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March 26, 2013

Council file No. 09-0206

The Honorable City Council
Of the City of Los Angeles
Public Safety Committee
City Hall, Room 395
200 North Spring Street
Los Angeles, California 90012

Honorable Members of the Public Safety Committee:

Pursuant to your request, staff has prepared and now transmits for your consideration the enclosed proposed Board of Police Commissioners "Rules and Regulations Governing Valet Parking Operators and Valet Parking Attendants Established by the Los Angeles Board of Police Commissioners." These rules and regulations will be submitted for approval to the Board of Police Commissioners to implement the proposed Valet Parking Operator permit program after your input has been provided.

I will be available to discuss proposed rules and regulations when the matter is considered by your Committee on March 27, 2013.

Should you have any questions in advance of the meeting please do not hesitate to contact me at (213) 236-1400.

Very truly yours,


RICHARD M. TEFANK, Executive Director
Board of Police Commissioners

Enclosure

LOS ANGELES BOARD OF POLICE COMMISSIONERS

RULES AND REGULATIONS GOVERNING VALET PARKING OPERATORS AND VALET PARKING ATTENDANTS ESTABLISHED BY THE LOS ANGELES BOARD OF POLICE COMMISSIONERS

The following rules, in addition to State and City laws, shall govern Valet Parking Operators and Valet Parking Attendants. A violation of any of the foregoing rules is grounds for suspension or revocation of the permit.

1. These Board Rules, Master Valet Parking Operator and Valet Parking Operator permits, or legible facsimiles, shall be posted and conspicuously exhibited at the valet parking location at which a patron surrenders his or her vehicle for parking so that they are viewable by anyone wishing to see the information.
2. Proof of insurance must be submitted to and maintained with the City Risk Management office.
3. Valet Parking Operator shall operate only at the location approved and during hours stated on the Valet Parking Operator permit.
4. A clear copy of the map of City-approved travel route(s) to be used between the passenger loading/unloading zone or other vehicle pickup point and the parking or storage location shall be available for inspection to anyone when requested at the valet parking location. For those applications that the Department of Transportation waives review under their guidelines a copy of the route is to be submitted with the application and provided to the Department of Transportation.
5. Valet Parking Operator shall not use public right-of-way or City-owned parking facilities for vehicle storage/pick-up/ or drop-off without proper written approval from the appropriate City agency. Such approval shall be submitted to the Board in writing prior to use of such facility and before a permit will be granted.
6. Valet Parking Operator shall provide the Department of Transportation all documents and pay all related fees necessary to obtain clearance to use any public right-of-way. Valet Parking Operator shall ensure that such clearance is transmitted by the Department of Transportation to the Board in writing before a permit will be granted. Valet Parking Operator shall be in compliance with all Department of Transportation regulations and guidelines prior to the granting of a police permit and maintain compliance with such regulations and/or guidelines and current on all related fees.
7. A permit will not be granted for a Valet Parking Operator utilizing automobile parking lot facilities that are indicated by the Office of Finance as not being current with any City tax or permit fees due to the City or that do not possess the necessary valid permits. A Valet Parking Operator permit is automatically suspended when the designated parking facility is closed or out of compliance with applicable laws and regulations, and the Valet Parking Operator shall immediately cease to use such facilities upon notice by the Board.

8. If the automobile parking lot facility used for the Valet Parking Operator is part of a building or premises devoted to other uses which require off-street parking, the number of parking spaces required by law to be provided in the parking facility to serve such other uses shall not be diminished.
9. Vehicles shall be parked only in the automobile parking lot facility approved for that Valet Parking Operator. Vehicles shall not be parked in the public right-of-way without approval from the Department of Transportation. Valet Parking Operator shall ensure that such approval is transmitted to the Board in writing before commencement of such use of the public right-of-way.
10. Fees, if charged, shall be those filed with the Board and shown on the permit. In the event of a change of rates, the Valet Parking Operator shall give a 10-day written notice to the Board which shall contain the new schedule of rates. A duplicate copy of such notice shall be posted for a period of 10 days in a conspicuous place at the valet parking location at which a patron surrenders his or her vehicle for parking and/or a place designated by the Board. Upon expiration of the 10-day period, the rates may be changed in accordance with such notice.
11. Valet Parking Operator shall promptly file for an amended permit upon intention to change any permit conditions, including, but not limited to date and hours of operation, rates, driving routes, or parking location.
12. Original claim checks and associated business records shall be available for inspection and audit by a representative of the City or Board during regular business hours for the purpose of determining whether the Valet Parking Operator is complying with all the rules and regulations of the Board and all provisions of the Los Angeles Municipal Code affecting said business, and to improve the overall effectiveness of the regulation of valet parking.
13. A Valet Parking Operator must pay applicable fees before the Board will grant a temporary permit.
14. Valet Parking Operators and their employees and agents are subject by law to the regulatory powers of the Board and all relevant records, equipment and facilities are subject to periodic inspections by the Board or its designees to determine if the operation is in compliance with the rules and regulations of the Board.
15. The Board of Police Commissioners and persons designated by the Board have the authority to settle all disputes arising from the actions of the Valet Parking Operator. The decision of the Board or persons designated by the Board shall be binding on all parties involved.
16. Vehicles shall be moved to and from the parking facility only via the approved routes. All other routes are prohibited with the exception of bona fide emergencies or street closures. Shortcuts and U-turns are prohibited.
17. Pedestrian walkway, where valet parking is taking place, must not be blocked at any time and must provide pedestrian passing clearance of at least five (5) feet, or greater if necessary to comply with other laws or requirements.

18. Kiosks, umbrellas, desks, key lockers, signs, cones, delineators or other similar items, if placed in the public right-of-way, shall not be placed on the roadway or on parking meters unless expressly approved by the Department of Transportation. When possible, such items shall be placed only on private property. All items shall have sufficient bases, ballasts, and stops to ensure stability and safety.
19. No part of any umbrella or other canopy, except for the central column or support, shall be less than seven (7) feet above the sidewalk. Other laws or zoning regulations may supersede these requirements.
20. Valet Parking Operator shall provide sufficient staff and facilities to ensure that vehicles are moved from the valet parking location at which a patron surrenders his or her vehicle for parking promptly. No vehicle queuing or parking is allowed in travel lanes at any time. If the Valet Parking Operator is unable to meet the valet parking demand and queuing or double-parking occurs, the operation shall be temporarily closed, until the demand can be properly handled. Each time such closure occurs, the Valet Parking Operator shall display a sign with the word "FULL" that is clearly visible to approaching traffic.
21. Vehicles may not occupy a loading zone beyond the time limit established by the Department of Transportation.
22. Valet Parking Operator shall post signage with the name and telephone number of a responsible manager available to handle questions and complaints during the operation of the valet service.
23. A proper professionally printed claim check shall be given to the driver of each vehicle accepted for valet parking. Terms and conditions printed on the claim check shall include the name of the permitted Valet Parking Operator, permit number, business office address, business telephone, and telephone number of a responsible manager available to handle questions and complaints during the operation of the valet service, the parking facility where the vehicle will be stored, the name of the person maintaining or operating such lot and the address thereof, and also the place where the key to the vehicle may be obtained after the lot has closed or valet operation has closed. The claim check shall be printed so that a portion of such claim check containing the terms and conditions is retained by the patron upon acceptance of the vehicle by the Valet Parking Operator and is not surrendered upon claiming the vehicle. In the event that fees vary based on time of day or other reasons, the claim check shall clearly state the fees to be paid by the patron.
24. It shall be a violation of the Board Rules for any Valet Parking Operator or his agents to charge or collect any fees at a rate in excess of the rate posted at the time the vehicle was accepted. This prohibition does not preclude the payment of a gratuity for service.
25. Valet Parking Operator, his agents, or employees shall deliver each vehicle to the person who left that vehicle in his care upon presentation of the claim check.
26. Valet Parking Operator, his agents, or employees shall cause the appropriate law enforcement agency to be notified without delay whenever they become aware of a possible crime or other activity requiring action by law enforcement personnel.

27. Valet Parking Attendant, including those who move patron vehicles as well as those who handle the keys to patron vehicles, shall at all times, have in their possession a current valid California Drivers License and shall present it upon request by City officials.
28. Valet Parking Attendants traveling on foot between the valet zone and the parking facility shall comply with all applicable traffic laws, ordinances, and regulations and shall obey all traffic controls. Jaywalking and crossing against traffic signals is prohibited.
29. Every person possessing either a temporary or permanent permit to act as a Valet Parking Attendant shall at all times while directly engaged in the operation of a Valet Parking Operator visibly display upon his or her person, on the right side, a valid identification card issued by the Board for such purpose and shall make such card available for inspection to anyone when requested.
30. Valet Parking Attendants, and all employees or agents of the Valet Parking Operator, exposed to the hazard of vehicular traffic shall wear retroreflective warning garments such as vests, jackets, or shirts manufactured in accordance with the requirements of the California Occupational Safety and Health Standards Board (CALOSHA) and the "California Manual on Uniform Traffic Control Devices" (California MUTCD).

Adopted by the Board of Police Commissioners on _____