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December 29, 2008

BPC #08-0556

The Honorable City Council
City of Los Angeles
c/o City Clerk's Office
City Hall, Room 395
Los Angeles, CA 90012

Dear Honorable Members:

RE: CITY COUNCIL MOTION RELATIVE TO BICYCLE LICENSING

At the regular meeting of the Board of Police Commissioners held Tuesday, December 16, 2008, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in black ink that reads "Isabel Rosas".

ISABEL ROSAS
Commission Executive Assistant II

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

BPC #08 0556
867

December 12, 2008
1.11
WJB # 08-0050

RECEIVED

DEC 10 2008

POLICE COMMISSION

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

M. M. J. 12/10/08

SUBJECT: CITY COUNCIL MOTION RELATIVE TO BICYCLE LICENSING

RECOMMENDED ACTION

1. It is requested that the Board of Police Commissioners review, approve, and forward this report relative to a City Council Motion on Bicycle Licensing to the City Council.

DISCUSSION

On March 29, 2007, Gloria J. Jeff, General Manager, Department of Transportation, submitted a recommendation to the City Council recommending the development of a bicycle licensing program administered by the Los Angeles Unified School District's Police Department (see attachment). In response to the Department of Transportation recommendation, the City Council passed a Motion requesting a review of the Department's current bicycle licensing and citation efforts.

Our current policy directs that the issuing of bicycle licenses was to be done at each geographic division, who would then forward the license information to the Youth Programs Unit (YPU) formerly under Detective Bureau, for input into a database that contained all the related information. Our research determined that there does not appear to be a significant or consistent emphasis on bicycle licensing at the geographic divisions. Additionally, when YPU was moved from Juvenile Division to report directly to the Director, Office of Operations, YPU personnel no longer had access to the bicycle license database. Currently there are only a few individuals assigned to Juvenile Division that can access the database, which is stored on a standalone computer. The current fee for a bicycle license is \$3.00 and it is valid for a period of three years.

The database initially was created for YPU approximately two years ago and was intended to be used to input all bicycle registration data received from the divisions. The bicycle licensing process calls for each division to maintain an account and when \$50.00 is accumulated in the Bicycle License Fund, the officer that is responsible for maintaining the fund is required to transport the money to an office of the City Clerk and purchase replacement license books.

An inquiry of neighboring law enforcement agencies was conducted to determine how they handle their bicycle licensing responsibilities. It was determined that many local municipalities have moved away from having their respective police departments issuing bicycle licenses. For

The Honorable Board of Police Commissioners

Page 2

1.11

WJB # 08-0050

example, the City of Long Beach registers bicycles at the fire stations every Saturday. Santa Monica registers bicycles via United States mail. Some of the smaller municipalities in Orange County (Costa Mesa, Huntington Beach and Brea) still have their respective police departments complete the bicycle licensing responsibilities. San Francisco has an inactive bicycle licensing program. Other cities such as Denver, CO; Portland; OR; and New York, NY, do not have bicycle licensing programs

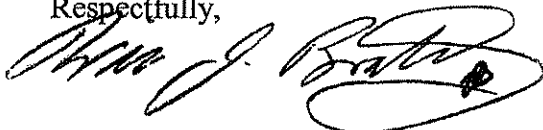
In short, our research determined that our Department-wide bicycle licensing efforts were all but defunct. Given our continued efforts to deploy all available sworn personnel to field operations in direct support of our crime fighting and community policing efforts, reviving the bicycle licensing program at this time is not prudent.

A benefit to having a bicycling license program is the enhanced ability to identify the rightful owners of lost or stolen bicycles recovered by Department personnel. However, that same objective can be accomplished by reviving our property engraving campaign, where we educate the community on the benefits of engraving a driver's license number or an identification number onto the bicycle frame. This is a great community outreach program with no cost to our community that in the end will still enable Department personnel to identify the rightful owners of lost or stolen bicycles. This campaign can be accomplished by enlisting the assistance of our Senior Lead Officers, Area Community Relations Office personnel, and our explorer volunteers to get the message out.

I recommend that we follow other large municipalities and discontinue our bicycle licensing program. Additionally, I have directed that Emergency Operations Division develop correspondence implementing an immediate moratorium on the enforcement of Los Angeles Municipal Code (LAMC) section 26.01 requiring that all bicycles within the City be licensed. It is important to note that per Information and Communications Services Bureau, they were only able to identify five such citations issued by Department personnel. If this recommendation is approved, the Department will move forward with eliminating the City's bicycle licensing requirement (LAMC section 26.01). Additionally, we will move forward with developing effective alternatives such as an engraving campaign in order to provide our communities with a no cost alternative to the bicycle licensing program.

Should you require additional information regarding this matter, please contact Assistant Chief Earl C. Paysinger, Director, Office of Operations, at (213) 485-4048.

Respectfully,



WILLIAM J. BRATTON
Chief of Police


BOARD OF
POLICE COMMISSIONERS
Approved *December 16, 2008*
Secretary *Isabel Rojas*

Attachment

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: March 29, 2007

To: The Honorable City Council
c/o City Clerk, Room 395, City Hall
Attention: Honorable Wendy Greuel, Transportation Committee

From: Gloria J. Jeff, General Manager
Department of Transportation 

Subject: City's Bicycle Licensing Program

Summary

In response to Council Motion 04-1076 relative to Bicycle Licensing, this report provides the Transportation Committee with a recommendation to revoke the City's Bicycle Licensing Program.

Recommendations

That the City Council:

1. Repeal LAMC 26.01, which requires that all bicycles operated on public streets of the City be licensed by the City; and
2. Replace LAMC 26.01 with an ordinance which allows for the development of a bicycle licensing program administered by Los Angeles Unified School District's Police Department, if and when, the District deems such a program feasible for the school system.
3. Transfer any remaining funds in the Bicycle Licensing Account to the Transportation Development Act (Local Transportation Fund 207) which provides funding for the development of bicycle facilities.

Discussion

History

The City of Los Angeles has had a bicycle licensing program, administered by the City Clerk and the LAPD, since the enactment of Section 26.01 of the Los Angeles Municipal Code (LAMC). LAMC 26.01 (Attachment 2) requires all bicycles operated in the City to have a properly affixed, state issued bicycle license or renewal. In addition, the municipal code requires the sale of bicycle licenses in the City be limited to bicycle retailers (sold with bicycle purchase), or LAPD.

The original program was developed during the 1960s as a method for recovering stolen bicycles. As a part of this program, the LAPD utilized a centralized unit, known as the Bicycle Detail comprised of six officers, to audit and coordinate the enforcement of bicycle registration and related activities. During the early 1980s, Bicycle Detail staffing was decreased and the group took a less active role in bicycle registration and enforcement. The Bicycle Detail retained only minimal staff to coordinate the disbursement of completed bicycle registration forms to the Records and Identification (R&I) Division of LAPD. The actual licensing of bicycles continued to be a duty of each LAPD Geographic Division.

Background

Bicycle licensing was initially a service provided to the residents of the City with the purposes of:

- ▶ providing a method for tracking and returning stolen and lost bicycles to their owners;
- ▶ providing a method of identifying the rider of a bicycle should he or she be injured and unable to respond to emergency medical staff (generally cited as the case for minors without identification);
- ▶ providing a method to monitor the number of bicycles in the City, and
- ▶ generating income on bicycles sold within the City's geographic boundaries, for the purpose of investing in the City's bicycle infrastructure.

Bicycle license programs in the State of California are enacted based on Section 39001 (Attachment 1) of the California Vehicle Code (CVC) which allows municipalities to distribute licenses per the State's guidelines, if the agency has adopted a bicycle license ordinance or resolution. In addition, the operation of a successful bicycle licensing program is presumed to be an additional incentive for the public to invest in bicycles as an environmentally beneficial form of transportation.

Other Bicycle License Programs

The most successful bicycle license program in operation in California is the one functioning on the campus of the *University of California at Davis*. Often cited as the

most bicycle-friendly city in California, Davis began its municipal effort to encourage bicycling in the 1960's. The University's bicycle licensing program, based on CVC Section 39001, requires students to license bicycles and provides for this during freshman orientation. As California bicycle licenses expire after three years, senior students are required to purchase a license renewal at the campus transportation department. The program is overseen by the campus Bicycle Coordinator, who maintains the data base utilizing part-time student staff. Bicycle license data is available to Campus Police 24 hours a day. The *City of Davis* does not operate a bicycle licensing program.

Denver, CO is another bike-friendly city with no bike licensing program. Efforts to provide one died out in the early 1990's. The value of bicycles stolen in Denver amounts to \$1,400,000 annually in a city with a population of 554,000. Approximately eight percent of those stolen bicycles are returned to their owners.

Currently, no bicycle licensing program exists in *Portland, OR*, another of the west coast's more bike-friendly cities. The prospect of a program was visited in the 1980's as a state-wide measure by the legislature and was found to be a revenue negative undertaking and the concept was dropped.

San Francisco, CA has an inactive bicycle registration program that is enabled by the city's municipal code. The project was conceived by police to deter bicycle theft but became defunct when the licenses were used as by police as a method to track bicyclists rather than stolen bicycles. The program was never mandatory and is separate and apart from CVC 39001 enacted programs.

Seattle, WA used a voluntary bicycle registration program available to citizens through its police and fire departments. Seattle has over 500,000 bicycles in the city and found maintenance of the project difficult due to the required cost of record keeping and police manpower required to maintain the program. The project was abandoned in the 1980's.

The *State of Minnesota* has a bicycle licensing regulation much like the one found in CVC 39001, which allows municipalities to determine whether or not to enact a local bicycle registration program via ordinance. Thus *Minneapolis, MN* has enacted a locally supported bicycle license requirement. The project has one significant difference from California's in that Minnesota's state-wide motor vehicle department issues all of the bicycle registrations and renewal notices by mail, much like the California Department of Motor Vehicles does for automobiles. Minnesota also maintains the database that is available to law enforcement.

New York City (NYC), NY recently considered a bicycle registration requirement that would require all riders over the age of 16 to display bicycle license tags issued by the NYC Department of Transportation. The program was heavily opposed by bicycle advocates and the city dropped the proposal.

In addition, *Beijing, China* cancelled its bicycle registration requirement three years ago citing the nation's interest in promoting the automobile as the preferred "transportation tool."

Bicycle Registration in Los Angeles

Per CVC 39001 and LAMC 26.01, bicyclists in the City of Los Angeles are required to display a State-issued bicycle license indicia permanently affixed to his or her bicycle. The City's Office of Finance purchases the indicia from the State's Department of Motor Vehicles and then resells the indicia to bicycle retailers and the LAPD for public distribution.

The Role of LAPD

Per LAMC 26.01, the LAPD is required to purchase bicycle licenses from the City Clerk, now the Office of Finance, for resale to the public at its station counters. Per the LAMC only the LAPD and bicycle retailers are provided the authority to sell bicycle licenses in Los Angeles.

Due to the sensitive nature of public information, the City Attorney's Office determined that the maintenance of the bicycle license data (name, address, telephone, bicycle serial number, etc.) must be maintained by LAPD Records and Information. It is conservatively estimated 200,000 to 500,000 bicycles are owned and ridden within the City's geographic boundaries. Record keeping has by far been the biggest challenge of this program. Lack of a proper database, to make records immediately available to officers on duty, has negated the effectiveness of the program.

Currently LAPD lacks the resources in staffing and funding to implement and maintain the program in the manner it was designed. A lack of fiscal procedures exist to purchase and distribute licenses to the public, monitor and maintain the citywide database, and an overall lack of personnel to properly implement the program. To date the database has not been regularly maintained nor is the information readily available to police personnel, licenses for purchase are not regularly available to the public, and the program is not enforced by the police.

The Role of the Office of Finance

Per LAMC 26.01, the City Clerk's Office is required to procure bicycle license indicia from the California Department of Motor Vehicles and distribute the licenses to the LAPD and bicycle retailers upon written request. With the advent of Charter reform in 2000, this function became a part of the duties of the Office of Finance. In addition, Finance has within its capabilities various tools to inform retailers who sell bicycles of their required participation in the program. While Finance currently informs retailers of their obligation to sell licenses through its Business Tax Renewal program, the licensing requirement is one of dozens of instructions provided to retailers in multiple lines of text of retailer conditions. Through the business licenses and taxes required of retailers and through its audit program(s), Finance may work with retailers and can subsequently enforce the program through a specific, random or regular audit of businesses selling bicycles in the City.

Current Status

The City's bicycle license program is nearly defunct due to scarce resources. Bicycle licenses are sold intermittently by some local police stations and a few bicycle dealers who purchase them from the Office of Finance. In addition, many LAPD divisions are unable to sell licenses at the station counters due to the high volume of other critical police duties. Bicycle retailers are not aware of, or completely disregard the current City ordinance requiring them to sell bicycle licenses with the purchase of bicycles in the City.

Two years ago an effort was made by LAPD to reorganize the project. In order to do so a database for licensed bicycles was developed and initially implemented. Due to scarce resources and higher priorities within the LAPD, the database has been deleted and no further resources are being devoted to the program.

Bicycle License Account

With the codification of the bicycle licensing program, the Bicycle License Account was established to receive funds generated through the sale of bicycle licenses. Per the CVC, funds generated through the bicycle license program "shall be used to improve bicycle safety programs, and establish bicycle facilities including bicycle paths and lanes, within the limits of the jurisdiction." Due to the limited activity of bicycle licensing citywide, the fund is quite limited. Bicycle license sales in the 2005-06 fiscal year generated only \$716.25. The current balance of the fund is \$16,477.43.

Fiscal Impact

As the program is still a requirement of the municipal code, some city resources within the Office of Finance and LAPD are still devoted for the program. Repealing LAMC 26.01 will result in a small cost savings or the reallocation of staff-time still devoted to the purchase of bicycle licenses and the implementation of the program by these departments. With the dissolution of the program the Bicycle License Account should be closed and any funds remaining in the Account should be transferred to Fund 207 Transportation Development Act Article III, which provides funding for construction and support of bicycle facilities development and safety activities.

Coordination

The DOT oversaw an ad-hoc committee comprised of the Office of Finance, LAPD and DOT, to review the Bicycle Licensing Program and make a recommendation regarding the ongoing operation of the program. After several months the committee stopped meeting and a recommendation was not further developed. In response to a vendor's recent request regarding the program, DOT met again with LAPD to review the program. Additional coordination was also held with Council member La Bonge's Office, City Attorney's Office, LAPD, and the Office of Finance.



WILLIAM J. BRATTON
Chief of Police

November 3, 2008

ASSISTANT CHIEF EARL PAYSINGER
OFFICE OF OPERATIONS

CITY COUNCIL MOTION RELATIVE TO BICYCLE LICENSING

Attached is a City Council Motion requesting the Department, in coordination with the Department of Transportation, report on the current status of the City's bicycle licensing program, LAPD's practice of issuing bicycle license citations and the process by which the public can obtain a license.

The written report is due to my office no later than **December 8, 2008**.

A handwritten signature in black ink, appearing to be "WJB", with a long horizontal line extending to the right. Below the signature, the letters "WJB" are printed in a small, bold font.

Attachment

TRANSPORTATION

MOTION

The City of Los Angeles' bicycle licensing program, codified in the Los Angeles Municipal Code Section 26.01, is administered by the Los Angeles Police Department (LAPD) and the Office of Finance. The LAMC Section 26.01 requires that all bicycles operated on public streets be licensed by the City. The LAPD is required, per LAMC 26.01, to purchase bicycle licenses from the Office of Finance for resale to the public at its station counters.

According to a March 29, 2007 report from the Department of Transportation, the City's bicycle license program is nearly defunct due to scarce resources. Bicycle licenses are sold intermittently by some local police stations and a few bicycle dealers who purchase them from the Office of Finance. Unfortunately, many LAPD divisions are unable to sell licenses at the station counters due to the high volume of other critical police duties.

Recently, there have been numerous public complaints about an increase in the issuance of citations by LAPD for riding unlicensed bikes. When a violator attempts to obtain a bicycle license, however, they are unable to do so. The City should either modify LAMC Section 26.01 or direct the LAPD to establish a clear process for the public to license their bicycles.

I THEREFORE MOVE that the Council direct the Los Angeles Police Department (LAPD), in coordination with the Department of Transportation, to report on the current status of the City's bicycle licensing program, LAPD's practice of issuing bicycle licensing violations and the process by which the public can obtain a bicycle license.

I FURTHER MOVE that the Department of Transportation report on issues associated with bicycle licensing programs, specifically relative to child safety, including information on successful programs in other jurisdictions.

PRESENTED BY: 

ED P. REYES

Councilmember, 1st District

SECONDED BY: 

OCT 28 2008