

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to making it unlawful to operate a tour bus on any street unsafe for tour bus operation.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE dated August 2, 2019, adding Section 80.36.11 to the Los Angeles Municipal Code (LAMC) making it unlawful to operate a tour bus on any street the Los Angeles Department of Transportation (LADOT) has determined unsafe for tour bus operation.
2. APPROVE the proposed Tour Bus Prohibition Criteria, excluding Warrant 6, to provide an evaluation methodology for the LADOT to determine whether a specific roadway segment has unique safety challenges for tour buses that may require prohibiting tour buses (See Attachment A of the LADOT report dated September 18, 2019, excluding Warrant No. 6).
3. AUTHORIZE the LADOT, in coordination with the Los Angeles Police Department (LAPD), to make technical revisions to the Tour Bus Prohibition Criteria as necessary, to ensure that the policy is flexible to address ongoing safety concerns as well as unique problems that may arise, and to address any enforcement-related concerns.
4. DIRECT the LADOT to work with the tour bus operators to identify and provide additional locations for sightseeing bus zones.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund. Approving the recommendations above may necessitate future budgetary requests for additional staff.

Community Impact Statement: Yes.
For: Hollywood Hills West Neighborhood Council

SUMMARY

In the report to Council dated September 18, 2019, LADOT states tour buses, based on their size and weight, pose a clear hazard on certain streets not built to accommodate these vehicles. Additionally, many tour bus companies are also using unenclosed tour buses, which expose the passengers of these buses to additional risk. The Department has identified certain factors that are expected to be more of a safety concern for tour buses than automobiles, such as roadway geometry, parking availability, crash patterns, and tour bus volumes. The Tour Bus Prohibition Criteria developed by LADOT uses combinations of these conditions to identify locations where tour bus restrictions are necessary for safety reasons, and not just due to undesirable volumes of tour buses. The Department's report lists the various types of roadway conditions where safety issues exist for tour buses. They include: crash patterns, roadway width, dead ends and no outlet streets, driveways, visibility, pedestrian safety, narrow parking lanes, roadway grade, and other factors.

LAMC Section 80.36.1 authorizes LADOT to post signs prohibiting vehicles over 6,000 pounds gross weight from using public roadways not designated as major or secondary highways (except

those specifically designated in LAMC Section 80.36.1.(d), when LADOT determines their continued use of any street or portion thereof, would cause traffic congestion, create a hazard to life or property, or detrimentally affect the public welfare, and when alternate routes are available. There are several exemptions to this section; however, LAMC Section 80.36.1.(c).3 specifically states this exemption shall not apply to vehicles operated as a round-trip sightseeing tour service as defined by the Public Utilities Commission.

According to LADOT, LAMC Section 80.36.1.(b) also specifies that no vehicle used for round-trip sight-seeing tour vehicle, as defined by the Public Utilities Commission, namely round-trip travel in the same vehicle with guide service for an informational purpose, in excess of 6,000 pounds gross weight, shall use any other street other than a major or secondary highway, as defined by Section 18.01 of this Code despite any lack of such determination by the Department, and any erection of signs, as hereinabove described, so long as appropriate notice of the restriction is given in compliance with California Vehicle Code (CVC) Section 35701.(b). LADOT has restricted tour buses on roadways other than major or secondary highways by posting signs giving notice that vehicles over 6,000 pounds were prohibited and providing the LAMC section on the sign indicating that tour buses were not exempt. However, LAPD has indicated that enforcement of these signs is not feasible because the Department does not have the necessary resources to pull vehicles over and weigh them, especially on narrow, hillside roadways.

LADOT goes on to report that on September 27, 2017, AB 25 (Nazarian) became law, allowing local jurisdictions to impose reasonable restrictions on tour buses regarding route restrictions and the use of public address systems. This legislation stemmed from the numerous complaints from residential neighborhoods about the public safety impact from sightseeing tour buses on narrow hillside streets and frequent traffic violations. Many residents in the Hollywood Hills area, as well as from other neighborhoods in Los Angeles have raised these concerns.

The accompanying Ordinance transmitted to Council by the City Attorney on August 2, 2019, establishes new regulations to restrict the routes or streets where LADOT has determined that there are safety concerns specifically related to tour buses. The new ordinance uses the legal definition of a tour bus, which is more efficient and safer for LAPD to enforce. Additionally, under CVC Section 21118.(a), the tour bus prohibitions are no longer limited to streets that are not major or secondary highways. LADOT can restrict tour buses on any street in the City once it has determined that the roadway may be unsafe for tour buses. The Ordinance allows LAPD to cite the tour bus operator for violations. The LADOT report and the Ordinance contain the fine amounts. LADOT notes these fines are justified based on public safety.

At its meeting held December 11, 2019, the Transportation Committee discussed this matter with LADOT staff. During the public comment period, hillside residents expressed support for the accompanying Ordinance and LADOT's recommendations. Residents cited examples of unsafe tour bus operation, including sudden stops in traffic and along narrow hillside roads, discharging passengers in roadway, and blocking driveways. Tour bus operators and their representative advocated for a balanced solution that includes input from the industry. The Transportation Committee recommended that Council approve the accompanying Ordinance and LADOT's recommendations, as amended to exclude Warrant 6 from LADOT's Tour Bus Prohibition Criteria, and to authorize LADOT to make only technical revisions to the criteria.

Respectfully Submitted,

TRANSPORTATION COMMITTEE

MEMBER VOTE
BONIN: YES
MARTINEZ: ABSENT
KORETZ: YES

jaw

A handwritten signature in blue ink, appearing to be 'JAW', is located in the upper right quadrant of the page.

-NOT OFFICIAL UNTIL COUNCIL ACTS-

