



January 24, 2020

The Honorable Joe Buscaino, Chair
Trade, Travel, and Tourism Committee
Los Angeles City Council
200 N. Spring Street, Room 410
Los Angeles, CA 90012

RE: CONDITIONAL SUPPORT Tour Bus Route Restrictions (Council File 17-1115)

Dear Council President Pro Tempore Buscaino:

On behalf of the Hollywood Chamber of Commerce and the more than 800 members it represents, I am writing to express our conditional support for the proposed Tour Bus Route Restrictions Ordinance, which seeks to regulate the operation of tour buses on certain streets and routes through the authority of the City of Los Angeles Department of Transportation (LADOT).

Tourism is a key driver of the City's economy, providing more than half a million jobs for residents and generating billions in tax revenue. In 2018, Los Angeles hosted a record 50 million visitors who collectively spent \$22.7 billion in direct spending, with an overall economic impact of \$34.9 billion. Hollywood has maintained its status as a mecca for tourism, attracting visitors from all over the world with its internationally recognizable landmarks and attractions. These visitors rely on tour buses to see the landmarks and attractions that have made our City a world-famous destination.

The operation of tour buses in residential areas, like the Hollywood Hills, has led to a growing outcry from residents and concerns for public safety. We fully understand the need to address public safety concerns and are in favor of regulating the operation of tour buses in the City. However, the Tour Bus Route Restrictions Ordinance, as it is currently written, contains provisions that are of great concern to the Hollywood Chamber of Commerce and our tour bus operator members.

The Hollywood Chamber of Commerce requests that you consider revising language in the ordinance and the process outlined in LADOT's report to the City Council in determining restricted streets:

1. **The current language of the proposed amendments to LAMC § 80.36.1 is not at all clear as to whether individual persons (managers, directors, owners) or business entities (DBA's, partnerships, corporations [all types]) would be criminally liable for fourth and subsequent violations of the ordinance.** While state and federal laws are clear that business entities such as corporations and partnerships can be held criminally liable (monetary penalties only) for the acts of employees / agents,

the way the current amendment to the ordinance is written, it is ambiguous as to whether attempts will be made to hold individual managers and officers criminally liable (i.e., face jail time) if the statute is violated. This is obviously concerning, as everything will be done to avoid any violations, but honest mistakes, especially with a large fleet of vehicles, are inevitable in the normal course of business.

2. **The way the proposed amendments to the ordinance are written, "priorable" violations of the statute are accumulated based on a cumulative number of violations from an operator's entire fleet of vehicles and are not accumulated based on a cumulative number of violations by that operator's individual drivers. This places companies with multiple drivers in an unconscionably unfair position when compared to companies with one or two drivers.** Companies with one or two drivers will have no problem avoiding criminal liability because it is of course unlikely that one driver would accumulate four violations in one year absent gross negligence or intentional violations, whereas it is of course very likely that an entire staff of dozens of drivers would accumulate four violations in one year, absent gross negligence or intentional violations.
3. **The amendments to the ordinance contain no notice provisions that would make tour companies aware of newly restricted streets.** This means that a street can be restricted on a given day, a sign can go up effectuating that restriction on the same day, and a citation can be issued later that same day, even if the driver travels down that street is wholly unaware of the brand new restriction (with no mechanism to find out in advance that the street is restricted). This lack of notice is clearly unfair and places an undue burden on drivers and operators who are willing to take all reasonable steps to comply with the ordinance.
4. **The amendments to the ordinance contain no provision for any hearing or public comment on the restriction of streets.** As written, a Department of Transportation employee would be able to simply decide, using the approved criteria, to restrict any street in Los Angeles without any oversight, hearing, vote, appellate opportunity, or other process to challenge or comment on that employee's decision. It is critical that any regulation that can impact businesses or residents, create a process that is transparent and open to community input and oversight. Unilateral decisions by a department that threaten an industry can have disastrous consequences.

On behalf of the Hollywood Chamber of Commerce, I respectfully urge the Trade, Travel, and Tourism Committee to consider the concerns outlined above and appropriately amend the ordinance accordingly. Thank you in advance for your time and consideration of this important matter.

Sincerely,



Rana Ghadban
President & CEO

NOTE: This letter should be posted to Council File 17-1115