


CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM

DATE: October 26, 2011

TO: The Honorable City Council, City of Los Angeles
c/o City Clerk, Room 395
Attention: Honorable Bill Rosendahl, Chair, Transportation Committee

FROM: Jaime de la Vega, General Manager
Department of Transportation 

SUBJECT: **Bicycle Riding on Sidewalks – CF 09-0680**

SUMMARY

The City of Los Angeles currently allows the riding of bicycles on sidewalks as long as it is done without "...a willful or wanton disregard for the safety of persons or property." With so many more individuals riding bicycles, and the City's lack of a built out bikeway network per the 2010 Bicycle Plan, some bicyclists – particularly slower riders such as children and the elderly – have a need to continue to ride on the sidewalks as long as their behaviors do not endanger pedestrians or themselves. Thus it is recommended the City Attorney work with the Department of Transportation (LADOT) to develop additional language defining the role of bicyclists on sidewalks to update or replace LAMC 56.15.

RECOMMENDATION

That the City Council:

1. Direct the City Attorney, Department of Transportation, and LAPD to identify the issues with bicycling on the sidewalk and to develop language for the update and/or replacement of LAMC 56.15.

DISCUSSION

Per the California Vehicle Code (CVC) the authority to govern the riding of bicycles on sidewalks is ceded to the City by the State per CVC 21100 which allows that:

Local authorities may adopt rules and regulations by ordinance or resolution regarding the following matters: (h) Operation of bicycles...on the public sidewalks.

Per Council Motion 09-0680, the City has an interest in revising LAMC 56.15, the City's ordinance governing bicycle riding on sidewalks in Los Angeles. With many more Angelinos riding bicycles for transportation, and the lack of a connected bikeway network in the City, completely banning bicycles from using sidewalks – especially to children, senior citizens and other low speed bicyclists - is a poor option to revising and enforcing a new ordinance.

Currently the LAMC reads as follows:

SEC 56.15 BICYCLE RIDING – SIDEWALKS

(Amended by Ord. No. 148,990, Eff. 12/17/76.)

1. No person shall ride, operate or use a bicycle, unicycle, skateboard, cart, wagon, wheelchair, rollerskates, or any other device moved exclusively by human power, on a sidewalk, bikeway or boardwalk in a willful or wanton disregard for the safety of persons or property. (Amended by Ord. No. 166,189, Eff. 10/7/90.)

2. No person shall ride, operate or use a bicycle or unicycle on Ocean Front Walk between Marine Street and Via Marina within the City of Los Angeles, except that bicycle or unicycle riding shall be permitted along the bicycle path adjacent to Ocean Front Walk between Marine Street and Washington Boulevard. (Amended by Ord. No. 153,474, Eff. 4/12/80.)

3. No person shall operate on a beach bicycle path, or on an area of a beach which is set aside for bicycle or unicycle use, any bicycle or tricycle which provides for side-by-side seating thereon or which has affixed thereto any attachment or appendage which protrudes from the side of the bicycle or tricycle and is used or designed to carry another person or persons thereon.

4. For the purposes of this section motorized bicycles as defined by Section 406 of the California Vehicle Code shall be included within the terms "motor vehicle" as defined in Section 415 of the Vehicle Code and as used in Section 21663 of the Vehicle Code.

In addition, the LAMC also provides authority to the Department of Transportation to post sidewalks closed to bicyclists - and other users - under certain conditions:

SEC 85.07 REGULATION OF ROLLERSKATING, SKATEBOARDING AND BICYCLING

(Added by Ord. No. 166,526, Eff. 1/27/91)

The Department of Transportation is hereby authorized to install any traffic control devices it determines necessary to regulate roller-skating, skateboarding and bicycling on sidewalks and roadways in order to improve vehicular or pedestrian movement, reduce congestion or diminish accident potential. Such determinations shall be made only on the basis of traffic engineering principles and traffic investigations. When such determinations have been made, the Department is authorized to install signs giving notice as to the nature of the regulation as well as signs that provide such safety warnings as it determines will assist those engaged in the regulated activities.

LAMC 56.15 is difficult for the layperson to understand and does not clearly define how a bicycle when using the sidewalk as a travel-way should behave around pedestrians, enter intersections, or in which direction they should travel. Nor does it include the provisions in 85.07 which may ban all bicycling on sidewalks in specific business districts.

Portland, Oregon allows sidewalk riding except in specific areas, their municipal code states:

16.70.320 Operating Rules.

(Amended by Ord. No. 165594, July 8, 1992.)

No person may:

1. E. Ride a bicycle on a sidewalk, unless avoiding a traffic hazard in the immediate area, within the area bounded by and including SW Jefferson, Front Avenue, NW Hoyt and 13th Avenue...

The City of Seattle's Municipal Code also allows sidewalk riding. The SMC relative to bicyclists' use of the sidewalk is as follows:

Section 11.44.120 RIDING ON A SIDEWALK OR PUBLIC PATH. Every person operating a bicycle upon any sidewalk or public path shall operate the same in a careful and prudent manner and a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic control devices. Every person operating a bicycle upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon, and shall give an audible signal before overtaking and passing any pedestrian.

In Minneapolis, Minnesota the law allows cyclists to ride on sidewalks except in business districts but requires that cyclists must ensure that a road user has the ability to stop before they enter a crosswalk. When riding on sidewalks, cyclists must yield the right-of-way to pedestrians. When necessary, cyclists should announce their presence to pedestrians on sidewalks, before passing.

In San Francisco only children are allowed to ride on the sidewalks. San Francisco Transportation Code (SFTC) Sec. 7.2.12 forbids sidewalk bicycle riding, while Sec. 1007 states "... children under the age of 13 may ride a bicycle on any sidewalk except as otherwise posted".

It is recommended the City of Los Angeles consider the following when drafting new requirements for bicycling on sidewalks:

- Must provide the right of way to all pedestrians and slow to a walking pace of not more than 3 miles per hour;
- Provide an audible signal – vocal or mechanical- to pedestrians to alert them to their presence;
- Slow to a walking pace at driveways; and
- Slow to a walking pace when entering an intersection;
- Reestablish provisions for banning bicycles from sidewalks in business districts or heavily congested pedestrian corridors.

COORDINATION

LADOT staff will coordinate outreach to various groups to gather input to determine how best to regulate bicycling on sidewalks and will coordinate efforts with LAPD and the City Attorney's Office.

FISCAL IMPACT

No impact to the City's General Fund is expected with the development and adoption of this ordinance.