

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.

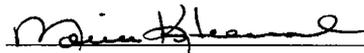
(f) Any violation of this section shall constitute a misdemeanor.

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

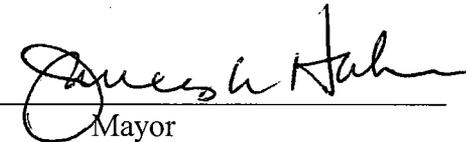
Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located 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 0 5 2005.

FRANK T. MARTINEZ, City Clerk

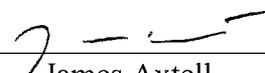
By 
Deputy

Approved APR 0 7 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

(Rev. 3/21/03)