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CITY ATTORNEY

REPORT NO. R 22 - 0 3 0 2

SEP 0 7 2022

REPORT RE:

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 AMENDING SUBSECTIONS 3 AND 4 OF SECTION 56.15 OF ARTICLE 6, CHAPTER V OF THE LOS ANGELES MUNICIPAL CODE TO PROHIBIT THE RIDING OF ELECTRIC BICYCLES ON THE BEACH PATHS AT VENICE BEACH

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 has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance adds Section 71.31 to, and amends Subsections 3 and 4 of Section 56.15 of, the Los Angeles Municipal Code to create regulations and mandate specified disclosure requirements for people and companies who rent electric bicycles, scooters, and other similar mobility devices at or near Venice Beach, if the devices being rented cannot legally be operated on Ocean Front Walk or on Venice beach paths, sidewalks, and walk streets.

Specifically, this draft ordinance would require rental providers 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 draft ordinance would also require 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 operating 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 draft ordinance also requires all 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.

Finally, the ordinance would re-restrict the use of electric bicycles on the Venice Beach bicycle paths. Historically, riders have been prohibited from riding electric bicycles on the beach paths at Venice Beach. This restriction was based on the fact that e-bikes were included within the definition of "motorized bicycle" in the California Vehicle Code. In 2016, the state legislature created a new and separate definition for "electric bicycles," which separated e-bikes legally from mopeds and other motorized bicycles. This draft ordinance would add a cross reference to the new Vehicle Code definition of "electric bicycle" to the existing section that bans specified bicycle types from the beach paths in Venice.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Los Angeles Police Department, the Department of Transportation, 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

DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal
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