

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, heavy service vehicles, such as garbage, recycling and utility trucks, contribute significantly to pavement wear and deterioration; and historically, many cities accounted for these impacts by incorporating the cost of repairs into rates, fees, or franchise arrangements tied to providing those services; and

WHEREAS, a 2025 appellate court decision, Rogers v. City of Redlands, disrupted this long-standing practice by holding that including road repair costs within solid waste rates violated California Vehicle Code section 9400.8, an unrelated and decades-old section of the state's vehicle code, even when those costs were directly tied to the impacts of providing waste collection services; and

WHEREAS; SB 922 (Baird) would respond to that decision by clarifying that fees associated with providing public services may include the recovery of street maintenance and repair costs related to providing such services; and

WHEREAS, by reaffirming long-standing local authority, the bill would reduce unnecessary litigation and provide greater certainty for cities and service providers alike; and

WHEREAS, SB 922 does not create a new fee authority or expand local taxing power, but instead would restore the legal framework that existed for decades prior to Rogers v. City of Redlands and ensure that roadway repair costs remain aligned with the activities that cause damage; and

NOW, THEREFORE, BE IT RESOLVED that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program SUPPORT for SB 922 (Baird), which would clarify that a fee, charge, or surcharge imposed by or for a local agency to recover the cost of street maintenance and repair and other costs associated with the use of its streets, roads, or highways to provide public services or public works is not a tax, permit fee, or other charge for the privilege of using streets or highways within the scope of California Vehicle Code section 9400.8.

PRESENTED BY: Bob Blumenfeld  
BOB BLUMENFELD  
Councilmember, 3rd District

PRESENTED BY: Eunisses Hernandez  
EUNISSES HERNANDEZ  
Councilmember, 1st District

SECONDED BY: Heather Hull

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