



CITY OF BEVERLY HILLS
TRAFFIC & PARKING COMMISSION

July 7, 2016

TO: Traffic & Parking Commission
FROM: Martha Eros, Transportation Planner
Christian Vasquez, Transportation Planning Analyst
SUBJECT: Limousine Parking
ATTACHMENTS: A. Beverly Hills Municipal Code Sections on Limousines
B. Limousine Staging Prohibited Signage

This report provides background information on definitions for limousines and livery services. Staff recommends that the Traffic & Parking Commission develop a recommendation for amending the existing municipal code verbiage for City Council consideration at a future meeting.

Background

At the May 5, 2016 TPC meeting, Commissioner Licht expressed concerns regarding limousines parking/staging in residential areas. Commissioner Licht suggested that the Beverly Hills Municipal Code (BHMC) definition for limousines should be updated to address sport utility vehicle, SUV-type limousines and other types of chauffeur-driven vehicles.

At their June 6, 2016 regular meeting, City Council directed staff to review the definition of "limousines" and address livery services parking/staging in residential areas due to concerns received from residents about limousine parking in the residential neighborhood adjacent to the L'Ermitage Hotel.

The BHMC defines a limousine as "*a motor propelled sedan vehicle of either standard or extended length, with a lawful seating capacity of not more than ten (10) passengers, including the driver, and used in the transportation of passengers for hire on a prearranged basis*" (BHMC § 7-2-206). Additionally, the BHMC prohibits limousines from stopping, parking, standing on any street within a residential zone in the City, except for the immediate loading and unloading of passengers (BHMC § 7-3-118).

Discussion

The BHMC definition of limousine currently does not include sport utility vehicles or SUV-type limousines. The California Vehicle Code (CVC) and California Public Utilities Code (CPUC) spell out "sport utility vehicle" in their definition of limousine, and defines a limousine as "any sedan or sport utility vehicle, of either standard or extended length, with a seating capacity of not more than 10 passengers including the driver, used in the transportation of passengers for hire on a prearranged basis within this state" (CVC §378; CPUC §5359). Higher capacity stretch limousines or stretch SUVs (vehicles with more than 10 passenger capacity) could be covered under existing heavy vehicle City ordinances (BHMC 7-3-203, 15-O-2694).

Currently, local jurisdictions do not regulate on-street parking for Transportation Network Companies (TNC) like Uber and Lyft. Per the CPUC, TNCs are *companies* that offer prearranged, for-hire transportation services using an online-enabled application (e.g. smart phone app) to connect passengers with drivers that use their *personal vehicle*. The CPUC

places stricter permit requirements on the TNC parent company (not the independent drivers) than it does on limousine operators. In addition to stricter drug/alcohol screenings, DMV background check, vehicle inspections and higher vehicle insurance coverage, the TNC parent company must conduct a criminal background check, provide mandatory driver training, and collect trip data for each driver.

Staff researched cities in California for definitions of limousine vehicle types, parking and staging regulations, and signage. Staff was unable to locate a local jurisdiction with codified policy or language that regulates limousine or TNC parking. The City Attorney's Office is researching whether TNCs can be considered commercial vehicles, and if TNCs can be included in the City's definition of limousine. Transportation Planning staff will provide the City Attorney's evaluation on the level of authority to regulate TNC parking/staging at the July 7th Commission meeting.

Staff searched the California Manual on Uniform Traffic Control Devices (MUTCD), commercial sign catalogues and online sources for limousine prohibition parking signs; no existing signs were available. Therefore, staff developed a "Limousine Staging Prohibited" sign to deter livery activity in residential neighborhoods (Attachment-B). The initial installation project area adjacent to the L'Ermitage hotel is scheduled by mid-July 2016.

California Cities

The cities of Los Angeles (LAMC §71.00) including LAX, Santa Barbara (SBMC §5.29.010), and Anaheim (AMC §3.32.170) mirror the CVC and CPUC definition for limousines and includes SUV vehicles. The City of Los Angeles (LAMC §80.69.2) and the County and City of San Francisco (SFTC §7.2.80) regulate limousine parking by prohibiting *commercial* vehicles (e.g., limousines with commercial license plates) from parking or staging in residential areas; the regulations do not apply to TNCs. BHMC 7-3-123, *Parking of Oversized Vehicles Prohibited in Residential Zones*, provides for the enforcement and towing of vehicles with a manufacturer's rated load capacity greater than ¾ ton (i.e., 1,500 pounds) or longer than 21-feet that is stopped, parked or left standing" in a residential neighborhood.

Recommendation

Staff recommends that the Traffic & Parking Commission review the definition of limousines, and provide a recommendation for City Council consideration that includes:

- Amend the Beverly Hills Municipal Code to include "sport utility vehicles" as a vehicle type to the current limousine definition (similar to CVC and PUC definition)
- Add language defining limousine parking signage for local enforcement

ATTACHMENT A

7-2-206: DEFINITIONS:

For purposes of sections 7-2-207, 7-2-208, and 7-2-209 of this article, the following words have the following meanings:

LIMOUSINE: A motor propelled sedan vehicle of either standard or extended length, with a lawful seating capacity of not more than ten (10) passengers, including the driver, and used in the transportation of passengers for hire on a prearranged basis.

STAGE OR STAGING: Parking a tour bus as authorized by sections 7-2-207 through 7-2-209 of this article, and waiting until loading passengers as authorized by sections 7-2-207 through 7-2-209 of this article.

TAXICAB: Any motor propelled vehicle which, for compensation fixed by a "taximeter" as defined in section 7-4-101 of this title, is used for the transportation of passengers and which is not operated over a fixed route.

TOUR BUS: Any motor propelled vehicle that is used for the transportation of passengers over the streets of the city for the purpose of showing points of interest or showing or exhibiting lands, houses, property, or any other thing or object for consideration or compensation and licensed for such use by the public utilities commission, except taxicabs and limousines. (Ord. 99-O-2323, eff. 3-19-1999)

7-3-118: PARKING OF LIMOUSINES IN RESIDENTIAL ZONES PROHIBITED:

No person shall stop, park or leave standing any limousine on any street within a residential zone, except for the immediate loading and unloading of passengers. For purposes of this section and section 7-3-119 of this chapter, "limousine" shall have the same meaning as set forth in section 7-2-206 of this title. (Ord. 02-O-2418, eff. 1-3-2003)

7-3-119: LIMOUSINE STAGING ZONES ESTABLISHMENT AND RESTRICTIONS:

- A. Except as otherwise provided in this section for limousines, no person shall stop, park or leave standing any vehicle in the spaces identified as limousine staging zones during the time period posted.
- B. The transportation official is authorized to establish limousine staging zones for any day and period of time on any nonresidential street for a distance of up to twelve (12) metered parking spaces or two hundred forty feet (240'), whichever is less, when the transportation official finds that it is necessary to provide limousines a safe and convenient location from which limousines may stage their limousine operations so as not to interfere with other traffic in the business and residential zones of the city. In all other circumstances, limousine staging zones may be established by resolution of the city council.
- C. Limousine operators may utilize staging zones to park their limousines and to wait, as authorized in this section.
- D. No limousines shall park in the limousine staging zones for a period in excess of the time posted.
- E. A decision of the transportation official may be appealed to the city council. (Ord. 02-O-2418, eff. 1-3-2003)

ATTACHMENT B



LIMOUSINE STAGING

PROHIBITED

BHMC 7-3-118