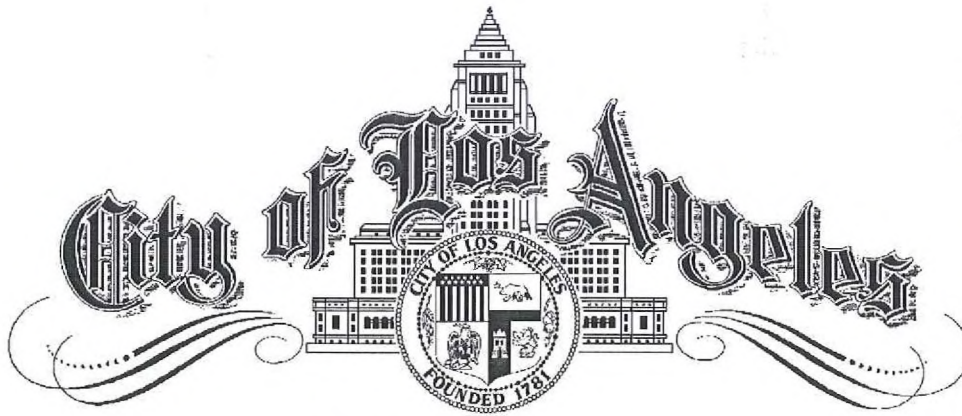


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 3 - 0 0 0 8
JAN 0 3 2013

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 56.15.1 OF THE LOS ANGELES
MUNICIPAL CODE TO CLARIFY ITS APPLICATION FOR ENFORCEMENT,
INVESTIGATION AND REPORTING PURPOSES**

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. 12-0217

Honorable Members:

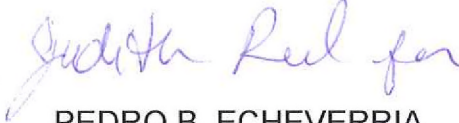
Your Honorable Body previously adopted an ordinance that added Section 56.15.1 to the Los Angeles Municipal Code (LAMC) to regulate the use of skateboards on public streets, sidewalks, and other public property. Since its adoption it has come to our attention that the language inadvertently created confusion over the appropriate state Vehicle Code Section to be used for traffic investigation and reporting purposes. Accordingly, the enclosed draft ordinance deletes Subsection (b) and revises and renumbers Subsections (d)(2) and (d)(5) of Section 56.15.1 in order to clarify the application of this Section for enforcement, collision investigation and reporting requirements and ensure consistency with other provisions of law. These revisions do not make any substantive changes to the Code.

Pursuant to Council Rule 38, this draft ordinance has been sent to the Los Angeles Police Department for its review, with direction to the Department to present any comments or concerns to the Council or its Committees when the matter is heard.

If you have any questions regarding this matter, please contact Assistant City Attorney Carlos De La Guerra at (213) 978-8380. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 
PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:CDLG:pg
Transmittal

ORDINANCE NO. _____

An ordinance amending Section 56.15.1 of Article 6 of Chapter V of the Los Angeles Municipal Code to clarify its application for enforcement, investigation and reporting purposes.

WHEREAS, skateboarders have been fatally injured while engaging in "bombing," a practice whereby skateboarders ride down City roadways at excessive speeds, sometimes obstructing traffic and failing to yield at stop signs; and

WHEREAS, bombing is a popular activity on steep hills because skateboarders can travel for several miles with little or no effort, and can reach speeds in excess of 40 miles per hour; and

WHEREAS, bombing not only poses a significant danger to those engaging in this activity, it also endangers the lives and property of others who use City streets; and

WHEREAS, to ensure that skateboard use on sidewalks is done safely, Los Angeles Municipal Code (LAMC) Section 56.15 prohibits the use of skateboards on City sidewalks in a manner that is in a willful or wanton disregard for the safety of persons or property; and

WHEREAS, California Vehicle Code Section 21967 allows a local authority to adopt an ordinance prohibiting or restricting the use of skateboards on highways, sidewalks, or roadways; and

WHEREAS, it is necessary to amend LAMC Section 56.15.1 to clarify its application for enforcement, collision investigation and reporting requirements, and ensure consistency with other provisions of law.

NOW, THEREFORE,

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

Section 1. Section 56.15.1 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 56.15.1. USE OF SKATEBOARDS.

(a) **"Skateboard" defined.** As used in this chapter, a skateboard is any board or other flat object which has wheels attached to it by any means whatsoever and which is intended to be propelled by pushing, pulling, body movement, or gravity and to which there is not affixed any device or mechanism for steering.

(b) **Skateboarding prohibited at specified locations.** The City Council may, by ordinance, specify certain public roadways, public sidewalks, public parking lots and other public property, or portions thereof, on which skateboarding shall be prohibited.

(c) **Skateboarding on public property.** Persons riding on skateboards on public roadways, public sidewalks, public parking lots and other public property shall comply with the following requirements and restrictions:

1. **Skateboarding in the upright position.** Persons riding on skateboards shall do so only in the upright, standing position. Using, pushing, propelling or riding on a skateboard in a sitting, prone, kneeling or lying position is prohibited.

2. **Traffic controls.** Persons riding on skateboards on public roadways shall obey all speed limits, stop signs, signal lights, and other traffic controls that govern right-of-way.

3. **Yielding to traffic in same direction.** Persons riding on skateboards on public roadways shall ride close to the far-right edge of the roadway, and shall yield to vehicles approaching from the rear by moving to the right curb or shoulder of the roadway.

4. **Uncontrolled intersections.** When approaching an uncontrolled intersection, persons riding on skateboards on public roadways or public sidewalks shall yield to vehicles that are so near as to present a hazard and shall not cross the intersection at a speed in excess of ten (10) miles per hour.

5. **Manner of operation.** No person shall operate a skateboard recklessly or in such a manner or at such a speed as to cause or threaten to cause injury to himself or herself or to others, to create an obstruction or to present a hazard to the free use of public property by other pedestrians or motorists.

6. **Attaching to or towing by vehicle.** A person operating a skateboard shall not attach the same or himself or herself to any motor vehicle on the roadway. In addition, a person shall not knowingly drive a motor vehicle that is towing a person riding upon a skateboard.

(d) **Penalty for violations.** It shall be unlawful for any person to violate or fail to comply with the provisions of this section. Any person violating the provisions of this section shall be guilty of an infraction and shall be subject to fines as established by the City Council.

Sec. 2. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
CARLOS DE LA GUERRA
Assistant City Attorney

Date 1/2/13

File No. CF 12-0217