File No. 23-1189

TRANSPORTATION COMMITTEE REPORT relative to review of related fines and fees levied by the City and exploring alternatives to fixed fine and fee amounts.

Recommendations for Council action, as initiated by Motion (Soto-Martinez, Harris-Dawson, Hutt - Lee):

1. DIRECT the Community Investment for Families Department (CIFD), with support from the Chief Legislative Analyst (CLA), City Administrative Officer CAO, and Office of Finance, to report on the following:

    a. An overview of non-transportation related fines and fees levied by the City, to include:

        i. The purpose of each fine or fee.

        ii. The City Departments in charge of administration and enforcement of each fine or fee.

        iii. Total revenue collected annual from each fine or fee.

        iv. Amounts of each fine or fee collected late or never received.

        v. The administrative cost of managing each fine or fee.

        vi. A demographic analysis of the recipients of these fines and fees.

    b. An analysis of which fines or fees could be replaced with alternative methods for achieving intended policy outcomes and recommendations for those alternatives.

    c. Recommendations for adjusting fines and fees based on individuals' ability to pay, or for low barrier non-monetary alternatives to payment.

2. DIRECT the Los Angeles Department of Transportation (LADOT), in consultation with the CLA, Controller, CAO and other relevant City Departments, to report on the following:

    a. An overview of transportation related fines and fees levied by the City, to include:

        i. The purpose of each fine or fee.

        ii. The City Departments in charge of administration and enforcement of each fine or fee.

        iii. Total revenue collected annual from each fine or fee.

iv. Amounts of each fine or fee collected late or never received.

v. The administrative cost of managing each fine or fee.

vi. A demographic analysis of the recipients of these fines and fees.

b. An analysis of which fines or fees could be replaced with alternative methods for achieving intended policy outcomes and recommendations for those alternatives.

c. Recommendations for adjusting fines and fees based on individuals' ability to pay, or for low barrier non-monetary alternatives to payment.

3. DIRECT the LADOT and any relevant City Departments to explore what other local and state governments, such as San Francisco and Michigan, are implementing to offer alternative models to fines, fees and penalties and report to the Council with a list of policy recommendations.

4. DIRECT the CIFD, with support from the LADOT, CLA, and other Departments as necessary, to report to the Council on the feasibility of creating a Fines and Fees Task Force, composed of staff from City Departments and community organizations to assess the impacts of fines and fees on community members and City revenue and to make recommendations for improvements.

5. INSTRUCT the CLA, with support from the Los Angeles Homeless Services Authority and with requested input from the City Attorney, the Los Angeles Police Department, the Los Angeles County Public Defender's Office, as well as legal aid organizations and homeless service provides, to report to the Council in 120 days on all City departments with the authority to issue monetary citations and the most frequent non-felony citations and fees incurred by people experiencing homelessness (PEH).

6. INSTRUCT the CLA, with requested input from the City Attorney, to report to the Council within 120 days on the Council's statutory authority to reduce or eliminate monetary fees for citations issued to PEH, as well as the ability to retroactively rescind or expunge any fees.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Also referred to the Civil Rights, Equity, Immigration, Aging, and Disability and Budget, Finance, and Innovation Committees.)

Summary:

On December 6, 2023, your Committee considered a Motion (Soto-Martinez, Harris-Dawson, Hutt - Lee) relative to review of related fines and fees levied by the City and exploring alternatives to fixed fine and fee amounts. According to the Motion,

The use of fines is an extremely common practice to compel compliance with local laws and regulations. Angelenos regularly face fines for traffic and parking violations, or for falling out of compliance with the Los Angeles Municipal Code. While the use of fines is ubiquitous, their impact can vary significantly. Most fines are set to a fixed dollar amount, disproportionately impacting lower income communities versus those who are more affluent. Debt accrued through fines and administrative fees can impact Angelenos ability to pay for life essentials such as food or shelter, can result in the revocation of certain privileges like driving or operating a business, and can escalate into job loss or involvement in the criminal justice system.

AB 1685 from Assemblymember Isaac Bryan required forgiveness of at least $1,500 in parking fines and fees annually for a qualified homeless person before placing a registration hold on their vehicle. San Francisco implemented tow and boot fine discounts for people making below 200 percent of the Federal Poverty Line, and waivers for those experiencing homelessness. San Francisco also made payment plans and community service options more accessible. There are alternatives to fixed fine and fee amounts that have been implemented in other jurisdictions. These can include basing fines and fees off of ability to pay rather than a fixed amount, substituting the fine or fee with alternative methods to achieve desired policy goals, or offering non-monetary alternatives to payment. Fees are also often an ineffective source of revenue generation, whose marginal benefit may be outweighed by their negative impact on individuals and families. After consideration and having provided an opportunity for public comment, the Committee moved to recommend concurring with the November 3, 2023 action of the Civil Rights, Equity, Immigration, Aging, and Disability Committee which consists of approval of the Motion, as amended and detailed in the above recommendations. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Transportation Committee

COUNCILMEMBER	VOTE
HUTT:	YES
PARK:	ABSENT
HERNANDEZ:	YES
RAMAN:	YES
YAROSLAVSKY:	YES

ARL
12/6/23

-NOT OFFICIAL UNTIL COUNCIL ACTS-