



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. **R 22 - 0 3 5 4**
OCT 11 2022

REPORT RE:

**REVISED DRAFT ORDINANCE ADDING SECTION 71.31 TO ARTICLE 1,
CHAPTER VII OF THE LOS ANGELES MUNICIPAL CODE TO REGULATE
RENTALS OF ELECTRIC BICYCLES, SCOOTERS, AND OTHER SIMILAR
MOBILITY DEVICES NEAR VENICE BEACH; AND DELETING SUBSECTION
4 OF SECTION 56.15 OF ARTICLE 6, CHAPTER V OF THE LOS ANGELES
MUNICIPAL CODE IN ITS ENTIRETY**

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

Council File No. 21-1119

Honorable Members:

Pursuant to your request, this Office transmitted, on September 7, 2022, a draft ordinance (R22-0302) that would have added Section 71.31 to the Los Angeles Municipal Code (LAMC) to regulate vendors who rent bicycles, scooters, and other similar mobility devices at or near Venice Beach, and to mandate specified disclosures about the legal limitations on operating those devices on Ocean Front Walk or on Venice beach paths, sidewalks, and walk streets. The draft ordinance also would have amended Subsections 3 and 4 of LAMC Section 56.15 to update an errant cross reference to the California Vehicle Code, which was the result of a previous change to state law. That technical correction to update the cross reference to the revised California Vehicle Code section would have reinstated the City's prior prohibition on the use of electric bicycles on the bike path at Venice Beach.

Since transmittal of the draft ordinance, Governor Newsom signed into law AB 1909, which takes effect on January 1, 2023. AB 1909 requires local governments to give bicycles and electric bicycles equal access to bicycle paths or trails, bikeways, and bicycle lanes. Separately, our Office received comments on Section 1 of the draft ordinance from the City's Department of Transportation (DOT) in response to a Council Rule 38 notification. The Department's comments were focused on the overlap of the draft ordinance with the existing permit obligations of those companies operating under the Shared Mobility Device Permit Program. To avoid any conflict with the new state law and to account for the existing regulations in the Shared Mobility Device Permit Program, we hereby submit the revised draft ordinance for your consideration.

This revised draft ordinance still requires bicycle and scooter rental companies physically located at Venice Beach to notify customers prior to rental, both verbally and via prominently displayed in-store signage, of the legal limitations on the use of personal mobility devices being rented on Ocean Front Walk, on Venice beach paths, as well as on nearby walk streets and sidewalks. The revised draft ordinance would also require those rental providers to include a similar notice in the actual rental agreement, if such an agreement exists, and require specific customer acknowledgement of the legal limitations on the use of the mobility device by separate signature or initial on the agreement.

For those rental providers with locations within 500 feet of Ocean Front Walk, the ordinance would specifically prevent them from displaying or otherwise placing any device that cannot be ridden legally on Ocean Front Walk or the beach paths on the outside of their building, unless the device has a notice alerting potential renters of the legal restrictions on the use of the device. The revised draft ordinance also requires all such rental providers operating within 500 feet of Ocean Front Walk to transfer custody of the restricted mobility devices to a customer at least 300 feet inland from Ocean Front Walk or the beach bike path.

Council Rule 38 Referral

A copy of the revised draft ordinance was sent, pursuant to Council Rule 38, to the Los Angeles Police Department, DOT, and the Department of Recreation of Parks with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Michael Dundas at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By

A handwritten signature in dark ink, appearing to read "Dallin" or "Dallin" with a stylized flourish at the end.

DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal