicycle safely and comfortably encourages physical activity and promotes an active and healthy lifestyle.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

Public Works estimates a cost of \$15,000 to 1) investigate concerns regarding the suitability of bicycling on one block of sidewalk, 2) process the adoption of regulations for any prohibition signage, and 3) procure and install the signage. This estimate could vary depending on the nature of the concern and the complexity of the investigation needed.

Public Works anticipates performing work estimated at \$500,000 with this ordinance amendment. Funding for this work is available in the Road Fund (B03-Services and Supplies) Fiscal Year 2022-23 Budget. Funding for future years will be requested through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Los Angeles County Code Section 15.076.080 currently prohibits the use of bicycles on sidewalks within unincorporated County communities unless the Road Commissioner places signs allowing such action.

On November 16, 2021, the Board approved a motion, Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan (Agenda Item 21, Directive 1) (Enclosure 1), which referenced a November 8, 2021, Los Angeles Times article about bike stops made by the Los Angeles Sheriff's Department and instructed the Directors of Public Health to collaborate with Public Works, County Counsel, and others to propose ordinance changes that would allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities to walkers and bikers.

To understand the current best practices for pedestrian and bicycle safety as it relates to riding on a sidewalk and to help inform the development of ordinance language allowing the operation of bicycles on sidewalks, Public Works examined the municipal code language for 95 jurisdictions,

including 88 incorporated cities in the County. Of the jurisdictions for which the municipal codes were examined, over 60 percent currently have ordinances that explicitly allow bicycle riding on sidewalks. Fifty-eight percent of those that allow it prohibit riding on sidewalks in certain areas, such as in a business district or where adjacent bicycle facilities exist. Thirty-two percent of jurisdictions that allow bicycle use on sidewalks have municipal codes that explicitly indicate that pedestrians shall have the right-of-way.

Public Works also contacted pedestrian and Americans with Disabilities Act stakeholder organizations to obtain input on the proposed ordinance. The following organizations were sent information pertaining to the motion and the proposed code changes: Aging and Disability Transportation Network, American Association of Retired Persons, Disability Rights California, Los Angeles County Commission on Disabilities, Los Angeles Walks, State Independent Living Council, and a citizen representative who provides input on Americans with Disabilities Act matters as part of the Metro Technical Advisory Committee.

On August 2, 2022, a Board revised motion, Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan (Agenda Item 6, Directive 1) (Enclosure 2), instructed the Director of Public Works in collaboration with County Counsel and Public Health to commence a full review of the draft ordinance.

The proposed ordinance amends Los Angeles County Code Title 15, Section 15.76.080, and adds Sections 15.76.081, 15.76.082, 15.76.084, 15.76.086, 15.76.088, and 15.76.089 to allow bicycle riding on sidewalks in the unincorporated County communities except where prohibited by a sign; establishes when signs prohibiting bicycle riding on sidewalks are authorized; establishes exceptions to compliance with signs prohibiting bicycle riding on sidewalks; establishes when temporary restrictions prohibiting bicycle riding on sidewalks are authorized; and establishes responsibilities of a bicyclist riding on or from a sidewalk.

The analysis of the ordinance amendment approved by County Counsel is enclosed (Enclosure 3).

The Board approved motions of November 16, 2021, and August 2, 2022, also included various other decriminalizing mobility-related directives for Public Health; Public Works; County Counsel; the Chief Executive Office's Anti-Racism, Diversity and Inclusion Initiative, and others to respond. These included identifying the process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling, examining enforcement practices related to people riding bicycles, and whether the County Code and related enforcement practices are in line with County anti-racist and Vision Zero policies. Enclosed (Enclosures 4-7) are the reports from Public Health, the Chief Executive Office, and Public Works responding to the directives in the November 16, 2021, and August 2, 2022, motions.

ENVIRONMENTAL DOCUMENTATION

The proposed project is exempt from CEQA. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment pursuant to the state CEQA Guidelines Section 15061(b)(3). The proposed project is covered by the general rule that CEQA only applies to projects that have the potential for causing a significant direct or indirect impact on the environment. Furthermore, the project, an ordinance allowing bicycle riding on sidewalks in the unincorporated County communities except where prohibited by a sign, establishing when signs prohibiting bicycle riding on sidewalks are authorized, establishing exceptions to compliance with signs prohibiting bicycle riding on sidewalks, establishing when temporary restrictions prohibiting

bicycle riding on sidewalks are authorized, and establishing responsibilities of a bicyclist riding on or from a sidewalk meets the criteria set forth in Section 15301(c) of the State CEQA Guidelines and Class 1(x), (7), and (22) of the County's Environmental Reporting Procedures and Guidelines, Appendix G. In addition, based on the proposed project records, it will comply with all applicable regulations and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code Section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

No impact on current services or projects is expected. Efforts to implement the proposed amendments to Title 15, Vehicles and Traffic, will be handled during the normal course of business.

CONCLUSION

Please return two adopted copies of this letter and copies of the ordinance to the Department of Public Works, Transportation Planning and Programs Division.

Respectfully submitted,



MARK PESTRELLA, PE

Director

MP:MER:yr

Enclosures

- c: Auditor-Controller
- Chief Executive Office (Chia-Ann Yen)
- County Assessor
- County Counsel
- Treasurer and Tax Collector

MOTION BY SUPERVISORS HILDA L. SOLIS
AND JANICE HAHN

November 16, 2021

Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

A recent analysis conducted by the Los Angeles Times¹ revealed that out of more than 44,000 bike stops made by the Los Angeles Sheriff’s Department since 2017, 70 percent involved Latinx 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 bike stops also occurred at greater rates in communities of color such as unincorporated East Los Angeles than in more affluent neighborhoods throughout the County. Despite discussions of reform and training, it is clear that the Department, whose workforce includes more than 50 percent Latinx deputies, has not addressed systemic issues of biased policing.

¹ <https://www.latimes.com/california/newsletter/2021-11-08/bike-stops-la-sheriff-deputies-latino-essential-california>

MOTION

MITCHELL _____

KUEHL _____

HAHN _____

BARGER _____

SOLIS _____

Mobility and access to high quality transportation are already critical issues of equity for Los Angeles County (County) residents as it is. Transportation costs in our region are amongst the highest in the country, making up 20 percent of a typical household's income. Most Americans utilize a car for commuting purposes; but due to the high costs associated with car ownership, lower-income households are often relegated to biking, walking, taking transit, and using other non-vehicular forms of transportation for their daily tasks. Many bicyclists look to the sidewalk as refuge from the harassment they receive from drivers when they use the roadway and from the danger of sharing road space with fast-moving traffic. Surveys conducted by the nonprofit Los Angeles County Bicycle Coalition found riders are twice as likely to ride on the sidewalk on streets with no bike lanes than those with them, and these concerns are justified. In fact, between 2013 and 2017, 1,265 bicyclists incurred injuries from collisions on unincorporated roadways, and 131 experienced severe injuries or lost their lives. Residents should not be punished by the Sheriff's Department due to their poverty, the color of their skin, their neighborhood, their commitment to more sustainable modes of transportation, or their concern for personal safety. The Sheriff's Department's use of bike stops to search Latinx and other bicyclists only exacerbates structural inequities in low-income communities of color.

In 2020, the Board of Supervisors adopted a Vision Zero Action Plan that seeks to reduce traffic fatalities on unincorporated roadways to zero by 2025. To reach that goal, the Plan proposes a number of engineering, education, and enforcement strategies that make travel safer on County roads without disproportionately burdening certain populations. Of those strategies, there are several related to law enforcement, including a recommendation to legalize the operation of bicycles on sidewalks which is currently

prohibited under Los Angeles County Code and accounted for 8 percent of stops by the Sheriff's Department. These recommendations are low hanging fruit that can be immediately implemented to begin addressing the injustices exposed by the Los Angeles Times analysis. Every resident should have a right to safe travel regardless of what mode of transportation they decide to use.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Director of Public Health to collaborate with Public Works, Sheriff's Department, County Counsel, California Highway Patrol, Los Angeles County Development Authority, and the Los Angeles County Superior Court to do the following:

1. Immediately begin implementation of the following recommendations included in the County's Vision Zero Action Plan in partnership with community stakeholders:
 - B-2:** Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling.
 - B-3:** Identify process and partners to consider revising the Los Angeles County Municipal Code to allow the operation of bicycles on sidewalks.
2. Identify any other recommendations included in the Vision Zero Action Plan that should be implemented in partnership with community stakeholders to further decriminalize and enable the use of non-vehicular and alternative modes of transportation in unincorporated communities;
3. Instruct the Director of Public Health, in consultation with the Chief Executive

Office and relevant County departments, to develop cost estimates and identify funding needs and potential opportunities to support the implementation of these Vision Zero recommendations; and

4. Report back in writing in 90 days with an update on the above directives.

#

HLS:mr

MOTION BY SUPERVISORS HILDA L. SOLIS
AND JANICE HAHN

November 16, 2021

Amendment by Supervisor Mitchell to #21 – Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

5. Direct County Counsel, in partnership with the Executive Director for the Office of Anti-Racism, Diversity and Inclusion (ARDI), the Civilian Oversight Commission, and the Office of the Inspector General to examine enforcement practices related to people riding bicycles and whether the County Code and related enforcement practices are in line with County Anti-Racist and Vision Zero policies. The examination should rely on national and international best practices of laws governing riding bicycles. Where additional resources are needed to aid with the analysis, partners, including ARDI, should work with the CEO to identify necessary funding. County Counsel shall report back to the Board in writing within 120 days on recommended modifications to the County Code and related penalties that are in line with Countywide policies.”

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(LO)

MOTION

MITCHELL	_____
KUEHL	_____
HAHN	_____
BARGER	_____
SOLIS	_____

MOTION BY SUPERVISOR JANICE HAHN

November 16, 2021

AMENDMENT ITEM 21

WE, FURTHER MOVE that the Board of Supervisors direct the Department of Public Health, Department of Public Works and County Counsel to propose ordinance changes that would allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities to walkers and bikers and report back in 90 days.

MOTION

Mitchell	_____
Kuehl	_____
Hahn	_____
Barger	_____
Solis	_____

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.


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HLS:mr:bnf

ANALYSIS

This ordinance amends Title 15 – Vehicles and Traffic – of the Los Angeles County Code, relating to Decriminalizing Mobility through Implementation of the Vision Zero Action Plan, to allow and establish standards for the use of bicycles (as defined in California Vehicle Code section 231) on sidewalks in the unincorporated communities of Los Angeles County.

DAWYN R. HARRISON
Interim County Counsel

By 
LAURA T. JACOBSON
Deputy County Counsel
Public Works Division

LTJ:mv

Requested: 08/09/2022
Revised: 11/03/2022

ORDINANCE NO. _____

An ordinance amending Title 15 – Vehicles and Traffic – of the Los Angeles County Code, relating to Decriminalizing Mobility through Implementation of the Vision Zero Action Plan, to allow and establish standards for the use of bicycles (as defined in California Vehicle Code section 231) on sidewalks in the unincorporated communities of Los Angeles County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 15.76.080 is hereby amended to read as follows:

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.

SECTION 2. Section 15.76.081 is hereby added to read as follows:

15.76.081 Definition of Bicycle.

In this Chapter, the term bicycle has the same definition as California Vehicle Code section 231.

SECTION 3. Section 15.76.082 is hereby added to read as follows:

15.76.082 Bicycle Riding on Sidewalk – Prohibited When.

Bicycles may be ridden on any sidewalk except in locations where a sign is posted indicating that bicycle riding is prohibited thereon.

SECTION 4. Section 15.76.084 is hereby added to read as follows:

15.76.084 Bicycle Riding on Sidewalk – Signs Specifying

When Prohibited.

Whenever the Board finds that any portion of a sidewalk maintained or operated for the public by the County is not suitable for bicycle riding based upon concerns for the protection of the public, the commissioner shall erect and maintain adequate signs along such portion of the sidewalk, specifying the prohibition of bicycle riding.

SECTION 5. Section 15.76.086 is hereby added to read as follows:

15.76.086 Bicycle Riding on Sidewalk – Exceptions to Compliance With

Signs Prohibiting.

County of Los Angeles employees who are acting within the course and scope of their employment may ride bicycles on sidewalks where signs are posted prohibiting bicycle riding on sidewalks pursuant to Section 15.76.084, in a manner that is consistent with Section 15.76.089. This includes, without limitation, peace officers, emergency medical personnel, and parking enforcement officers.

SECTION 6. Section 15.76.088 is hereby added to read as follows:

15.76.088 Bicycle Riding on Sidewalk – Temporary Restrictions

Authorized When.

Whenever the commissioner finds that traffic congestion or a traffic hazard is likely to result from people riding bicycles on sidewalks during the holding of public or private assemblages, gatherings, or functions, or during the construction, alteration, repair, sweeping, or improvement of any highway, or for other reasons, the

commissioner may place or cause to be placed temporary signs prohibiting bicycle riding on sidewalks during the period such condition exists.

SECTION 7. Section 15.76.089 is hereby added to read as follows:

15.76.089 Bicyclist Riding On Or From Sidewalk – Responsibilities Of.

A. Whenever a person is riding a bicycle upon a sidewalk, such person shall:

1. Yield the right-of-way to all pedestrians and other sidewalk users, including, but not limited to, animals and vendors;
2. Travel with due care at a speed and in a manner that is reasonable and prudent, and that shows due regard for weather and visibility, and for the users of, and for the surface and width of, the sidewalk; and, in no event, travel at a speed or in a manner that endangers the safety of persons or property.

B. Upon entering a roadway from a sidewalk, a person riding a bicycle shall yield to all traffic.

[1576080LJCC]



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

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BOARD OF SUPERVISORS

Hilda L. Solis
First District

Holly J. Mitchell
Second District

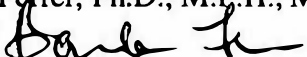
Shella Kuehl
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

April 19, 2022

TO: Each Supervisor

FROM: Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director 

SUBJECT: DECRIMINALIZING MOBILITY THROUGH IMPLEMENTATION OF THE VISION ZERO ACTION PLAN (ITEM 21, BOARD AGENDA OF NOVEMBER 16, 2021)

On November 16, 2021, the Board approved the motion *Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan* (Attachment A) instructing the Department of Public Health (Public Health) to collaborate with the Director of Public Works, the Los Angeles County Sheriff's Department (LASD), County Counsel, the Chief Executive Officer (CEO), the California Highway Patrol (CHP), the Executive Director of the Los Angeles County Development Authority (LACDA), and the Executive Officer/Clerk of the Superior Court to:

1. Propose ordinance changes to allow the operation of bicycles on sidewalks within unincorporated Los Angeles County based on current best practices.
2. Establish a diversion program for persons cited for infractions related to walking and bicycling.
3. Identify any recommendations from the Vision Zero Action Plan that should be implemented to further decriminalize and enable the use of non-vehicular and alternative modes of transportation in unincorporated communities.
4. Develop cost estimates and identify funding needs to support the implementation of these programs and practices.

The motion, introduced by Supervisors Solis and Hahn with an amendment by Supervisor Hahn, instructed that a report back on the above directives be provided in 90 days. An amending motion by Supervisor Mitchell was also adopted which directed County Counsel, in partnership with the Executive Director for the Office of Anti-Racism, Diversity and Inclusion (ARDI), the Civilian Oversight Commission, and the Office of the Inspector General to examine enforcement practices related to people riding bicycles and whether the County Code and related enforcement practices are in line with County Anti-Racist and Vision Zero policies. The amendment

requested that County Counsel report back to the Board within 120 days on recommendations for modifications to the County Code and related penalties that are in line with Countywide policies.

Extensions were subsequently granted to facilitate coordination between the reports back. Below are responses to the directives introduced by Supervisors Solis and Hahn. A separate report will be provided to the Board from ARDI that responds to the amendment made by Supervisor Mitchell.

Proposed Municipal Code Update to Allow Operation of Bicycles on Sidewalks

Currently, Los Angeles County Code Section 15.076.080 prohibits the use of bicycles on sidewalks within Unincorporated County communities unless the Road Commissioner places signs allowing such action.

Per the Board's Direction, Public Works examined the municipal code language for 95 jurisdictions, including the 88 incorporated cities in Los Angeles County, to help inform the development of ordinance language allowing the operation of bicycles on sidewalks. This was undertaken to understand the current best practices for pedestrian and bicycle safety as it relates to riding on a sidewalk. Of the jurisdictions for which the municipal codes were examined, over 60 percent currently have ordinances that explicitly allow bicycle riding on sidewalks. Fifty-eight percent of those that allow it, prohibit riding on sidewalks in certain areas such as in a business district or where adjacent bicycle facilities exist. Thirty-two percent of jurisdictions that allow bicycle use on sidewalks have municipal codes that explicitly indicate that pedestrians shall have the right-of-way.

Public Works collaborated with County Counsel to draft proposed amendments to Los Angeles County Code, Title 15 – Vehicles and Traffic, that will allow and establish standards for the use of bicycles on sidewalks in the unincorporated areas of Los Angeles County. A draft Ordinance outlining the proposed Code additions and amendments is attached (Attachment B). Upon direction from the Board, County Counsel, in collaboration with Public Works, will commence a full review of the draft Ordinance, which is anticipated to take approximately 30 days, and Public Works will then submit a Board Letter once complete to place it on a future Board agenda.

Additionally, Public Works collaborated with the Department of Beaches and Harbors on the potential need for revisions to Los Angeles County Code, Title 19 – Airports and Harbors, which currently includes provisions regarding bicycle riding in Marina del Rey. Any proposed revisions to Title 19 will be communicated to County Counsel and placed on a future Board agenda for consideration along with the proposed changes to Title 15.

Public Works also contacted pedestrian and Americans with Disabilities Act (ADA) stakeholder organizations to obtain input on the proposed Ordinance. The following organizations were sent information pertaining to the motion and the proposed code changes: Aging and Disability Transportation Network, American Association of Retired Persons, Disability Rights California, Los Angeles County Commission on Disabilities, Los Angeles Walks, State Independent Living Council, and a citizen representative who provides input on ADA matters as part of the Metro

Technical Advisory Committee. Attachment C shows the correspondence Public Works received from these stakeholders as of April 17, 2022.

The proposed ordinance is intended to allow the operation of bicycles on sidewalks in all unincorporated County communities while preserving the safety of pedestrians, bicyclists, and other sidewalk users including street vendors. The proposed additions and amendments allow for the Board to prohibit bicycle riding on any portion of a sidewalk that is maintained or operated by the County if it is determined to not be suitable for bicycling; in this case, signs would be posted by the Road Commissioner indicating such prohibition.

The estimated cost for Public Works to investigate concerns regarding the suitability of bicycling on one block of sidewalk, prepare and process a Board letter to adopt regulations for any necessary prohibition signage, and procure and install the signage, is \$15,000. This estimate could vary greatly depending on the nature of the concern and the complexity of the investigation needed. Initially, it is anticipated that funding from existing transportation sources would be used. However, if the amount of areas that require a sidewalk study (based on concerns brought to Public Works' attention) and potentially prohibition signs installed proves to be great, additional funding will need to be sought.

Los Angeles County Code 15.200.010 outlines the civil penalties for violation of parking laws. A \$40 penalty is currently assessed to those who violate Section 15.076.080 which prohibits the operation of any bicycle, any vehicle, or riding any animal on sidewalks or parkways, with some exceptions. Since the proposed Ordinance would amend Section 15.076.080 to eliminate any mention of bicycle operation, this penalty would no longer be applicable to those who utilize the sidewalk for bicycle riding. Additionally, the proposed amendments do not add any penalties for non-compliance with newly proposed code sections.

Identify Process & Partners for Establishing a Diversion Program for Persons Cited for Infractions Related to Walking & Biking

Background about Diversion Programs

The purpose of a diversion program is to provide people who receive a citation for biking or walking infractions an opportunity to take a safety education course rather than pay the citation or any related court fees. It will not address all of the issues identified in the LA Times article regarding enforcement that resulted in this motion, however it will provide a way to ensure people are not paying fees/fines associated with citations or ending up in collections.

Passed in 2015, California state law (AB 902) allows anyone who commits an infraction that did not involve a motor vehicle to participate in a diversion program. Under AB 902, a diversion program must be sanctioned by local law enforcement, however it does not need to be provided by law enforcement. As a result of this law, diversion programs have been established in various cities throughout the state and on university campuses. Public Health researched existing diversion programs around the state and met with jurisdictional and non-profit staff managing these

programs to learn how they are structured, their lessons learned, and identify processes that will need to be figured out for a program to work in LA County.

There are two types of diversion programs – pre-filing and post-filing programs. In the context of a bicycle and pedestrian diversion program, a pre-filing diversion program typically entails the local law enforcement agency ‘holding’ the citation; if the person attends the safety class, the citation is voided and not submitted to the court. If the person fails to attend a class during an allotted timeframe, then the citation is submitted to the court. With a post-filing diversion program, the ticket is submitted to the court, and a participant is typically informed about the program by the judge when they appear in court. Then they are provided an allotted time to complete the course and provide the court/judge with proof of completion. If they do not complete the course, then they must pay the citation fine and associated court fees. This approach may mean that many people issued citations never know about the diversion program option if they pay their ticket in advance of their court date or fail to appear in court. It’s worth noting that some jurisdictions with pre-filing programs have informed courts of their programs and judges may provide people who appear in court another opportunity to attend a class (this is the case in the City of Huntington Beach).

A diversion program can provide people with traffic safety education specific to biking, walking, or scooting. Many jurisdictions, such as the cities of Sacramento and Huntington Beach, have made their classes open to all residents, not just those who have received citations. The City of Sacramento provides a free monthly one-hour “Urban Cycling and Scooting 101” class to provide helpful education on how to safely use the road when bicycling or scooting. Many jurisdictions or organizations offer their programs for free, while some charge a fee, typically less than \$50, to help defray the staffing costs.

Steps to Identify A Process and Partners for Establishing a Diversion Program

Public Health reached out to Active San Gabriel Valley (ActiveSGV) and the South Bay Bicycle Coalition (SBBC) to learn about their experiences running post-filing diversion programs in Los Angeles County. ActiveSGV’s program was established in 2017 with the El Monte Traffic Court, however it is not currently active. South Bay Bicycle Coalition’s program was established with the Torrance Traffic Court, in coordination with Redondo Beach Police Department (RBPD) and is currently limited to people who have received tickets from the RBPD. Both organizations shared the difficulties with initiating and sustaining their programs, as success has depended on building relationships with individual traffic court judges who are routinely rotated through the courthouses. In addition, changeover in judges may mean changes to the program, as has been the case in the South Bay where the current judge has required some level of jurisdictional commitment to publicize programs in order to refer people who have received a citation from that jurisdiction to South Bay Bicycle Coalition’s classes.

Public Health held initial meetings with the staff from LASD, District Attorney, Superior Court of California – County of Los Angeles, Public Defender, Traffic Administrative Services unit of LACDA, and CHP to identify how to establish a diversion program for people cited for infractions related to walking and biking. In conversations with these staff, Public Health explored the two diversion program models, a post-filing diversion program with the Superior Court of California

– County of Los Angeles or a pre-filing diversion program with law enforcement agencies. The post-filing model was strongly not recommended by the Superior Court and other agencies familiar with working with the Court because of a desire to keep these types of citations out of court all together and due to the complexities of establishing and monitoring a court referred diversion program. A pre-filing diversion program was recommended because it would reduce the potential of a citation being submitted to the court, accruing fees, or resulting in community members ending up in collections if they are unable to pay.

Public Health met with both CHP and LASD staff to explore the feasibility of a pre-filing diversion program. Public Health would help administer the program, contracting with a local bicycle /pedestrian safety organization able to provide education in both Spanish and English. As CHP is a state agency, they felt participation in a diversion program would need to be something explored at the state level, not at the division level. However, they expressed willingness to assist with providing bicycle/pedestrian safety education if needed. Public Health met with LASD staff, who expressed interest and shared that a program could be feasible especially since traffic tickets are still handwritten. This makes it easier to administer a diversion program as tickets are not automatically transferred to the court, enabling LASD to hold a ticket at the station for the duration of time it would take for someone to complete the diversion program. They were open to the idea of piloting the program with one station initially, suggesting the East LA Station given the density of the community and how many people walk and bike.

Public Health met with staff from the East LA Station, who expressed support but noted that since the start of the pandemic, the number of citations for biking and walking infractions have decreased substantially. In 2019, 116 bicycle and 8 pedestrian citations were issued. In 2020, 24 bicycle and 4 pedestrian citations were issued, while in 2021 that number was even lower at 5 bike and 1 pedestrian citations. Reasons provided for the decrease in bicycle/pedestrian related citations included pandemic budget constraints along with the increase in focus on street racing and sideshows. As a result of this meeting, Public Health put in a data request with LASD to see if this trend was similar across all LASD stations. LASD provided bicycle and pedestrian citation data for 2019, 2020, and 2021 for all stations. Between 2019 and 2021, there was a 74 percent decrease in bicycle citations and a 67 percent decrease in pedestrian citations. Across all LASD stations there were 605 bicycle and 492 pedestrian citations issued in 2019 and 155 bicycle and 162 pedestrian citations issued in 2021.

Piloting a diversion program could potentially result in an increase in bicycle/pedestrian related citations. LASD staff, who indicated support for piloting this program, noted that with additional resources, an increased number of citations could be issued to support diversion program implementation, since the number of citations issued has been low during the pandemic. While providing a diversion program would be beneficial for reducing the impact of these citations on those cited, program implementation that likely results in more citations being issued overall may be counterproductive with the intent of your Board's motion.

To continue the work of establishing a pilot pre-filing diversion program or to explore just creating an on-going bicycle/pedestrian safety education program, Public Health would need to request staff position resources through the budgeting process and would need resources identified to

contract with local organization(s) experienced in providing Spanish and English bicycle and pedestrian safety education (see Cost Estimates and Funding Needs section). The staff positions would be needed to convene the necessary partners; establish the systems and processes necessary to make a program feasible; and to manage, evaluate, and promote the program.

Other Recommendations from the Vision Zero Action Plan to Further Decriminalize and Enable Alternative Modes of Transportation in Unincorporated Communities

The Vision Zero Action Plan, which was adopted by the Board of Supervisors on August 4, 2020, identifies over 60 actions focused on roadway safety.

Many of the actions in the Plan are directly aligned with enabling the use of non-vehicular and alternative modes of transportation and will be implemented in partnership with community stakeholders. These include the following actions that are intended to implement traffic safety enhancements to reduce fatal and severe injury collisions involving pedestrians and bicyclists:

Action B-10: Install high visibility crosswalks on the Collision Concentration Corridors.

Action B-11: Implement leading pedestrian intervals (LPI) at intersections along the Collision Concentration Corridors to allow pedestrians to begin crossing the roadway before the vehicle signal turns green, where feasible and appropriate.

Action B-12: Implement a semi-exclusive pedestrian or exclusive pedestrian (i.e. pedestrian scramble) operation in unincorporated Los Angeles County at an intersection with high pedestrian traffic and/or vehicle-pedestrian conflicts.

Action B-13: Implement curb extensions (paint and flexible posts or bollards and/or curb and gutter) on Collision Concentration Corridors where feasible and appropriate.

Action B-14: Implement left-turn phasing at intersections along Collision Concentration Corridors where feasible and appropriate.

Action B-15: Implement bike paths/separated bikeways along Collision Concentration Corridors where feasible and appropriate.

Public Works has incorporated, and will continue to incorporate, these traffic safety enhancements into projects along Collision Concentration Corridors where feasible and appropriate (Action A-9). This is being accomplished by developing projects on the Collision Concentration Corridors, as well as leveraging existing countywide Programs, such as Public Works' Pavement Program, to implement traffic enhancements as part of ongoing roadway projects. Traffic safety enhancements are also being incorporated into Public Works' stormwater quality projects.

Supporting legislative efforts related to setting and enforcing speed limits (Action A-3) is also aligned with enabling the use of non-vehicular and alternative modes of transportation. Lowering speed limits where appropriate can lead to reduce vehicle speeds which can help pedestrians and bicyclists feel more comfortable utilizing unincorporated County roadways.

Assembly Bill (AB) 43 which passed into law on January 1, 2022, includes provisions that may allow local authorities to set lower speed limits below the 85th percentile speed in certain circumstances as part of establishing radar-enforceable speed limits through Engineering and Traffic Surveys. There are also provisions that will allow for additional consideration for vulnerable road users, such as pedestrians and bicyclists. However, many of these provisions are not in effect yet or will require County Code amendments and/or revisions by the State Department of Transportation to the California Manual on Uniform Traffic Control Devices before they are able to be implemented. Public Works has commenced discussions with County Counsel regarding the implementation of AB 43 and will be discussing how to equitably implement its provisions on Vision Zero Collision Concentration Corridors across the county.

Moreover, vital to understanding the impact of law enforcement interactions on people of color and low-income people, as well as the disproportionate impact of traffic crashes on these populations, is the need for on-going data analysis and improved transparency. Public Health is responsible for various actions in the Vision Zero Action Plan including the following and will begin implementing them as soon as requested staff resources are available:

- E-2: Conduct regular data analysis on motor vehicle collision injuries and deaths to identify populations impacted and trends.
- E-3: Establish a Transportation Injury Surveillance System (TISS) that links CHP collision records with Emergency Medical Services, Trauma Center and Hospital records, to understand full scope of collisions in Los Angeles County and track trends in pedestrian and bicycle injuries and deaths by sociodemographic characteristics and geography.
- E-8: Identify and implement an evaluation plan and conduct special studies to understand the impact and extent of traffic collisions countywide, with a focus on disadvantaged communities.
- E-10: Prepare and distribute reports summarizing data, trends, and research related to motor vehicle collisions.

Public Health is also listed as the lead on action:

- B-1: Create a coordinated approach to law enforcement and community engagement in unincorporated communities.

Many of the County's Collision Concentration Corridors are in communities of color and it's vital to engage communities around traffic enforcement. Given larger conversations around policing in communities of color, it is recommended that this action be coordinated with other County entities addressing these policing issues, such as the CEO ARDI unit, the Civilian Oversight Commission, and the Office of Inspector General (OIG).

The Vision Zero Action Plans includes a number of traffic enforcement related actions including the following ones for which CHP is the lead:

- D-8: Focus checkpoints to unincorporated County roadways with high incidents of collisions involving impaired driving.
- D-9: Focus the Special Enforcement Unit (SEU) at locations with the highest prevalence of moving violations that lead to fatal and severe injury collisions.

- D-10: Continue leading the Impaired Driving Task Force (IDTF); focus deployments in areas with the highest prevalence of Driving Under the Influence (DUI) collisions.
- D-11: Continue leading the Street Racing Task Force aimed at reducing roadway racing regionally by coordinating among law enforcement agencies and the community.

In addition, LASD is the lead on the following actions:

- D-5: Develop a series of traffic safety trainings for the Sheriff's Department regular shift briefings.
- D-6: Update the Sheriff Department's Field Training course to include traffic enforcement and investigation content.

These actions may present an opportunity to address the issues brought to light through the LA Times article and by community; and to engage with stakeholders on how enforcement of issues such as impaired driving and street racing can be done so as not to result in the over-policing of black and brown communities. It's worth noting that several jurisdictions in California such as the cities of Berkeley and Los Angeles are exploring civilian traffic enforcement units. The City of Los Angeles has just begun a study to explore traffic safety enforcement alternatives and is in the process of establishing an advisory task force.

Cost Estimates and Funding Needs

Attachment D provides the funding needs and justification for Public Health to pilot a diversion program for people cited for biking and walking infractions. It also describes the resources needed by Public Health to make progress on all other actions in the Vision Zero Action Plan for which Public Health is identified as lead. Traffic fatalities have increased by almost 32 percent between 2019 and 2021 on unincorporated County-maintained roadways, which exceeds the estimated increase in fatalities seen nationally during these years. Therefore, implementation of the actions in the Vision Zero Action Plan is important.

The cost estimates outlined in Attachment D will enable Public Health to support the establishment of a diversion program pilot, conduct Vision Zero data collection and analysis, as well as expand capacity to support Public Works with community engagement on Vision Zero projects and on their response to the August 2021 "Addressing Infrastructure Inequity" motion. Public Health previously submitted this request as an Unmet Need budget request in the FY 20-21 Recommended Budget. This revised request also addresses staffing needed for the diversion program. In total Public Health has developed a budget request of \$1,197,830 annually to support these activities. CEO previously approved two of the staff items and provided Public Health with \$0.356M in Net County Cost to fund the items in the FY 20-21 Recommended Budget, however with the pandemic the CEO removed the NCC funding for the Public Health Vision Zero staff in the FY 20-21 Final Changes budget. Public Health continues to pursue grant opportunities to support staffing and program needs for Vision Zero however, to date no funding to support the staff listed in Attachment D has been identified.

If you have any questions related to Public Health contact Dr. Barbara Ferrer at (213) 240-8117 or Megan McClaire at (213) 288-8036 or mcclaire@ph.lacounty.gov. For questions related to Public

Each Supervisor
April 19, 2022
Page 9

Works please contact Mark Pestrella at (626) 458-4001 or your staff may contact Steve Burger at (626) 458-4018 or sburger@pw.lacounty.gov.

BF:al

Attachments:

- Attachment A – Board Motion
- Attachment B – Draft Ordinance
- Attachment C – Correspondence Public Works Received from Stakeholder Organizations
- Attachment D – Proposed Public Health Budget Needs

c: Chief Executive Office
County Counsel
Executive Officer, Board of Supervisors
Public Works
Sheriff's Department

MOTION BY SUPERVISORS HILDA L. SOLIS
AND JANICE HAHN

November 16, 2021

Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

A recent analysis conducted by the Los Angeles Times¹ revealed that out of more than 44,000 bike stops made by the Los Angeles Sheriff’s Department since 2017, 70 percent involved Latinx 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 bike stops also occurred at greater rates in communities of color such as unincorporated East Los Angeles than in more affluent neighborhoods throughout the County. Despite discussions of reform and training, it is clear that the Department, whose workforce includes more than 50 percent Latinx deputies, has not addressed systemic issues of biased policing.

¹ <https://www.latimes.com/california/newsletter/2021-11-08/bike-stops-la-sheriff-deputies-latino-essential-california>

MOTION

MITCHELL _____

KUEHL _____

HAHN _____

BARGER _____

SOLIS _____

Mobility and access to high quality transportation are already critical issues of equity for Los Angeles County (County) residents as it is. Transportation costs in our region are amongst the highest in the country, making up 20 percent of a typical household's income. Most Americans utilize a car for commuting purposes; but due to the high costs associated with car ownership, lower-income households are often relegated to biking, walking, taking transit, and using other non-vehicular forms of transportation for their daily tasks. Many bicyclists look to the sidewalk as refuge from the harassment they receive from drivers when they use the roadway and from the danger of sharing road space with fast-moving traffic. Surveys conducted by the nonprofit Los Angeles County Bicycle Coalition found riders are twice as likely to ride on the sidewalk on streets with no bike lanes than those with them, and these concerns are justified. In fact, between 2013 and 2017, 1,265 bicyclists incurred injuries from collisions on unincorporated roadways, and 131 experienced severe injuries or lost their lives. Residents should not be punished by the Sheriff's Department due to their poverty, the color of their skin, their neighborhood, their commitment to more sustainable modes of transportation, or their concern for personal safety. The Sheriff's Department's use of bike stops to search Latinx and other bicyclists only exacerbates structural inequities in low-income communities of color.

In 2020, the Board of Supervisors adopted a Vision Zero Action Plan that seeks to reduce traffic fatalities on unincorporated roadways to zero by 2025. To reach that goal, the Plan proposes a number of engineering, education, and enforcement strategies that make travel safer on County roads without disproportionately burdening certain populations. Of those strategies, there are several related to law enforcement, including a recommendation to legalize the operation of bicycles on sidewalks which is currently

prohibited under Los Angeles County Code and accounted for 8 percent of stops by the Sheriff's Department. These recommendations are low hanging fruit that can be immediately implemented to begin addressing the injustices exposed by the Los Angeles Times analysis. Every resident should have a right to safe travel regardless of what mode of transportation they decide to use.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Director of Public Health to collaborate with Public Works, Sheriff's Department, County Counsel, California Highway Patrol, Los Angeles County Development Authority, and the Los Angeles County Superior Court to do the following:

1. Immediately begin implementation of the following recommendations included in the County's Vision Zero Action Plan in partnership with community stakeholders:
 - B-2:** Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling.
 - B-3:** Identify process and partners to consider revising the Los Angeles County Municipal Code to allow the operation of bicycles on sidewalks.
2. Identify any other recommendations included in the Vision Zero Action Plan that should be implemented in partnership with community stakeholders to further decriminalize and enable the use of non-vehicular and alternative modes of transportation in unincorporated communities;
3. Instruct the Director of Public Health, in consultation with the Chief Executive

Office and relevant County departments, to develop cost estimates and identify funding needs and potential opportunities to support the implementation of these Vision Zero recommendations; and

4. Report back in writing in 90 days with an update on the above directives.

#

HLS:mr

MOTION BY SUPERVISOR JANICE HAHN

November 16, 2021

AMENDMENT ITEM 21

WE, FURTHER MOVE that the Board of Supervisors direct the Department of Public Health, Department of Public Works and County Counsel to propose ordinance changes that would allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities to walkers and bikers and report back in 90 days.

MOTION

Mitchell	_____
Kuehl	_____
Hahn	_____
Barger	_____
Solis	_____

MOTION BY SUPERVISORS HILDA L. SOLIS
AND JANICE HAHN

November 16, 2021

Amendment by Supervisor Mitchell to #21 – Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

5. Direct County Counsel, in partnership with the Executive Director for the Office of Anti-Racism, Diversity and Inclusion (ARDI), the Civilian Oversight Commission, and the Office of the Inspector General to examine enforcement practices related to people riding bicycles and whether the County Code and related enforcement practices are in line with County Anti-Racist and Vision Zero policies. The examination should rely on national and international best practices of laws governing riding bicycles. Where additional resources are needed to aid with the analysis, partners, including ARDI, should work with the CEO to identify necessary funding. County Counsel shall report back to the Board in writing within 120 days on recommended modifications to the County Code and related penalties that are in line with Countywide policies.”

###

(LO)

MOTION

MITCHELL	_____
KUEHL	_____
HAHN	_____
BARGER	_____
SOLIS	_____

ANALYSIS

This ordinance amends the Los Angeles County Code, Title 15 –Vehicles and Traffic to allow and establish standards for the use of bicycles on sidewalks in the unincorporated communities of Los Angeles County.

Very truly yours,

DAWYN R. HARRISON
Acting County Counsel

By

WARREN R. WELLEN
Senior Deputy County Counsel
Public Works Division

DRAFT

ORDINANCE NO. _____

An ordinance amending the Los Angeles County Code, Title 15 –Vehicles and Traffic to allow and establish standards for the use of bicycles on sidewalks in the unincorporated communities of Los Angeles County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 15.76.080 is hereby amended to read as follows:

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.

SECTION 2. Section 15.76.082 is hereby added to read as follows:

15.76.082 – Bicycle riding on sidewalk – prohibited when.

Bicycles may be ridden on any sidewalk except in locations where a sign is posted indicating that bicycling is prohibited thereon.

SECTION 3. Section 15.76.084 is hereby added to read as follows:

15.76.084 – Bicycle riding on sidewalk – signs prohibiting authorized when.

Whenever the Board finds that any portion of a sidewalk maintained or operated for the public by the County is not suitable for bicycling based upon concerns for the protection of the public, the Road Commissioner shall erect and maintain adequate signs along such portion of the sidewalk specifying the prohibition of bicycle riding.

SECTION 4. Section 15.76.086 is hereby added to read as follows:

15.76.086 – Bicycle riding on sidewalk – Exceptions to compliance with signs prohibiting.

County of Los Angeles employees who are acting within the course and scope of their employment may ride bicycles on sidewalks where signs are posted prohibiting bicycling riding on sidewalks pursuant to Section 15.76.084, in a manner that is consistent with Section 15.76.089. This includes, without limitation, peace officers, emergency medical personnel, and parking enforcement officers.

SECTION 5. Section 15.76.088 is hereby added to read as follows:

15.76.088 – Bicycle riding on sidewalk – temporary restrictions authorized when.

Whenever the Road Commissioner finds that traffic congestion or traffic hazard is likely to result from people riding bicycles on sidewalks during the holding of public or private assemblages, gatherings or functions, or during the construction, alteration, repair, sweeping or improvement of any highway, or for other reason, the Road Commissioner may place or cause to be placed temporary signs prohibiting bicycle riding on sidewalks during the period such condition exists.

SECTION 6. Section 15.76.089 is hereby added to read as follows:

15.76.089 –Bicyclist riding on or from sidewalk – Responsibilities of.

- A. Whenever a person is riding a bicycle upon a sidewalk, such person shall:
1. Yield the right-of-way to all pedestrians, and other sidewalk users including but not limited to animals and vendors;
 2. Travel with due care at a speed and in a manner that is reasonable

or prudent having due regard for weather, visibility, the users of, and the surface and width of, the sidewalk; and in no event travel at a speed or in a manner which endangers the safety of persons or property.

B. Upon entering a roadway from a sidewalk, a person riding a bicycle shall yield to all traffic.

DRAFT

Decriminalizing mobility through implementation of the Vision Zero Action Plan
 Potential amendments to Los Angeles County Code to allow bicycle riding on sidewalks

Correspondence Public Works received as of April 17, 2022

Date Received	Name	Organization	Comment
March 7, 2022	John Yi	Los Angeles Walks	<p>Thanks for reaching out to us on this issue. While we do want sidewalks that are safe for pedestrians we also want streets that are safe for everyone, bikers and drivers included. And given that so much of our infrastructure is openly hostile to bikers, it's understandable that often the safest place is the sidewalk. And for many of our Black and Brown sisters and brothers of color, riding on the street and riding on the sidewalk (at high risk of getting pulled over) can be equally dangerous and undignified.</p> <p>And so all that to say, yes we agree with this motion. But if it is our hope to truly serve and protect our bicyclists, a county-wide network of protected bike lanes would make far more of an impact...but I know that's not the question at hand.</p> <p>Thanks for sharing and asking for our input!</p>
March 7, 2022	Kathleen Barajas	State Independent Living Council	<p>It appears that the additional code section covers safety precautions needed by the disability community; thank you for that and for allowing me to weigh in on this.</p>
March 8, 2022	Ellen Blackman	Citizen Representative	<p>Thank you for giving me an opportunity to comment on the proposed changes to the County Code involving the use of bicycles on sidewalks.</p> <p>I appreciate the desire to move bicycles to sidewalks rather than streets. Most street bike-paths do not look particularly safe for the bicyclist. However, whenever bicyclists and pedestrians using mobility devices may be travelling in the same shared space, I'm concerned about potential dangers to the pedestrians. And I have heard similar concerns over the years from persons using wheelchairs, walkers, and other mobility devices.</p> <p>The proposed change to the code includes responsibilities of the bicyclist, which is good. I am concerned that, ultimately, adherence to these responsibilities depends on the willingness of the bicyclist.</p> <p>As long as there is adequate space on the sidewalk for a person in a wheelchair and a person using a bicycle to each maneuver, the proposed changes would meet the basic requirements for accessibility. My concern is how to ensure the safety of all persons using the sidewalks.</p> <p>I don't know if my thoughts help or not. But thank you for the opportunity</p>

Decriminalizing mobility through implementation of the Vision Zero Action Plan
 Potential amendments to Los Angeles County Code to allow bicycle riding on sidewalks

Correspondence Public Works received as of April 17, 2022

Date Received	Name	Organization	Comment
March 8, 2022	Eric Harris Autumn Elliot	Disability Rights California	<p>(Eric Harris) I reached out to our managing attorney for our Civil Rights Practice Group about this issue. She states the general concern below. The obstacles that Autumn is referring to below include circumstances when people leave their bikes or scooters in the sidewalk. This makes it really difficult for people who are Blind or with vision loss, it also makes it difficult for people with any physical disabilities or who use mobility devices.</p> <p>Our perspective is that from a disability perspective, it is better to take space from cars and other vehicles than it is to take space from pedestrians.</p> <p>(Autumn Elliot) My initial take: As a general matter I'm a fan of decriminalizing things, and I really don't blame cyclists for riding on the sidewalks in Los Angeles – the streets aren't that safe for them! And it wouldn't surprise me if LAPD were ticketing people for riding bikes on sidewalks in a racist way.</p> <p>BUT we just wrapped up a whole case against the City of San Diego for letting people ride and park scooters on sidewalks because it created obstacles for people with disabilities, and this doesn't seem that different. The core of the problem is that local governments devote an excessive amount of the public right of way to cars, and then let everyone else (pedestrians, bikes, dockless scooters) fight it out for the few feet of sidewalk that are left. The County should be taking space from the cars to make sure that cyclists can safely ride, not from pedestrians on the sidewalk.</p>
March 11, 2022 (letter dated March 8, 2022)	Nancy McPherson	AARP	See attached letter dated March 8, 2022.



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facebook.com/aarpcalifornia

March 8, 2022

Matthew Dubiel, P.E.
Senior Civil Engineer
Los Angeles County Public Works
900 S. Fremont Ave.
Alhambra, CA 91803

RE: Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan Motion

Dear Mr. Dubiel,

On behalf of over 640,000 AARP members in Los Angeles County, I am writing to share our support of the motion approved by the Board of Supervisors to decriminalize mobility.

We commend the Board of Supervisors for taking on this critical mobility and equity issue for Los Angeles County residents. As you consider potential changes to County Code involving the use of bicycles on sidewalks, AARP urges you to continue prioritizing pedestrians, including older adults and people with disabilities, when it comes to sidewalk use.

One way to build safer streets and communities is through the application of a “complete streets” model, which means streets are designed or redesigned for everyone, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. Walking and bicycling promote physical and mental health, community connections, economic activity, and they are essential to promoting more livable communities. Regrettably, unsafe conditions are often more visible and more pronounced in lower-income communities and in communities of color, in particular Black, Latino, American Indian and Alaskan Native communities. Furthermore, underinvested and unsafe streets also disproportionately impact older adults. Specifically, individuals age 65 and older are overrepresented in deaths involving people walking. In a 2018 study, AARP found that people age 65 and older accounted for 19 percent of pedestrian fatalities, even though they made up just 16 percent of the population.

AARP believes policymakers should create communities that provide a range of safe mobility options. With the availability of additional state and federal infrastructure funds, we also encourage the County to prioritize Vision Zero, Complete Streets, and other infrastructure improvements in unincorporated areas that allow those who bike to do so safely without being

forced to ride on sidewalks. Design and infrastructure investments such as bike lanes provide safer mobility options for both bicyclists and pedestrians.

As longer-term infrastructure improvements are being implemented, AARP supports changing the Los Angeles County Code to allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities to all sidewalk users. As acknowledged by the Board's motion, a disproportionate number of individuals involved in bike stops in the County are low-income and people of color. Poverty can prevent individuals from paying fines or fees resulting from a violation. Penalties for nonpayment can escalate rapidly. Exorbitant fines and fees are sometimes combined with aggressive and coercive collection practices.

AARP supports the research-based best practices proposed by Los Angeles County Public Works, which would allow for the operation of bicycles on sidewalks while preserving the safety of pedestrians, bicyclists, and other sidewalk users with such protocols as yielding the right-of-way to all pedestrians and other sidewalk users, and not riding at a speed or in a manner that endangers the safety of persons or property.

Thank you for your consideration and for the opportunity to comment. Should you have questions, please contact AARP's Los Angeles Regional Manager, Luis Campillo, at (626) 524-8141 or Lcampillo@aarp.org.

Sincerely,

A handwritten signature in black ink that reads "Nancy C. McPherson". The signature is written in a cursive style with a large, looped initial "N".

Nancy McPherson
State Director

Attachment D – Proposed Public Health Budget Needs

Staffing and Resources

To establish and coordinate a bicycle and pedestrian ticket diversion program and support the overall implementation of the County’s Vision Zero initiative, the Department of Public Health (Public Health) will need to request five new staff positions.¹ The positions will be housed in the Division of Chronic Disease and Injury Prevention. These staff will be dedicated to working on traffic safety related efforts, moving the needle on both the Vision Zero goal and the County’s climate resiliency efforts, as Vision Zero is also an action within the OurCounty sustainability plan.

A Health Program Analyst II will manage the overall development and operation of the pilot diversion program and oversee the two Health Analyst I positions. The two Health Program Analyst I staff will provide support for the diversion program, lead efforts such as Safe Routes for Seniors, and assist Public Works with community engagement for Vision Zero infrastructure projects. The Epidemiologist and Epidemiology Analyst positions will lead Vision Zero analysis for both the County and cities across the county. These positions will conduct in-depth analysis of traffic collisions and law enforcement traffic stops to understand who is being impacted, where, and why, and assist Public Works with evaluation. They will develop reports and materials to provide greater transparency to the public and your Board, as the County works to implement Vision Zero and address systemic inequities.

Public Health is also requesting funding to contract with community-based organization(s) to provide bicycle and pedestrian safety education in Spanish and English for the pilot diversion program and assist with bicycle light distribution.

Diversion Program & Community Engagement Team (Health Program Analyst II, two Health Program Analyst Is, and Contracted Community-Based Organizations):

The Health Program Analyst II (HPA II) will lead the Diversion Program and Community Engagement team. The HPA II will facilitate and coordinate meetings with partners, identify and create the systems needed to make a diversion program possible, and manage any agencies contracted to provide the safety classes. They will be responsible for managing and securing future grants to support this program and a bicycle light distribution program. The HPA II will also oversee the two Health Program Analyst I positions and coordinate with the Epidemiologist and Epidemiology Analyst on analysis and evaluation efforts to inform the diversion program and community engagement efforts.

The HPA II will continue ongoing coordination with Public Works on the County’s Vision Zero initiative, serve as Public Health’s liaison to Public Works for the “Addressing Infrastructure Inequity” effort and bring in additional Public Health support as needed.

¹ Per County policy, CEO Classification and Compensation Administration Division would make final determinations regarding allocated position levels for inclusion in the budget.

The HPA II will work with the Epidemiologist to develop reports on Vision Zero related data and evaluation efforts and with the HPA Is to put into practice engagement recommendations identified by the community to ensure that implementation of the Vision Zero Action Plan addresses historic and current inequities and ensures inclusion of the people that have not traditionally been engaged.

The two Health Program Analyst I (HPA I) positions will assist the HPA II in developing the diversion program, leading community engagement efforts as necessary to inform the design and implement the program. The HPA Is will be responsible for developing outreach and promotional materials for the pilot diversion program to inform community members and partners about the program and availability of classes regardless of having a citation. The HPA Is will also work closely with contracted organizations providing bicycle and pedestrian safety classes.

In addition, the HPA Is will work with Public Works to initiate the engagement strategies identified in the Vision Zero Action Plan to enhance the County's community engagement process for roadway infrastructure projects. They will lead Public Health actions specified in the Vision Zero Action Plan, such as implementing the Safe Routes for Seniors program. They will assist with connecting community members and partners, coordinating and facilitating meetings as needed with Public Works and other County departments. They will serve as a liaison between Public Health's current and future pedestrian planning projects and Vision Zero projects ensuring the engagement is well coordinated and involves residents from the earliest point of project scoping.

To deliver the diversion program bicycle and pedestrian safety classes Public Health proposes contracting with a local bicycle and pedestrian education organization(s) to provide virtual and/or in-person bicycle and pedestrian safety education in both Spanish and English. The contracted organization(s) would be responsible for developing the course curriculum, which will need to be approved by LASD or CHP as required by AB 902. Contracting with local community-based organizations with expertise providing Spanish and English bicycle and pedestrian safety education will enable Public Health to better serve the communities most impacted by walking and biking citations. The contracted organizations will also be tasked with purchasing bicycle lights and helmets to distribute to class participants and assist with promoting the program.

The contracted organization(s) will also be funded to acquire and distribute bicycle lights through street side outreach, providing safety presentations at day labor centers and other community venues that are likely to reach people who rely on cycling for everyday transportation. They will also distribute and help fit bicycle helmets during these outreach activities.

Data and Surveillance Team (Epidemiologist and Epidemiology Analyst)

An Epidemiologist and Epidemiology Analyst are needed at Public Health to conduct Vision Zero surveillance, research, and evaluation. The Epidemiologist position is needed to lead data

analysis, evaluation and research initiatives for the Vision Zero initiative and to support greater transparency on traffic enforcement. The Epidemiologist will analyze law enforcement data on traffic stops, especially those involving non-motorized users to bring greater transparency to who is being stopped and why.

The Epidemiologist position is vital to fulfilling the County's Vision Zero initiative health equity principle identified in the Vision Zero Action Plan as a key to guiding decision making. The Epidemiologist will examine traffic collisions data to report on inequities by race, socioeconomic status, and geographic area. Providing the County and the broader community with a better understanding of the disproportionate burden of traffic deaths and severe injuries on the most disadvantaged communities. This position is needed so the County can better understand that current disparities and systemic inequities and track progress over time to ensure inequities are not perpetuated. This position will identify and implement an evaluation plan and conduct special studies to understand the impact and extent of traffic collisions countywide, with a focus on disadvantaged communities; and prepare and distribute reports summarizing data, trends, and research related to motor vehicle collisions.

The Epidemiology Analyst position will support the Epidemiologist, assisting with data entry, cleaning, and analysis for the evaluation of various Vision Zero actions and interventions. This position will assist with developing reports and creating infographics and materials to help share research. In addition, the Epidemiology Analyst will conduct surveillance and analysis for local cities, supporting Metro and cities by identifying the CCCs or high injury networks. This work will support County Vision Zero efforts as the County shares jurisdiction of roadways with many cities and coordination across jurisdictional boundaries is integral to reducing traffic deaths and severe injuries. This position will enable Public Health to provide more direct assistance to cities in the county working on their own Vision Zero initiatives, such as the City of Los Angeles, to evaluate the effectiveness of their interventions and identify joint research projects to explore issues such as the high rate of traffic mortality among people experiencing homelessness.

In collaboration with Public Works, the Public Health Data and Surveillance team will identify performance metrics and support the development of community and corridor-level evaluation studies to understand the impact of Vision Zero infrastructure and programmatic interventions. As projects are completed, they will develop reports summarizing preliminary results from projects and programs implemented within the initiative's first few years. Furthermore, the Epidemiologist and Epidemiology Analyst can support Public Works to understand the local health related impacts and benefits of infrastructure investments related to August 2021 "Addressing Infrastructure Inequity" motion's direction to expand upon the Justice40 Initiative's Implementation Memorandum. These staff can provide health data layers to include in maps of County projects and assist with the comparative analysis of investments in communities by race, socio-economic status, and incidents of COVID-19 deaths. They will participate in all meetings needed to work on these specific data related efforts.

Los Angeles County Department of Public Health Division of Chronic Disease and Injury Prevention Proposed Vision Zero Annual Budget	Estimated Annual Amount (\$)
Personnel	
Health Program Analyst II	\$116,772
Epidemiologist	\$114,787
Health Program Analyst I	\$104,772
Health Program Analyst I	\$104,772
Epidemiology Analyst	\$83,926
Total Salaries	\$525,029
County Fringe Benefits	
Fringe Benefits (59.8%)	\$313,967
Personnel Indirect Cost	
Indirect Cost (30.9% (excluding Fringe Benefits))	\$162,234
Total Personnel	\$1,001,230
Operating Expenses	
Project Supplies	\$22,000
Rent	\$17,600
Parking	\$2,000
Total Operating Expenses	\$41,600
Mileage/Travel	
Mileage	\$5,000
Total Travel/Mileage	\$5,000
Subcontracts	
Community partners for bike/ped education and outreach	\$150,000
Total Subcontracts	\$150,000
Total	\$1,197,830

Grant Opportunities

Public Health recently applied for a California Office of Traffic Safety grant to support providing free virtual and in-person monthly bicycle, scooter, and pedestrian safety class in the unincorporated communities of East Los Angeles, Florence Firestone, Willowbrook/West Rancho Dominguez, and Westmont. In addition, funding was requested to acquire bike lights and helmets to distribute through the classes as well as through doing street side outreach. OTS grants are only for one year and applicants will be notified of potential award in June of 2022. If awarded, funding would be available October 1, 2022 and the grant term would end September 30, 2023. If awarded, Public Health anticipates contracting with community-based organizations that specialize in active transportation safety education to provide classes in these communities starting in winter of 2023.



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
 500 West Temple Street, Room 713, Los Angeles, California 90012
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FESIA A. DAVENPORT
 Chief Executive Officer

June 24, 2022

To: Supervisor Holly J. Mitchell, Chair
 Supervisor Hilda L. Solis
 Supervisor Sheila Kuehl
 Supervisor Janice Hahn
 Supervisor Kathryn Barger

From: Fesia A. Davenport
 Chief Executive Officer

Board of Supervisors
 HILDA L. SOLIS
 First District
 HOLLY J. MITCHELL
 Second District
 SHEILA KUEHL
 Third District
 JANICE HAHN
 Fourth District
 KATHRYN BARGER
 Fifth District

**REPORT BACK ON DECRIMINALIZING MOBILITY THROUGH IMPLEMENTATION OF
 THE VISION ZERO ACTION PLAN (ITEM NO. 21, AGENDA OF NOVEMBER 16, 2021)**

On November 16, 2021, the Board of Supervisors (Board) adopted a motion, as amended, directing (except as otherwise specified below) the Director of Public Health (DPH) to collaborate with the Department of Public Works (DPW), Sheriff's Department, County Counsel, California Highway Patrol, Los Angeles County (County) Development Authority, and the Los Angeles County Superior Court, to report back in writing to the Board within 90 days, as follows:

1. Immediately begin implementation of the following recommendations included in the County's Vision Zero Action Plan partnership with community stakeholders:
 - a. B-2: Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling; and
 - b. B-3: Identify processes and partners to consider revising the Los Angeles County Municipal Code (County Code), to allow the operation of bicycles on sidewalks;
2. Identify any other recommendations included in the Vision Zero Action Plan that should be implemented in partnership with community stakeholders to further decriminalize and enable use of non-vehicular and alternative modes of transportation in unincorporated communities;
3. Instruct to the Director of DPH, in consultation with the Chief Executive Office (CEO) and relevant County departments, to develop cost estimates and identify funding needs and potential opportunities to support the implementation of these Vision Zero recommendations;

4. Instruct DPH, DPW, and County Counsel, to propose ordinance changes that would allow the operation of bicycles on sidewalks based on current best practices for pedestrian and bicycle safety to minimize the injuries and fatalities of walkers and bikers; and
5. Instruct County Counsel, in partnership with the Executive Director for the Office of Anti-Racism, Diversity and Inclusion (ARDI), the Civilian Oversight Commission (COC), and the Office of Inspector General (OIG), to report back in writing to the Board within 120 days as follows:
 - a. Examine enforcement practices related to people riding bicycles and whether the County Code and related enforcement practices are in line with County Anti-Racist and Vision Zero policies, relying on national and international best practices governing riding bicycles;
 - b. Identify recommended modifications to the County Code and related penalties that are in line with Countywide policies; and
 - c. Where additional resources are needed to aid with the analysis, as directed to the specified partners, including ARDI, to work with the CEO to identify necessary funding.

In an effort to respond fully, efficiently, and collaboratively to the Board's directives, the Executive Director of ARDI, along with OIG, DPW, DPH, the Department of Regional Planning, and community partners, in consultation with County Counsel, created a workgroup to discuss and evaluate the identified directives. The workgroup also reached consensus relative to the adjustment of certain lead responsibilities in preparing the reports as outlined below.

With respect to Directive No. 5, the workgroup collectively determined that it would be appropriate for ARDI, in partnership with the COC and OIG, in consultation with County Counsel, to prepare and submit the written report. DPW and DPH, in consultation with County Counsel, prepared a report addressing the remaining directives that will be submitted to the Board separately.

Background

In November 2021, the *Los Angeles Times* published an [article](#) detailing law enforcement practices by the County's Sheriff's Department when conducting bicycle stops. From 2017 to July 2021, more than 44,000 bicycle stops were reported by the Sheriff's Department. Of these stops, 7 of every 10 stops involved Latinx cyclists, and the majority were bicyclists in working-class communities of color, who were far more likely to be stopped, searched, and cited than white bicyclists. Since 2005, 16 bike stops for minor infractions resulted in police shootings, notably and including the shooting death of Dijon Kizzee, a 29-year-old African American male, who was stopped while riding his bike. As detailed in Attachment I, the workgroup focused on the notable disproportionality in bicycle stops and searches for certain racial/ethnic groups, the pervasive lack of bicycle infrastructure, and how potential

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modifications to the County Code could advance the County's Anti-Racism and Vision Zero policy objectives.

Bicycle Enforcement Practices and County Code Recommendations

The workgroup has examined bicycle enforcement practices along with provisions of the County Code related to bicycling, pedestrian safety, and infrastructure to provide a set of recommended sections within County Code Titles 15 and 19 to evaluate and align with the County's Vision Zero policies and Anti-Racism policy agenda (Attachment II). Drawing on effective practices in several jurisdictions across the country, Attachment I provides the workgroup's 8 recommendations and examples of other agencies' efforts to revise their policies in order to decriminalize bicycling, maintain safety, and limit the use of pretextual stops by law enforcement officers for minor traffic violations, including, but not limited to, technical violations, jaywalking, equipment violations, lack of proper lighting, and broken taillights. By implementing the 8 recommendations, which can be found on pages 5 and 6 of Attachment I, and evaluating the relevant section of the County Code, the County can help improve pedestrian and bicyclist safety as well as ensure that enforcement practices align with the County's Anti-Racism Policy Agenda and the Vision Zero Action Plan.

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:JEH:es

Attachments

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

Report on Decriminalizing Mobility Through Implementation of the Vision Zero Action Plan

The Anti-Racism, Diversity, and Inclusion (ARDI) Initiative, Office of Inspector General (OIG), Civilian Oversight Commission (COC), and the Departments of Public Works (DPW), Public Health (DPH) and County Counsel, formed a workgroup to examine alternative models and methods for achieving transportation and policy objectives as an alternative to continued reliance on armed law enforcement. These efforts included an evaluation of the County Code related to pedestrian safety, bicycling enforcement practices, and bicycle infrastructure in unincorporated areas of Los Angeles County (County), and the allocation of public resources to public safety strategies that exist outside of law enforcement.

In the County, racial disproportionality in bicycle and pedestrian enforcement practices occur at a much higher rate for African American and Latino/a/x individuals relative to their counterparts.¹ From 2017 to 2021, more than 44,000 bicycle stops were reported in the County's Sheriff's database. Of these stops, 70 percent were of Latino/a/x bicyclists, whereas the Latino/a/x community represents only 51 percent of the population residing in the Sheriff's patrol area. A *Los Angeles Times* investigation, which analyzed bicycle and pedestrian enforcement practices, found that when deputies searched 85 percent of the more than 44,000 bicyclists, they pulled over from 2017 through July 2021, they uncovered illegal items in only 8 percent of searches. Weapons were seized 164 times — less than 0.5 percent of all searches,² and approximately 80 percent of stops led to searches even when 44 percent of those stops were due to minor equipment infractions. Only 51 percent of deputies received permission to conduct searches, and in 72 percent of stops, many of those searches were also considered invasive (full inspection of belongings, going through pockets, etc.). Overall, 21 percent of bicyclists were arrested or issued a citation to appear in court, and since 2005, 16 bicycle stops for minor infractions resulted in police shootings.³

Racial disproportionality in bicycle and pedestrian enforcement practices are not exclusive to the County but are part of a larger trend across the State of California (State). The State's Racial Identity Profiling Advisory (RIPA) Board examined data related to bicycle stops and found that Black and Hispanic/Latino/a/x individuals were disproportionately stopped for two types of bicycle infractions (poor lighting and bicycle equipment violations) compared to White individuals.⁴ Additionally, Black, and Latino/a/x residents were stopped for nonmoving equipment violations at triple the rate of Asian, and almost double the rate of White residents, respectively.⁵

¹ Los Angeles Times Article, "7 of every 10 bike stops by L.A. sheriff's deputies involve Latino Cyclists.": <https://www.latimes.com/california/newsletter/2021-11-08/bike-stops-la-sheriff-deputies-latino-essential-california>

² Ibid.

³ 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/>

⁴ 2022 Racial Identity Profiling Advisory (RIPA) Board Report: <https://oag.ca.gov/system/files/media/ripa-board-report-2022.pdf>

⁵ Ibid.

Based upon findings from a study on bicycle and pedestrians enforcement practices in Chicago, Jesus Barajas (2021) noted that racial disparities in law enforcement practices resulted from the lack of adequate bicycle infrastructure in communities of concentrated disadvantage where residents also face safety challenges traveling to and from work, school, and grocery stores.⁶ The Chicago study identifies that certain neighborhood structural conditions, such as the lack of bicycle lanes, decrease safety and increase the likelihood of bicycle citations.

EXAMINATION OF LOCAL AND NATIONAL JURISDICTIONAL POLICIES

The workgroup examined efforts to decriminalize bicycling in jurisdictions across the country. These jurisdictions sought to decriminalize bicycling through efforts including changes to policy and ordinances, and the issuance of special orders. The following examples provide summarized actions initiated or adopted within those jurisdictions.

City of Los Angeles Ordinance and Los Angeles Police Department Policy Changes

On March 1, 2022, the Los Angeles Police Department (LAPD) adopted [Policy 1/240.06](#), which limits the use of pretextual stops⁷ by LAPD deputies.⁸ The impetus for this policy came from a report conducted by the LA City Office of Inspector General (LA-OIG) for the LA City Police Commission, which examined stops conducted by the LAPD in 2019. The LA-OIG analyzed 712,498 stops with particular emphasis on officer-initiated stops. Of those officer-initiated stops, 73 percent were of Black and Latino/a/x residents. Additionally, Black, and Latino/a/x residents were more likely to be stopped for minor equipment or regulatory violations than White residents and were more likely to be searched and less likely to be in possession of illegal items than other residents. LA-OIG concluded that stops of Black and Latino/a/x people were being used as basis for pretextual searches and recommended that LAPD adopt policy to limit their use.

Kansas City Council Ordinance Changes

In Kansas City, Missouri, the City Council voted unanimously to repeal ordinance chapter 70, sections 70-268, which requires wheels and tires to be clean within the city, and 70-706, which allows inspection of a bicycle *at any time* upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law. City Council repealed chapter 70, sections 70-268 because individuals may not be aware of the condition of their vehicle while riding through dirty city streets, alleys, highways, or other public places. City Council repealed chapter 70, sections 70-706 because the ordinance did not define

⁶ Jesus M. Barajas, Biking where Black: Connecting transportation planning and infrastructure to disproportionate policing, Transportation Research Part D: Transport and Environment, Volume 99, 2021,103027, ISSN 1361-9209, <https://doi.org/10.1016/j.trd.2021.103027>.

⁷ Pretextual Stop - "A pretextual or pretext stop is one where officers use reasonable suspicion or probable cause of a minor traffic or code violation (e.g., Municipal Code or Health and Safety Code) as a pretext to investigate another, more serious crime that is unrelated to that violation."
https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2022/03/3_9_22_SO_No.3_Policy_Limitation_on_Use_of_Pretexual_Stops_Established.pdf

⁸ Policy – Limitation on Use of Pretextual Stops:
https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2022/03/3_9_22_SO_No.3_Policy_Limitation_on_Use_of_Pretexual_Stops_Established.pdf

reasonable cause or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law.

City of Seattle Policy Changes

On January 14, 2022, Chief of Police Adrian Z. Diaz sent a letter to Lisa Judge, Inspector General, informing the city that the Seattle Police Department will no longer treat expired or missing vehicle registration, issues with display of registration plates, technical violations, and bicycle helmet violations as primary reasons to engage in a traffic stop. The de-prioritization was informed by the fact that 1) *these violations do not have a direct connection to the safety of other individuals on the roads, paths, or sidewalks*; and 2) *violations may disproportionately fall on to those who are unable to meet the financial requirements set forth by the law*.

State of Virginia Legislative Proposals

On November 9, 2020, the General Assembly of Virginia voted to prohibit pretext stops for low-risk vehicle violations and jaywalking. Virginia revised select ordinances in Titles 15, 18, and 46 of the Virginia Code. For purposes of our inquiry, the revised Virginia Code ordinances can help inform revision of the County Code in a variety of respects, including relative to how and where pedestrians cross highways, the scope of local regulatory authority (regarding the ability to place signs/markers and impose penalties), the pedestrians' use of highways, and the use of effective or unsafe equipment.

City of Philadelphia Code Changes

On October 14, 2021, Philadelphia City Council amended Title 12 of the Philadelphia Traffic Code to ban traffic stops for minor vehicle violations to provide for the fair and transparent administration of the traffic violations, *prevent racial disparities, and protect public safety, and make certain technical changes*.

Accordingly, numerous jurisdictions across the United States are working to reduce racial disparities and increase public safety by decriminalizing pedestrian, bicycling, and minor traffic or low-level equipment violations as well as working to limit pretextual stops by law enforcement. Such jurisdictions are also taking affirmative steps to examine and acknowledge the role that their policies have played in creating racial disparities in bicycling and traffic enforcement.

Finally, jurisdictions across the country, after examining their policies, have determined, given the low yield in criminality of residents stopped for low-level equipment and traffic violations connected with bicycling and walking, that any rationale for potentially maintaining such policies is not justified by the time and funding associated with undertaking such tasks. By decriminalizing mobility, jurisdictions can reallocate law enforcement time and effort to tasks that yield higher rates of criminality. Finally, these jurisdictions agree that decriminalizing mobility and limiting the use of pretext stops makes residents safer. Limiting the use of pretext stops can decrease mistrust of law enforcement in communities, which in turn has the potential to increase the community's sense of safety. All are just cause for the recommended revisions to the County Code.

Funding Alignment

The Sheriff receives funding from the State of California Office of Traffic Safety (OTS) to perform *special enforcement operations encouraging bicycle and/or pedestrian safety as it pertains to collisions and/or violations made by bicyclists, pedestrians, and drivers*. Additionally, the California Highway Patrol (CHP) is allocated OTS funding for bicycle and pedestrian education and enforcement in the County. CHP enforcement efforts are usually focused on driver behavior toward walking and bicycling, compliance with crosswalks, and distribution of bicycle lights at community events. OTS funding used for bicycle and pedestrian enforcement could be modified to strengthen pedestrian and cyclist safety through funding for bicycle safety education programs, unarmed traffic enforcement, and increasing bike infrastructure in areas where it is currently lacking. Consistent with this recommendation, DPH recently applied for OTS funding to enable them to contract with community-based organizations to conduct bicycle and pedestrian safety educational programs in unincorporated communities within the County. If awarded, DPH plans to use some of the funding to purchase bicycle helmets and lights for distribution in these communities through classes and outreach events.

Background on Legislative Proposals

There are currently two legislative proposals that seek to decriminalize pedestrian and bicycle infractions.

Assembly Bill 2147 (Ting and Friedman)

As introduced on February 15, 2022, would prohibit a peace officer from stopping a pedestrian for a violation involving an illegal street crossing 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.

Existing law imposes various duties relating to the rules of the road, including, but not limited to, traffic signs, symbols, and markings, and pedestrians' rights and duties. Current law also prohibits pedestrians from entering roadways and crosswalks, except under specified circumstances. Under existing law, a violation of these provisions is an infraction. In addition, peace officers are authorized to make arrests for violations of the Vehicle Code without a warrant for offenses committed in their presence, as specified.

According to the authors, AB 2147 promotes safe walking and limits unjust enforcement by prohibiting law enforcement from stopping individuals for jaywalking unless there is an immediate danger of a collision with a moving vehicle.

Assembly Bill 2773 (Holden)

As amended on May 19, 2022, would require a peace officer making a traffic or pedestrian stop, before asking any questions, to state the reason for the stop, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. In addition, AB 2773 would require: 1) a peace officer to document the reason for the stop on any citation or police report resulting from the stop

and 2) the Department of Motor Vehicles (DMV) to include information regarding the duty of a peace officer to state the reason for the stop in the handbook at the earliest opportunity when the handbook is revised or reprinted.

Existing law authorizes specified peace officers, including agents of the Department of the California Highway Patrol, county sheriffs, and city police officers, to require a driver to stop and submit to an inspection in specified circumstances. Current law also requires the DMV to publish a synopsis or summary of the laws regulating the operation of vehicles and the use of the highways, known as the California Driver's Handbook, and requires the department to include specified information in the handbook, including a person's civil rights during a traffic stop.

According to the author, the goal of the legislation is to promote equity and accountability across California. AB 2773 would bring transparency to service of protecting the public.

RECOMMENDATIONS

Given the Los Angeles Times investigation and analysis of other jurisdictions, the workgroup examined enforcement practices related to people riding bicycles across the United States. In reviewing multiple jurisdictions, the workgroup identified models the County could adapt to improve bike and pedestrian safety and to modify enforcement practices using a racial equity lens to reduce racial disparities in traffic stops. In keeping with the Board's directives, the workgroup proposes the following recommendations for the Board's consideration:

1. Direct County Counsel, in consultation with ARDI, DPW, DPH, OIG, COC, and DBH, to explore and evaluate sections of County Code Titles 15 and 19 and explore opportunities to decriminalize certain biking activities, in alignment with best practices of other jurisdictions identified in Attachment I (Review of Relevant Sections of Los Angeles County Code Title(s) 15 and 19 - Attachment II);
2. Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DPW, and DBH, to explore the feasibility of potential ordinance language to mitigate the impacts of consent searches upon bicyclists in alignment with County Code Titles 15 and 19;
3. Direct DPW to consider factors pertaining to the safety of pedestrians and bicyclists, as appropriate, to avoid the potential of further criminalizing bicycling, including adding well-placed signage specifying the prohibition of bicycle riding, in the event that DPW is evaluating potential restrictions for bicyclists on sidewalks;
4. Direct DPH and DPW to explore the feasibility of using OTS funds to enhance bicycle and pedestrian safety in partnership with non-law enforcement County departments;

5. Direct ARDI, in consultation with DPW, DPH, OIG and COC, 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;
6. Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DBH, and DPW, to explore the feasibility of providing, in any ordinance amended to decriminalize bicycling language, that the ordinance is retroactive and intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed, so that courts can recall arrest warrants and forgive fines associated with bicycling offenses;
7. Direct ARDI to convene a work group comprised of representatives from the CEO Legislative Affairs and Intergovernmental Relations branch, District Attorney, Public Defender, County Counsel, Office of Diversion and Re-entry, DPW 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 no strong causal connections to collisions. This could include, but not be limited to, technical violations, equipment violations, proper lighting, jaywalking, and broken taillights.
8. Direct the Chief Executive Office, through the Legislative Affairs and Intergovernmental Relations Branch, to support Assembly Bill 2147 (Ting), which would prohibit a peace officer from stopping a pedestrian for an illegal crossing violation unless there is reasonable belief of immediate danger of a collision and Assembly Bill 2773 (Holden) which would require a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking questions, unless they reasonably believe withholding the reason is necessary to protect against an imminent threat.

Los Angeles County’s Anti-Racism Policy Agenda and Vision Zero Policy Alignment

The following chart demonstrates how each recommendation aligns with the Los Angeles County (County) proposed Racial Equity Strategic Goals¹ including Goal 2, *Reduce adult first-time felony convictions*. The proposed recommendations also align with Vision Zero Policy² Outcome B, *Address health inequities and protect vulnerable users*, specifically B-1, *Create a coordinated approach to law enforcement and community engagement in unincorporated communities*, B-2, *Identify process and partners for establishing a diversion program for persons cited for infractions related to walking and bicycling*, and B-3, *Identify process and partners to consider revising the Los Angeles County Code (County Code) to allow the operation of bicycles on sidewalks*.

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 1	Direct County Counsel, in consultation with ARDI, DPW, DPH, OIG, COC, and DBH, to explore and evaluate sections of County Code Titles 15 and 19 and explore opportunities to decriminalize certain biking activities, in alignment with best practices of other jurisdictions identified in Attachment I (Review of Relevant Sections of Los Angeles County Code Title(s) 15 and 19 - Attachment II).	X	X		X

¹ Los Angeles County Racial Equity Strategic Plan <https://ceo.lacounty.gov/ardi-2/racial-equity-strategic-plan/>

² Los Angeles County Vision Zero: A Plan for Safer Roadways: <https://pw.lacounty.gov/visionzero/docs/SCAG-LACounty-VZ-Action-Plan-ver-D-hiRes-single-11-25-2019-rev.pdf>

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 2	Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DPW, and DBH, to explore the feasibility of potential ordinance language to mitigate the impacts of consent searches upon bicyclists in alignment with County Code Titles 15 and 19.	X			X
Recommendation 3	Direct DPW to consider factors pertaining to the safety of pedestrians and cyclists, as appropriate, to avoid the potential of further criminalizing biking, including adding well-placed signage specifying the prohibition of bicycle riding, in the event that DPW is evaluating potential restrictions for bicyclists on sidewalks.		X		
Recommendation 4	Direct DPH and DPW to explore the feasibility of using Office of Traffic Safety funds to enhance bicycle and pedestrian safety in partnership with non-law enforcement County departments.		X	X	
Recommendation 5	Direct ARDI, in consultation with DPW, DPH, OIG and COC, 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.	X	X	X	

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 6	Direct County Counsel, in consultation with ARDI, DPH, OIG, COC, DBH, and DPW, to explore the feasibility of providing, in any ordinance amended to decriminalize bicycling language, that the ordinance is retroactive and intended to apply to any pending cases for violation of the ordinance for which fines and fees are still owed, so that courts can recall arrest warrants and forgive fines associated with bicycling offenses.	X			
Recommendation 7	Direct ARDI to convene a work group comprised of representatives from the CEO Legislative Affairs and Intergovernmental Relations branch, District Attorney, Public Defender, County Counsel, Office of Diversion and Re-entry, DPW 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 no strong causal connections to collisions. This could include, but not be limited to, technical violations, equipment violations, proper lighting, jaywalking, and broken taillights.	X			X

Table 1: Anti-Racism and Vision Zero Policy Alignment Matrix		Racial Equity Strategic Goal 2	Vision Zero B-1:	Vision Zero B-2:	Vision Zero B-3:
Recommendation 8	Direct the Chief Executive Office, through the Legislative Affairs and Intergovernmental Relations Branch, to support Assembly Bill 2147 (Ting), which would prohibit a peace officer from stopping a pedestrian for an illegal crossing violation unless there is reasonable belief of immediate danger of a collision and Assembly Bill 2773 (Holden) which would require a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking questions, unless they reasonably believe withholding the reason is necessary to protect against an imminent threat.	X			

Review of Relevant Sections of Los Angeles County Code Title(s) 15 & 19

The following chart recommends relevant sections of Los Angeles County Code (County Code), Titles 15 and 19, to be evaluated for alignment with the County's Anti-Racist and Vision Zero Policy. ARDI recommends that County Counsel, in consultation with ARDI, DPH, OIG, and COC, DBH, and DPW examine and evaluate the following referenced sections of County Code, including considering the feasibility of the following potential ordinance changes, and that the additional described strategic recommendations be evaluated: 1) elimination of fees/penalties associated with biking violations, including forgiveness of outstanding debt and arrest warrants for violators; 2) consideration of limiting the admissibility of evidence obtained during pretextual bike stops for use in any trial, hearing, or proceeding; and 3) recommending that the Board urge Los Angeles Sheriff Department to issue a policy stating that they will no longer enforce select biking violations, will limit pretext stops, and will limit enforcement of secondary violations.

Table 2: County Code Title(s) 15 & 19 Sections to be Evaluated

County Code	Sections to be Evaluated
<p>15.200.010 Civil penalties for violation of parking</p>	<p>Evaluate the potential elimination of civil penalties associated with biking on sidewalks and failure to adhere to signs (County Code sections: 15.20.070, 15.76.080, 19.12.1340).</p> <p>Evaluate potentially not adding civil penalties associated with new County Code sections, 15.76.080, 15.76.082, 15.76.084, 15.76.086, 15.76.088, 15.76.089.</p> <p>Evaluate the feasibility of creating a pre-file diversion program aimed at avoiding the imposition of citations for biking violations that are predicated on State law.</p> <p>Evaluate the feasibility of cancelling outstanding citation debt and releasing warrants for offenses related to biking.</p>
<p>15.200.020 Additional assessments</p>	<p>Evaluate the elimination of delinquent fees associated with biking on sidewalks, low-level equipment infractions and failure to adhere to posted signage.</p> <p>Evaluate potentially not adding delinquent penalties associated with new County Code sections, 15.76.080, 15.76.082, 15.76.084, 15.76.086, 15.76.088, 15.76.089.</p>

	Evaluate the feasibility of forgiving outstanding delinquent penalties and recalling warrants for offenses related to biking.
County Code	Sections to be Evaluated
15.52.030 Pedestrians and bicyclists roadway crossing restrictions	Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>
15.20.070 Obedience to traffic signs	Evaluate the feasibility of adding language to the ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>
PROPOSED ORDINANCE SECTIONS in response to this motion 15.76.080 Driving or riding vehicles on sidewalk 15.76.082 Bicycle riding on sidewalk prohibited when 15.76.084 Bicycle riding on sidewalk – signs prohibiting authorized when 15.76.086 Bicycle riding on sidewalk - exceptions to compliance with signs prohibiting 15.76.088 Bicycle riding on sidewalk - temporary restrictions authorized when 15.76.089 Bicyclist riding on or from sidewalk Responsibilities of	Consider adopting the new ordinance language proposed in response to this motion, in consultation with OIG and County Counsel. Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>

15.76.090 Riding on bicycle or motorcycle handlebars	Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i>
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County Code	Sections to be Evaluated
19.12.1340 Bicycles and motorcycles	<p>Evaluate the feasibility of adding to A., B. language that states that bicycles can be ridden or left immobile in areas where there is no adequate biking infrastructure.</p> <p>Evaluate the feasibility of adding language to ordinance stating that, <i>no evidence discovered or obtained as a result of a stop in violation of this section, including evidence discovered or obtained with the person's consent, shall be admissible in any trial, hearing, or other proceeding.</i></p>
Other Additions	<p>Evaluate the advisability of recommending that the Sheriff's Department issue a policy (like LAPD and Seattle) that limits enforcement of bicycle related violations, and limits pretext stops.</p> <p>Additionally, evaluate the advisability of the policy having language limiting the enforcement of <i>Secondary Violations.</i></p>



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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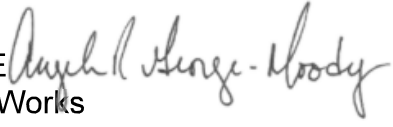
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IN REPLY PLEASE

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

Each Supervisor
December 29, 2022
Page 4

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
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Office.**

COUNTY OF LOS ANGELES

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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
FAD Jan 10, 2023 15:16 PST

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;



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Each Supervisor
January 11, 2023
Page 2

- 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.