

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-1046-S1

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

April 18, 2005

Councilmember Zine
Councilmember Smith
City Administrative Officer
City Attorney
Chief Legislative Analyst
Police Department
Board of Police Commissioners

PLACE IN FILES
APR 19 2005
DEPUTY

RE: REQUIRING THAT NOTICE BE GIVEN TO PURCHASERS OF MOTOR-DRIVEN CYCLES
AND MOTORIZED BICYCLES (AKA POCKET BIKES)

At the meeting of the Council held April 5, 2005, the following action was
taken:

Attached report adopted.....	_____X_____
Mayor concurred	_____
To the Mayor FORTHWITH	_____X_____
Motion adopted to approve communication recommendation(s).....	_____
Motion adopted to approve committee report recommendation(s)...	_____
Ordinance adopted.....	_____X_____
Ordinance number.....	_____176581_____
Effective date.....	_____05-22-05_____
Posted date.....	_____04-12-05_____
Mayor approved	_____04-07-05_____

Frank T. Martinez

City Clerk
SOS

4/19/05



OFFICE OF THE MAYOR
Mayor's Office Stamp

2005 APR -5 PM 3:20

CITY OF LOS ANGELES

TIME LIMIT FILE
ORDINANCE

FORTHWITH

RECEIVED
CITY CLERK'S OFFICE
City Clerk's Time Stamp
2005 APR -5 PM 4:12
CITY CLERK
BY _____ DEPUTY

COUNCIL FILE NUMBER 04-1046-S1

COUNCIL DISTRICT _____ **APR 15 2005**

COUNCIL APPROVAL DATE April 5, 2005

LAST DAY FOR MAYOR TO ACT _____

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: ORDINANCE ADDING SECTION 47.17 TO THE LOS ANGELES MUNICIPAL CODE TO REQUIRE THAT NOTICE BE GIVEN TO PURCHASERS OF MOTOR-DRIVEN CYCLES AND MOTORIZED BICYCLES (POCKET BIKES) IN THE CITY OF LOS ANGELES THAT SUCH VEHICLES ARE NOT APPROPRIATE FOR OPERATION ON A PUBLIC STREET OR HIGHWAY

APPROVED DISAPPROVED

PLANNING COMMISSION

CITY ATTORNEY

 X _____

CITY ADMINISTRATIVE OFFICER

PUBLIC SAFETY COMMITTEE

 X _____

MOTION (ZINE - SMITH)

 X _____

APR 07 2005

RECEIVED
CITY CLERK'S OFFICE
2005 APR -8 AM 11:57
CITY CLERK
BY _____ DEPUTY

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO: _____
*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250 (b) (c)

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR APR 0 8 2005 ORDINANCE NO. 176581

DATE PUBLISHED _____ DATE POSTED APR 1 2 2005 EFFECTIVE DATE MAY 2 2 2005

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: Yes [] No []

APR 12 2005

ORDINANCE NO. 176581

An ordinance adding Section 47.17 to the Los Angeles Municipal Code to require that notice be given to purchasers of motor-driven cycles and motorized bicycles in the City of Los Angeles that such vehicles are not appropriate for operation on a public street or highway.

WHEREAS, public concern has grown over the increased operation of mini-motorcycles or “pocket bikes” on public streets and highways;

WHEREAS, law enforcement officials have indicated that while mini-motorcycles are classified under state law as either motor-driven cycles or motorized bicycles, they are often sold without the seventeen digit vehicle identification number required for registration by the state for lawful operation on a public street or highway;

WHEREAS, law enforcement officials have indicated that many mini-motorcycles do not include all of the safety equipment required by the state for lawful operation on a public street or highway, including proper headlights, brake lights, reflectors, mirrors, turn signals, horn, tires, and braking systems;

WHEREAS, operation of mini-motorcycles on public streets and highways by both adults and unlicensed minors has become more common; and

WHEREAS, mini-motorcycles are often too small to be easily seen by the drivers of other vehicles and place the head level of the rider much lower than that of other drivers so that the operation of mini-motorcycles on public streets and highways is dangerous to pedestrians, to other drivers, and the operators of mini-motorcycles themselves;

NOW THEREFORE:

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS**

Section 1. Section 47.17 is added to the Los Angeles Municipal Code to read:

SEC. 47.17. SALE OF MOTOR-DRIVEN CYCLES AND MOTORIZED BICYCLES.

(a) As used in this section, the term “**motor-driven cycle**” shall mean any motor-driven cycle, as that term is defined in the California Vehicle Code, that is sold without the seventeen digit vehicle identification number required for registration by the State of California.

(b) As used in this section, the term “**motorized bicycle**” shall mean any motorized bicycle, as that term is defined in the California Vehicle Code, that is sold without all of the equipment required by the State of California for operation on a highway in California.

(c) As used in this section, the term “**person**” shall mean any business or any individual acting on behalf of any business, as that term is defined in Section 21.00(h) of this Code.

(d) No person shall sell or transfer ownership of any motor-driven cycle or motorized bicycle without providing to the prospective purchaser or transferee, prior to the sale or transfer of ownership, written notice, as provided by this section, indicating in substance that the vehicle may not be appropriate for operation on a public street or highway in California and that operation of any vehicle on a public street or highway in California must be in accordance with California law. A notice shall be sufficient if it indicates in substance that the vehicle is not intended for operation on a public street or highway.

(e) The notice required by this section shall be provided by a sign, printed in boldface type at least one inch in height, posted in a conspicuous location on the seller’s or transferor’s property and containing no information other than the notice; and by at least one of the following:

(1) A decal affixed to a conspicuous location on the frame of the vehicle, printed in at least 14-point boldface type;

(2) A decal affixed to a conspicuous location on the frame of the vehicle, which decal was in use by the seller or transferor for the same make and model of vehicle prior to the enactment of this section.

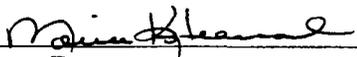
(f) Any violation of this section shall constitute a misdemeanor.

Sec. 2. The provisions of this ordinance shall become operative on June 1, 2005.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby of City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of APR 05 2005.

FRANK T. MARTINEZ, City Clerk

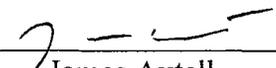
By 
Deputy

Approved APR 07 2005


Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
James Axtell
Deputy City Attorney

Date 2/22/05

File No. 04-1046-51

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176581 - Adding Section 47.17 to the Los Angeles Municipal Code - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on April 5, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on April 12, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on April 12, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12th day of April 2005 at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: May 22, 2005 Council File No. 04-1046-S1

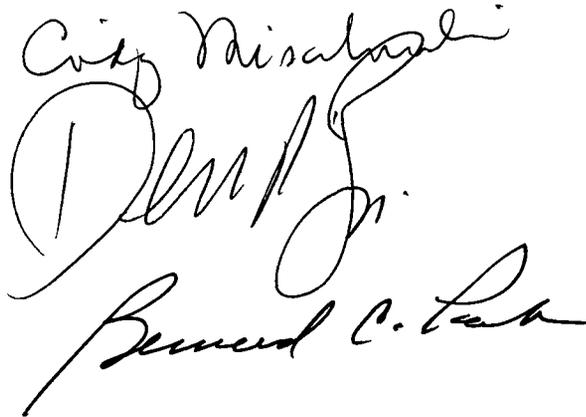
City Attorney draft an ordinance that would require sellers to post a sign and to affix a decal on the vehicles to indicate those that are inappropriate to ride on a public highway or on public streets.

In a report dated February 18, 2005, the City Attorney states that a draft ordinance relative to adding Section 47.17 to the Los Angeles Municipal Code to require that notice be given to purchasers of motor-drive cycles and motorized bicycles in the City of Los Angeles that such vehicles are not appropriate for operation on a public street or highway, has been transmitted to the Public Safety Committee for consideration. The Ordinance will require that notice be given to purchasers of motor-driven cycles and motorized bicycles that a vehicle may not be appropriate for operation on a public street or highway in California and that operation of any vehicles on a public street or highway in California must be in accordance with California law or that a vehicle is not intended for operation on a public street or highway. The notice must be provided by both a sign posted at the seller's place of business and a decal affixed to the vehicle itself. The Ordinance includes a "grandfather" provisions permitting sellers to continue using a decal already in use , prior to the enactment of the ordinance, even if such decal does not meet the type size requirements of the Ordinance.

At its regular meeting on March 21, 2005, the Public Safety Committee again discussed this matter. The Committee adopted the recommendation of the City Attorney, to adopt the accompanying Ordinance to add Section 47.17 to the Los Angeles Municipal Code to require that notice be given to purchasers of motor-drive cycles and motorized bicycles in the City of Los Angeles that such vehicles are not appropriate for operation on a public street or highway and recommended that the LAPD report be Noted and Filed. This matter is now being forwarded to Council for consideration.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
MISCIKOWSKI	YES
REYES	ABSENT
PARKS	YES
WEISS	YES
ZINE	YES

AB
3-22-2005

Report and Ordinance

ADOPTED

APR 0 5 2005

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

COUNCIL VOTE

Apr 5, 2005 11:21:04 AM, #5

ITEM NO. (7)

Voting on Item(s): 7

Roll Call

CARDENAS	Yes
GARCETTI	Yes
GREUEL	Yes
HAHN	Yes
LABONGE	Yes
LUDLOW	Yes
*MISCIKOWSKI	Yes
PARKS	Yes
PERRY	Yes
REYES	Yes
SMITH	Yes
VILLARAIGOSA	Yes
WEISS	Yes
ZINE	Yes
PADILLA	Yes

Present: 15, Yes: 15 No: 0

**PUBLIC SAFETY COMMITTEE
SUGGESTED NOTIFICATION OF COUNCIL ACTION**

Council File No. _____

- | | | |
|-------------------------------------|--|-----------------|
| <input checked="" type="checkbox"/> | Council Member(s) <u>Zina Smith</u> | |
| <input checked="" type="checkbox"/> | Mayor (with/without file) | (Mail Stop 370) |
| <input type="checkbox"/> | City Administrative Officer | (Mail Stop 130) |
| <input checked="" type="checkbox"/> | City Attorney / <u>CITY ATTY w/ BLUE STREET</u> | (Mail Stop 140) |
| <input checked="" type="checkbox"/> | Chief Legislative Analyst | (Mail Stop 136) |
| <input type="checkbox"/> | Controller | (Mail Stop 183) |
| <input type="checkbox"/> | Personnel Department | (Mail Stop 391) |
| <input checked="" type="checkbox"/> | Police Department | (Mail Stop 400) |
| <input checked="" type="checkbox"/> | Board of Police Commissioners | (Mail Stop 400) |
| <input type="checkbox"/> | Fire Department | (Mail Stop 250) |
| <input type="checkbox"/> | Board of Fire Commissioners | (Mail Stop 250) |
| <input type="checkbox"/> | Department of Animal Regulation | (Mail Stop 105) |
| <input type="checkbox"/> | Board of Animal Regulation Commissioners | (Mail Stop 105) |
| <input type="checkbox"/> | Dept. of Building and Safety | (Mail Stop 115) |
| <input type="checkbox"/> | Board of Building and Safety Commissioners
Building Advisory Appeal Board | (Mail Stop 115) |
| <input type="checkbox"/> | Department of Social Service | (Mail Stop 700) |
| <input type="checkbox"/> | Board of Social Service Commissioners | (Mail Stop 700) |
| <input type="checkbox"/> | | |
| <input type="checkbox"/> | | |



OFFICE OF THE CITY ATTORNEY
ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. R05-0071
FEB 18 2005

REPORT RE:

DRAFT OF ORDINANCE ADDING SECTION 47.17 TO THE LOS ANGELES MUNICIPAL CODE TO REQUIRE THAT NOTICE BE GIVEN TO PURCHASERS OF MOTOR-DRIVEN CYCLES AND MOTORIZED BICYCLES

Honorable City Council
of the City of Los Angeles
City Hall, Room 395
200 North Spring Street
Los Angeles, California 90012

Council File No. 04-1046-S1

Honorable Members:

You should find with this letter, approved as to form and legality, a draft ordinance adding section 47.17 to the Los Angeles Municipal Code to require that notice be given to purchasers of motor-driven cycles and motorized bicycles in the City of Los Angeles that such vehicles are not appropriate for operation on a public street or highway.

Because no established definition of mini-motorcycle or "pocket rocket" currently exists, the ordinance applies to sales of motor-driven cycles and motorized bicycles, as such terms are defined in the California Vehicle Code, that are not designed or sold for use on public streets. The ordinance requires that sellers provide notice, prior to sale, either that a vehicle may not be appropriate for operation on a public street or highway in California and that operation of any vehicle on a public street or highway in California must be accordance with California law or that a vehicle is not intended for operation on a public street or highway.

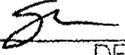
The notice must be provided by both a sign posted at the seller's place of business and a decal affixed to the vehicle itself. A "grandfather" provision permits sellers to continue using a decal already in use prior to the enactment of the ordinance even if such decal does not meet the type size requirements of the ordinance.

PUBLIC SAFETY



RECEIVED
CITY CLERK'S OFFICE

2005 FEB 22 AM 11:44

CITY CLERK
BY 
DEPUTY

If you have any questions regarding either this report or the issue, please feel free to contact Deputy City Attorney James Axtell at (213) 978-8397.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By



TERREE A. BOWERS

Chief Deputy City Attorney

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries
relative to this matter
refer to File No.

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
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Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

Council File 04-1046-S1

October 5, 2004

Rockard Delgadillo, City Attorney
Office of the City Attorney

Attn: James Axtell

RE: REQUEST FOR REPORT AND ORDINANCE

At the regular meeting of the Public Safety Committee on October 4, 2004, the Committee considered the subject Motion (Zine-Smith) and the LAPD report relative to steps necessary to bring mini-motorcycles into compliance with City, County and State license codes and to provide basic law and safety information to operators of mini-motorcycles. The Committee has requested that your Office draft an Ordinance on this matter and to include the following: 1) sales establishments must post a sign informing customers of use, operation and laws governing of all types of scooters and bikes (pocket bikes, mini-motorcycles); and, 2) require decals be placed on each type of scooter/bike with the above information.

Please transmit your completed report and Ordinance to the Public Safety Committee in 30 days, c/o Adrienne Bass, Legislative Assistant, Office of the City Clerk, Room 395, City Hall, for scheduling and consideration by the Committee.

Sincerely,

Adrienne Bass
Legislative Assistant
Public Safety Committee

(3)
04-1046-
S1 Los Angeles Police Department (LAPD) report and City Attorney to report in response to Motion (Zine-Smith) relative to steps necessary to bring mini-motorcycles into compliance with City, County and State license codes and to provide basic law and safety information to operators of mini-motorcycles.

Fiscal Impact Statement Submitted: No

DISPOSITION cont 30 days

(4)
00-1396 CAO report in response to Motion (Padilla-Perry) relative to the Commission on the Status of Women's Young Women at Risk Violence Intervention Program grant. (Also referred to Personnel Committee)

Fiscal Impact Statement Submitted: Yes, by CAO

DISPOSITION _____

(5)
02-2082 Los Angeles Board of Police Commissioners (Police Commission) report relative to status of cases involving suspects identified by the State of California DNA database.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(6)
01-1624-
S1 Police Commission report in response to Motion (Weiss-Greuel) relative to the development of a DNA testing plan.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

CITY OF LOS ANGELES SPEAKER CARD

Date 10/4/04

Council File No., Agenda Item or Case No. 04-104651, Item #3

I wish to speak before the Public Safety Comm. Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? (X) For proposal () Against proposal () General comments

Name: Maricela Gomez

Business or Organization Affiliation:

Address: 200 N. Spring St. LA CA 90012

Business phone: 213-473-7002 Representing: Councilmember Wendy Greuel

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW: []

Client Name: Phone #:

Client Address: Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.



DEPARTMENT TRAFFIC COORDINATOR
SPECIAL OPERATIONS BUREAU

Referred to
Transportation
Committee

NOTICE
16.2

March 18, 2004

RECEIVED

MAR 24 2004

SPECIAL OPERATIONS SUPPORT DIVISION

#347

TO: All Commanding Officers

FROM: Department Traffic Coordinator, Special Operations Bureau

SUBJECT: MOTOR-DRIVEN CYCLES, SCOOTERS, AND SKATEBOARDS

EFFECTIVE: IMMEDIATELY

Referred to Transportation
Committee

PURPOSE

This Notice outlines the Department's policy regarding the enforcement of motor-driven cycles (commonly referred to as a "mini bike"), self-propelled and motorized scooters, and motorized skateboards. This Notice also delineates modified vehicle impound release criteria for detectives when dealing with motor-driven cycles. This Notice supersedes the Department Traffic Coordinator Notices, dated March 23, 2001 and November 18, 2002.

BACKGROUND

There is much confusion on the part of both field and investigative personnel regarding the proper enforcement and follow-up action(s) to be taken in regard to motor-driven cycles, scooters, and skateboards.

Section 405 of the California Vehicle Code (CVC) states, a motor-driven cycle is any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle as defined in Section 406 CVC. A motor-driven cycle qualifies as a "vehicle" as defined in Section 670 CVC and is subject to licensing, registration, safety equipment, and insurance requirements when operated on a public street or highway. However, in many instances, certain motor-driven cycles do not qualify for registration pursuant to Department of Motor Vehicle (DMV) requirements and therefore cannot be registered to comply with vehicle impound release criteria.

Section 407.5(a) CVC classifies a self-propelled scooter as a toy. Section 467(a) CVC defines a pedestrian as "any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle." Therefore, a self-propelled scooter is not a vehicle, and the operator should be regarded as a pedestrian. All CVC and Los Angeles Municipal Code (LAMC) sections pertaining to pedestrians are enforceable in relation to an operator of a self-propelled scooter.

All Commanding Officers

Page 2

16.2

Section 407.5(a) CVC defines a motorized scooter as "any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion." The operator of a motorized scooter is not subject to any CVC provision relating to licensing, registration, license plates, or financial responsibility.

A motorized skateboard qualifies as a "vehicle" as defined in Section 670 CVC, when it is operated on a highway. However, upon a City Attorney opinion, Department personnel shall not enforce licensing and registration provisions of the CVC in regard to motorized skateboards.

PROCEDURE

Motor-Driven Cycles

When an officer observes the operation of a motor-driven cycle on a public street or highway and enforcement action is taken, the following procedures shall apply:

Licensing

When a motor-driven cycle is driven on a public street or highway, the operator must have either a valid driver license of any class or a California Identification Card with a motor-driven cycle operator endorsement.

NOTE: A motorcycle endorsement is not required to drive a motor-driven cycle on a public street or highway.

If the cycle operator does not have a valid driver license or a California Identification Card with a motor-driven cycle operator endorsement, the operator shall be cited for Section 12500(b) CVC and the vehicle impounded under the authority of Section 22651(p) CVC, with a hold for Area detectives (*refer to Office of Operations Order No. 7, 1996*).

Registration

A motor-driven cycle must have proof of registration when operated on a public street or highway. If the vehicle is not currently registered, it is in violation of Section 4000(a)(1) CVC. Such a vehicle is also subject to impound under the authority of Section 22651(o)(1) CVC, with a hold for Area detectives. Enforcement action for these two CVC sections is discretionary.

Insurance

A motor-driven cycle qualifies as a vehicle and the operator must have proof of insurance available when operating the vehicle on a public street or highway. The officer shall note the insurance company name and policy number or the word "NONE" in the financial responsibility box on the traffic citation. Enforcement action for this CVC section is discretionary (*refer to Operations Order No. 3, 2003*).

All Commanding Officers

Page 3

16.2

Safety Equipment

The operator of a motor-driven cycle must comply with all safety equipment requirements listed in the CVC including the wearing of a helmet. If a violator operates a motor-driven cycle on a public street or highway and the operator and/or passenger are not wearing an approved helmet, they are in violation of Section 27803(a) or (b) CVC. Enforcement action for these two CVC sections is discretionary.

Area Auto Detective Responsibilities

If the motor-driven cycle in question is capable of being registered pursuant to DMV criteria, current vehicle impound release procedures have not changed. When an impound involves a motor-driven cycle which cannot be registered by the DMV, the following vehicle release procedures apply:

- * The violator (or his/her agent) must possess a valid driver license or motor-driven cycle endorsement; and
- * The violator must present documentation from the DMV advising that the vehicle in question cannot be registered; and
- * The auto detective shall advise the violator that they must pay all appropriate Official Police Garage (OPG) towing and storage fees; and
- * The violator and/or vehicle owner shall be advised that if the vehicle does not qualify for operation on a public street or highway and if it is operated on any public street or highway in the future, the vehicle will be subject to enforcement and impoundment.

Probable cause vehicle impound hearing procedures have not changed (*refer to Special Order No. 13, 2003*).

Self-Propelled Scooter

Section 56.15.1 LAMC prohibits the operation of a self-propelled scooter on a sidewalk with disregard for public safety.

Motorized Scooter

The operator of a motorized scooter is subject to the following CVC Sections:

- * 21221.5 Riding while under-the-influence of alcohol, drugs, or both.
- * 21223 Headlight, red reflector to the rear and side reflectors required during hours of darkness.

All Commanding Officers

Page 4

16.2

- * 21228(a) Failure to ride as practical to the right-hand curb or right edge of the roadway.
- * 21229(a) Failure to ride within an established bicycle lane.
- * 21235(a) Must be equipped with a brake.
- * 21235(b) Operating on a highway with a posted speed limit in excess of 25 miles per hour (mph) unless operated in a bicycle lane.
- * 21235(c) Operating without the use of a bicycle helmet.
- * 21235(d) Operator must be at least 16 years old.
- * 21235(e) Operating with passengers.
- * 21235(g) Operating on a sidewalk.
- * 21235(h) Operating with handlebars heightened so hands are above operator's shoulders during operation on highway.
- * 21235(i) Leaving a motorized scooter lying on its side on any sidewalk or parking on a sidewalk in any other position so that there is not an adequate path for pedestrian traffic.
- * 21235(j) Attaching a motorized scooter and/or the operator, while on a roadway, to any other vehicle on the roadway.
- * 22411 Operation at a speed in excess of 15 mph.

Department personnel **shall not** impound a motorized scooter when the scooter is operated on a highway, and the operator is unlicensed or the scooter is unregistered.

Motorized Skateboards

Section 21968 CVC prohibits the motorized skateboards being 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.

All Commanding Officers

Page 5

16.2

Department personnel **shall not** impound a motorized skateboard when it is operated on a highway and the operator is unlicensed or the skateboard is unregistered.

Any questions regarding this Notice may be referred to the Traffic Support Unit, Traffic Coordination Section, Special Operations Support Division, at (213) 473-7788.



MICHAEL R. HILLMANN, Deputy Chief
Department Traffic Coordinator
Special Operations Bureau

APPROVED:



JIM McDONNELL, Assistant Chief
Director, Office of Human Resources

Distribution "B"

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries
relative to this matter
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HELEN GINSBURG
Chief, Council and Public Services Division

Council File 04-1046-S1

September 23, 2004

Rockard Delgadillo, City Attorney
Office of the City Attorney

RE: ATTENDANCE AT COMMITTEE REQUESTED

At the request of the Chair of the Public Safety Committee, I am transmitting a copy of the Motion (Zine-Smith) relative to the steps necessary to bring mini-motorcycles into compliance with City, County and State license codes and to provide basic law and safety information to operators of mini-motorcycles, to your Office.

The Public Safety Committee will discuss this matter at its next regular meeting on Monday, October 4, 2004. The Chair has requested that a representative from your office please attend the meeting and be available for questions, comments and direction from the Committee and to provide a status of the City Attorney's report and proposed Ordinance.

Sincerely,

Adrienne Bass
Legislative Assistant
Public Safety Committee

04-1046-31

PUBLIC SAFETY

JUN 23 2004

MOTION

In response to concerns relating to the increased operation of mini-motorcycles (pocket bikes) on California's streets and highways, the California Highway Patrol (CHP) has launched enforcement guidelines with the intent to enhance public safety on all roadways and to obtain compliance with the California Vehicle Code.

The CHP, in consultation with the Department of Motor Vehicles, has determined that mini-motorcycles are classified as *motor-driven cycles* and are regulated under the California Vehicle Code. According to the CHP, pocket bikes are not manufactured with a vehicle identification number indicating that the manufacturers intended they be operated on private property and not for use on city streets.

The CHP indicates that because the mini-motorcycle is a gasoline-powered *motor-driven cycle* subject to Section 405 VC, it is subject to all vehicle equipment, registration, driver license and helmet requirements stated in the VC. The same rules apply to electric-powered mini bikes which are regulated by Section 406 VC.

The LA Times reports that these small-scale motorcycles are so small they can be carried under one arm. They can reach 70 mph and they can be purchased for as cheap as \$200 at a flea market. Pocket bikes are popular among all age groups. They are 16 to 20 inches tall. They are typically powered by a two-stroke lawnmower type engine, have a pull-cord starter and weigh between 35 to 60 pounds. Some are battery-operated. To ride, the driver must be contorted in a squatting position only inches above the pavement. Eye level of the rider will usually meet the bumper of oncoming cars. According to news reports, pocket bikes are usually sold without the required safety features, including brake lights, red rear reflectors, mirrors, turn signals, a horn or approved tires.

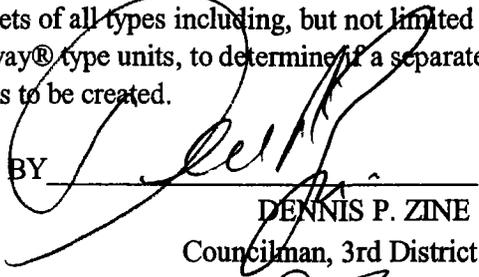
According to law enforcement officials pocket bikes often go through residential neighborhoods making excessive noise, endanger pedestrians on sidewalks, go in and out of traffic and are difficult for motorists to see. Officers are seeing an increasing number of pocket bikes throughout the state. In Baldwin Park, a 14-year suffered moderate to major injuries when he failed to stop at an intersection and ran in front of a passing vehicle.

The CHP believes that although there is no estimate of the number of mini-motorcycles in California or how many accidents have involved mini-motorcycles, the proliferation of these miniature bikes may bloom into a statewide threat to public safety.

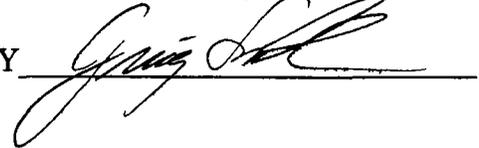
I THEREFORE MOVE, that City Council instruct the Los Angeles Police Department (LAPD) with cooperation of the City Attorney and the Chief Legislative Analyst (CLA) to report to the Public Safety Committee within 45 days on the steps necessary to bring mini-motorcycles into compliance with appropriate City, County and State license codes and to provide basic law and safety information to operators of mini-motorcycles.

I FURTHER MOVE that the City Attorney, CLA and LAPD pay particular attention to the growing number of personal motorized transportation devices on our streets of all types including, but not limited to, electric scooters, gasoline powered mini-bikes and electric Segway® type units, to determine if a separate and distinctive section of the Los Angeles Municipal Code needs to be created.

PRESENTED BY _____


DENNIS P. ZINE
Councilman, 3rd District

SECONDED BY _____



JUN 23 2004


LOS ANGELES POLICE DEPARTMENT



WILLIAM J. BRATTON
Chief of Police

JAMES K. HAHN
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 485-3202
TDD: (877) 275-5273
Ref #: 16.2
OCOP #: 2004-06-10

August 20, 2004

The Honorable Public Safety Committee
City Council, City of Los Angeles
c/o City Clerk
City Hall, Room 395
Los Angeles, California 90012

Honorable Members:

This letter is in response to the City Council motion for the Los Angeles Police Department (LAPD) to report on the steps necessary to bring mini-motorcycles into compliance with appropriate City, County, and State license codes and provide basic law and safety information to operators of mini-motorcycles.

The LAPD and City Attorney concur with the California Highway Patrol and the Department of Motor Vehicle's assessment that mini-motorcycles are classified as motor-driven cycles. Since mini-motorcycles must conform to all California Vehicle Code (CVC) statutes that pertain to motor-driven cycles including licensing and registration, the City does not need a local ordinance to govern mini-motorcycles. Additionally, the use of other conveyances such as motorized scooters and Segway Human Transporters (HT) are governed by the CVC. Regarding the Segway HT, the CVC allows local municipalities the authority to create more stringent ordinances. Currently, a Mayor's Segway Task Force is drafting an ordinance to provide general operational guidelines for the use of a Segway HT.

In regard to providing information to the public, the LAPD has conducted press conferences in order to educate the public regarding the operation of mini-motorcycles. Additionally, the LAPD is developing a website link that will provide information regarding mini-motorcycles.

If you have any questions, please have your staff contact Captain Kevin F. McCarthy, Commanding Officer, Special Operations Support Division, at (213) 473-7350.

Respectfully,

A handwritten signature in black ink, appearing to read "William J. Bratton".

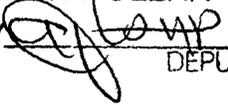
WILLIAM J. BRATTON
Chief of Police

PUBLIC SAFETY

AUG 27 2004

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CITY CLERK
BY  ~~DEPUTY~~

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries
relative to this matter
refer to File No.

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

Council File 04-1046-S1

July 22, 2004

Rockhard Delgadillo, City Attorney
Office of the City Attorney

Ron Deaton, Chief Legislative Analyst
Office of the Chief Legislative Analyst

RE: REQUEST FOR REPORT

At the request of the Chair of the Public Safety Committee, I am transmitting a copy of the Motion (Zine-Smith) relative to the steps necessary to bring mini-motorcycles into compliance with City, County and State license codes and to provide basic law and safety information to operators of mini-motorcycles, to your Office for review and recommendation.

Please transmit your completed report to the Public Safety Committee, c/o Adrienne Bass, Legislative Assistant, Office of the City Clerk, Room 395, City Hall, for scheduling and consideration by the Committee.

Sincerely,

Adrienne Bass
Legislative Assistant
Public Safety Committee

MOTION

JUN 23 2004

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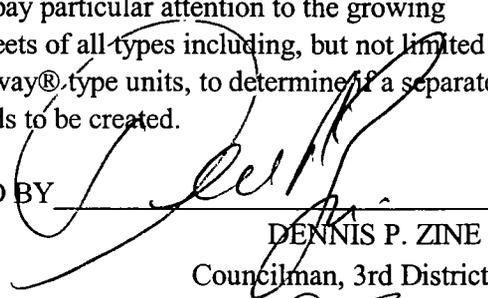
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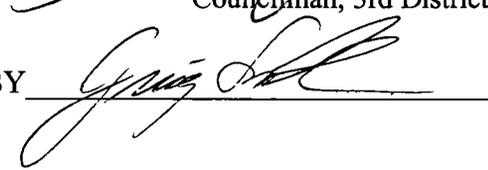
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