

OFW Boardwalk & Bike Path motorized vehicle ordinances

City Law, Rec & Parks Regulations & CA State Law DMV

LA Municipal Code Section 63.44

(c) **Violations.** Any Person violating a provision of this section shall be subject to the following penalties:

1. **First violation.** A first violation of this section shall be an infraction punishable by a fine in the amount of \$100.

2. **Second and subsequent violations.** A second violation and all subsequent violations shall be subject to the provisions of Section [11.00](#) of the Los Angeles Municipal Code, including prosecution as an infraction punishable by a fine in the amount of \$250, or prosecution as a misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.

3. **Violations.** The following constitutes a violation for purposes of this Section: a conviction for violation of this Section, a conviction under Penal Code Section 853.7 for failure to appear in court to contest a citation for violations of this Section, or a forfeiture of bail.

MOTION

~~BUDGET & FINANCE~~

PUBLIC WORKS

Ocean Front Walk is a treasured public resource that attracts visitors from all over the region and the world. It is also a busy and congested place with residents, businesses, and visitors all coexisting in a narrow strip of coastal land. For this reason, Ocean Front Walk has many special rules designed to protect public safety and maintain the boardwalk's unique character.

Ocean Front Walk is reserved for the exclusive use of pedestrians; bicycles and other motorized devices are banned. Nevertheless, bicycle rentals have long been a popular attraction for visitors to enjoy on the Marvin Braude Beach Bike Path located near Ocean Front Walk. In recent years, vendors have begun offering rentals of other devices, such as electric scooters and Class 3 e-bikes, which are not legal to ride on the beach bike path or Ocean Front Walk. Use of electric scooters, Class 3 e-bikes and other motorized devices creates a public safety hazard for pedestrians on Ocean Front Walk and other users on the Bike Path. The City has, with considerable effort, successfully geofenced shared mobility devices permitted under LADOT's dockless mobility program from riding in restricted areas. However, these private rentals of similar devices are unregulated and lack GPS capability for geofencing.

More needs to be done to ensure that tourists and other visitors are aware of rules prohibiting certain devices from being ridden on Ocean Front Walk and the beach bike path. The greatest responsibility should fall on the businesses that rent such devices on or near Ocean Front Walk to notify their customers at the time of rental decision. Additionally, the City should prohibit certain business practices that imply the banned devices are legal to ride on the beach.

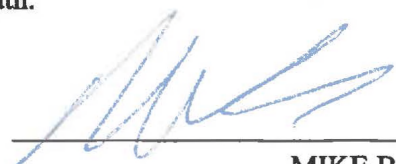
I THEREFORE MOVE that the City Council request the City Attorney to prepare and present an ordinance to require businesses located in the Venice neighborhood that rent motorized scooters, electric personal assistive mobility devices, e-bikes, or similar devices that are prohibited from either Ocean Front Walk and/or the Marvin Braude Beach Bike Path to comply with the following requirements:

- Require businesses to notify customers prior to rental, both verbally and via prominently displayed in-store signage, of the legal limitations on the use of the device being rented on either Ocean Front Walk and/or the beach bike path.
- Require businesses to include notice in the rental agreement, and require specific customer acknowledgement by separate signature or initial, of all limitations on the use of the device.

The following additional restrictions shall apply to businesses located within 500 feet of Ocean Front Walk:


- Ban the business from displaying outside of the premises any device that cannot be ridden legally on Ocean Front Walk or the beach bike path unless the device has a notice alerting potential renters of the restrictions on the use of the device.
- Require an employee of the business to transfer custody of the restricted device to a customer at least 100 yards from Ocean Front Walk or the beach bike path.

PRESENTED BY:



MIKE BONIN
Councilmember, 11th District

SECONDED BY:


OCT 05 2021

ORIGINAL

- [CERTAIN GRANTS.](#)
- [SEC. 63.24. HARBOR DEPARTMENT - JURISDICTION.](#)
- [SEC. 63.25. BUILDING PERMITS REQUIRED.](#)
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- [SEC. 63.45. EMERGENCY PARK CLOSURE.](#)
- [SEC. 63.46. DESIGNATION OF DRUG-FREE ZONES.](#)
- [SEC. 63.50. POWER BOAT PROHIBITION ON THE VENICE CANALS.](#)
- [SEC. 63.92.1. CHARGES FOR HANDLING AVIATION ENGINE FUELS, LUBRICANTS AND SOLVENTS AT LOS ANGELES](#)

O. Within the limit of any park consisting of beach lands or beach properties adjoining the waterfront of the Pacific Ocean between the southerly boundary of the City of Santa Monica and Washington Boulevard in the City of Los Angeles: **(Amended by Ord. No. 183,134, Eff. 7/8/14.)**

1. No person shall operate a motorized scooter on any boardwalk, sidewalk, bike path or other public way. For the purpose of this Subsection, the term “**motorized scooter**” as defined in California Vehicle Code Section 407.5, shall mean any two-wheeled device that has handlebars, has a floorboard that is designed to be stood or sat upon when riding, and is powered by an electric motor. A “motorized scooter” may also have a driver seat that does not interfere with the ability of the rider to stand and ride and may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle (as defined in Vehicle Code Section 400), a motor-driven cycle (as defined in Vehicle Code Section 405), or a motorized bicycle or moped (as defined in Vehicle Code Section 406) is not a motorized scooter. A device meeting the above definition that is powered by a source other than electrical power is also a motorized scooter.

2. No person shall operate an “electric personal assistive mobility device” or “EPAMD” unless specifically exempt under Subdivisions 4.(a) or (b) of this Section, on any boardwalk, sidewalk or other public way. A person may operate an EPAMD on a bike path subject to the safety and operational requirements set forth in California Vehicle Code Sections 21281 and 21281.5. An electric personal assistive mobility device or EPAMD, as defined in California Vehicle Code Section 313, shall mean a self-balancing, non-tandem two-wheeled device that is not greater than 20 inches deep and 25 inches wide and can turn in place, designed to transport only one person, with an electric propulsion system averaging less than 750 watts (1 horsepower), the maximum speed of which, when powered solely by a propulsion system on a paved level surface, is no more than 12.5 miles per hour.



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3. No person shall operate a “hybrid, multiple-wheeled motorized scooter-type device” or a “hybrid, multiple-wheeled electric personal assistive mobility-type device” unless specifically exempt in Subdivisions 4.(a) or (b) of this Section. For purposes of this section, a hybrid, multiple-wheeled motorized scooter-type device shall mean a device that has three or more wheels, has handlebars, has a floorboard that is designed to be stood upon when riding, or a driver seat that does not interfere with the ability of the rider to stand and ride, and is powered by an electric motor, and may also be designed to be powered by human propulsion. For purposes of this section, a hybrid, multiple-wheeled electric personal assistive mobility-type device shall mean a self-balancing, non-tandem, device containing three or more wheels that can turn in place, designed to transport only one person.

4. Exemptions:

(a) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the California Penal Code, or a Department of Recreation and Parks employee, when acting in the scope of their duties, may operate an EPAMD or a hybrid, multiple- wheeled electric personal assistive mobility-type device;

(b) A person who, by reason of physical disability, is otherwise unable to move about as a pedestrian pursuant to California Vehicle Code Section 467(b) may operate a self-propelled wheelchair, a motorized tricycle or a motorized quadricycle. A person who, by reason of physical disability, is otherwise unable to move about as a pedestrian may also operate an EPAMD or other power-driven mobility device, such as a hybrid, multiple-wheeled electric personal assistive mobility-type device, subject to the following safety and operational requirements set forth in California Vehicle Code Sections 21281 and 21281.5:

1. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall not operate on any

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1. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall not operate on any boardwalk, sidewalk, bike path or other public way at a speed greater than is reasonable and prudent having due regard for weather, visibility, pedestrians, and other conveyance traffic on, and the surface, width, and condition of the boardwalk, sidewalk, bike path or public way.
2. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall not be operated at a speed that endangers the safety of persons or property.
3. The EPAMD or hybrid, multiple- wheeled electric personal assistive mobility-type device shall not be operated on any boardwalk, sidewalk, bike path or public way with willful or wanton disregard for the safety of persons or property.
4. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard.
5. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall be equipped with front, rear and side reflectors.
6. The EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device shall be equipped with a system that enables the operator to bring the device to a controlled stop.
7. If the EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device is operated between

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7. If the EPAMD or hybrid, multiple-wheeled electric personal assistive mobility-type device is operated between one-half hour after sunset and one-half hour before sunrise, a lamp emitting a white light that while the EPAMD or hybrid, multiple- wheeled electric personal assistive mobility-type device is in motion, illuminates the area in front of the operator and is visible from a distance of 300 feet in front of the device.

8. The EPAMD or hybrid, multiple- wheeled electric personal assistive mobility-type device shall be equipped with a sound emitting device that can be activated from time to time by the operator, as appropriate, to alert nearby persons.

(c) **Violations.** Any Person violating a provision of this section shall be subject to the following penalties:

- First violation.** A first violation of this section shall be an infraction punishable by a fine in the amount of \$100.
- Second and subsequent violations.** A second violation and all subsequent violations shall be subject to the provisions of Section 11.00 of the Los Angeles Municipal Code, including prosecution as an infraction punishable by a fine in the amount of \$250, or prosecution as a misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.
- Violations.** The following constitutes a violation for purposes of this Section: a conviction for violation of this Section, a conviction under Penal Code Section 853.7 for failure to appear in court to contest a citation for violations of this Section, or a forfeiture of bail.



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FOREWORD

CHAPTER I GENERAL PROVISIONS AND ZONING

GENERAL PLANNING DEPARTMENT INFORMATION

ARTICLE 1 GENERAL PROVISIONS

SEC. 11.00. PROVISIONS APPLICABLE TO CODE.

SEC. 11.01. DEFINITIONS AND INTERPRETATION.

SEC. 11.02. INCONSISTENT PERMITS AND LICENSES.

SEC. 11.03. POST WAR RENEWAL OF LICENSES OF CRAFTSPERSONS AND OTHERS.

SEC. 11.04. DELINQUENT ACCOUNTS - UNCOLLECTIBLE CANCELLATION.

Every violation of this Code that is established as an infraction, or is charged as an infraction, is punishable by a fine as set forth in this Code section, or as otherwise provided in this Code, not to exceed \$250.00 for each violation.

Violations of this Code may be addressed through the use of an Administrative Citation as set forth in Article 1.2 of Chapter 1 of this Code. The administrative fines prescribed by Chapter 1, Article 1.2 may be sought as an alternative to other legally available civil and criminal remedies. (Amended by Ord. No. 184,766, Eff. 3/27/17.)

Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Code is committed, continued or permitted by that person, and shall be punishable accordingly.

(n) Pursuant to Government Code Section 38773, the City may summarily abate any nuisance at the expense of the persons creating, causing, committing, or maintaining it and the expense of the abatement of the nuisance may be a lien against the property on which it is maintained and a personal obligation against the property owner.

(o) Pursuant to Government Code Section 38773.7, upon entry of a second or subsequent civil or criminal judgment within a two-year period that finds an owner of property responsible for a condition that may be abated in accordance with California Government Code Section 38773.5, a court may order the owner to pay treble the costs of the abatement. These costs shall not include conditions abated pursuant to California Health and Safety Code Section 17980.

SEC. 63.44. REGULATIONS AFFECTING PARK AND RECREATION AREAS.

16. No person shall drive or ride any cycle or vehicle, whether powered by a motor or human power, except on paths, roads or drives designed and provided for such purposes.

I. Within the limits of parks consisting of beaches and water recreation areas:

J. Within the limits of any park containing a fishing pier:

1. No person shall operate any vehicle on a fishing pier, except as permitted by the Board or its authorized representative.

2. No person shall ride a bicycle, scooter, skate, skateboard, or other wheeled device on any pier. Subdivisions 1 and 2 of this subsection shall not apply to the use of wheelchairs by persons whose physical condition necessitates such use.

ORDINANCE NO.187667

An 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 PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 71.31 is added to Article 1, Chapter VII of the Los Angeles Municipal Code to read as follows:

SEC. 71.31. RESTRICTIONS ON ELECTRIC BICYCLE, MOTORIZED SCOOTER, AND OTHER MOBILITY DEVICE RENTALS AT VENICE BEACH.

(a) Definitions.

- 1. Mobility Device,” as used in this section, shall mean bicycles, electric bicycles, motorized scooters, electric scooters, and any other electric personal assistive mobility device.
- 2. Rental,” as used in this section, shall mean the transfer of possession or control of a Mobility Device from a Vendor to a rider, for a temporary period of time, in exchange for money or other similar consideration, including any monetary gift or gratuity, demanded or received by the Vendor.
- 3. ‘Vendor,” as used in this section, shall mean any person who is engaged in the Rental of a Mobility Device within 1 mile of the legal boundaries of Venice Beach. This definition shall not include any provider, as that term is used in Section 71.29 of this Code, that has a valid and current permit under the Shared Mobility Device Permit Program.
- 4. 'Venice Beach,” as used in this section, shall mean all park land, beach lands, or beach properties adjoining the waterfront of the Pacific Ocean between the southerly boundary of the City of Santa Monica and the North Jetty of Marina Del Rey, including the area known as Ocean Front Walk.

(b) Vendor Requirements. Every Vendor shall do all of the following:

- 1. Notify each rider, prior to the Rental, both verbally and via written notice that is not less than 14-point font printed on paper that is not less than 8.5 x 11” in size, of the legal limitations on the use of the Mobility Device on Ocean Front Walk and any beach path at Venice Beach, and on Venice neighborhood walk streets and sidewalks;

2. Include, in any written or digital agreement for the Rental of a Mobility Device, a provision setting forth all legal limitations on the use of the Mobility Device on Ocean Front Walk and any beach path at Venice Beach, and on Venice neighborhood walk streets and sidewalks;
3. Require, in any written or digital agreement for the Rental of a Mobility Device, the rider to specifically acknowledge, by separate signature or initial, receipt of the advisory provision described in Subdivision (b)(2). 3

© Ocean Front Walk Vendor Requirements. Every Vendor offering Mobility Devices for Rental within 500 feet of Ocean Front Walk shall do all of the following: (

1. Require each employee and agent of the Vendor to transfer physical possession or control of the Mobility Device to the rider at a location not less than 300 feet inland from Venice Beach.

2. . Only display, park, or otherwise store all Mobility Devices inside of a building, unless the Mobility Device has a prominent sign posted upon it advising potential riders of the legal limitations on the use of the Mobility Device on Ocean Front Walk and any beach path at Venice Beach, and on Venice neighborhood walk streets and sidewalks, in which case the Mobility Device with the sign posted upon it may be displayed, parked, or otherwise stored outside. Nothing in this section shall limit or otherwise create an exception to Section 56.12 of this Code, prohibiting Mobility Devices from being displayed, placed, or stored in or on a public right-of-way, including a street or sidewalk. For purposes of the posting requirement in this Subdivision (c)(2), one sign shall be placed in a conspicuous location on each Mobility Device displayed, parked, or otherwise stored outside. The requirement for a prominent sign shall be met if the sign is not less than 8.5” x 11” in size and legibly states, in not less than 48-point font, “This device may not be ridden on Ocean Front Walk and is also subject to other legal restrictions. Learn more prior to rental.”

(d) Penalty. Violation of any provision this section above shall be punishable in accordance with Subdivision (m) of Section 11.00 of this Code.

(e) Compliance. Compliance with this section shall in no way relieve a Vendor of the responsibility to comply with any other applicable city, state or federal law; including the Department of Transportation’s On-Demand Mobility Rules and Guidelines.

(f) Severability. If any provision of this section is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this section which can be implemented without invalid provisions, and to this end, the provisions of this section are declared to be severable.

Sec. 2. Subsection 4 of Section 56.15 of Article 6, Chapter V the Los Angeles Municipal Code is hereby deleted in its entirety.

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 daily 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 at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By MICHAEL DUNDAS
Assistant City Attorney
Date 10/11/22

File No. 21-1119

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\LAMC 71.31 - Mobility
Devices - Venice Beach_updated.docx

The Clerk of the City of Los Angeles
hereby certifies that the foregoing
ordinance was passed by the Council
of the City of Los Angeles.

CITY CLERK Holly Wolcott

MAYOR Eric Garcetti

Ordinance Passed October 26, 2022

Approved 11/07/2022

Posted Date: 11/09/2022 Ordinance Effective Date: 12/19/2022

<https://www.dmv.ca.gov/portal/handbook/motorcycle-handbook/two-wheel-vehicle-operation/>