



CITY OF BEVERLY HILLS  
TRAFFIC & PARKING COMMISSION

August 4, 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

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This report provides background information on definitions for limousines and livery services. Staff recommends that the Traffic & Parking Commission (TPC) 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, (former) Commissioner Licht expressed concerns regarding limousines parking/staging in residential neighborhoods and inquired if vehicles could stage at the Third Street tour bus loading and staging zone. Commissioner Licht suggested that the Beverly Hills Municipal Code (BHMC) be updated to include sport utility vehicle, SUV-type limousines and other types of for-hire vehicles in the municipal code definition of limousines.

Concurrently, City Council directed staff to review the definition of "limousines" and address livery services parking/staging at their June 6, 2016 formal meeting. At that time, residents from the residential neighborhood adjacent to the L'Ermitage Hotel expressed concerns about limousines parking on residential street blocks.

BHMC §7-2-206 *Commercial Vehicle Restrictions - Definitions* 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." 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 *Parking of Limousines in Residential Zones Prohibited*).

### **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 limousines or stretch SUVs (vehicles with more than 10 passenger capacity) could be covered under other existing heavy vehicle City ordinances [BHMC §7-3-123(a) *Parking of Oversized Vehicles Prohibited in Residential Zones*; BHMC §7-2-203 *Streets Designated for Heavy Vehicle Usage*].

Staff recommends amending BHMC §7-2-206 to include sport utility vehicles in its definition of limousines to mirror existing California legislation, and clarify language to address parking, staging and signage requirements. Staff researched cities in California for definitions of limousine vehicle types, parking and staging regulations, and signage requirements. Most of the cities surveyed have amended their municipal code to include SUV vehicles in their definition of limousines.

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  $\frac{3}{4}$  ton (i.e., 1,500 pounds) or longer than 21-feet that is stopped, parked or left standing" in a residential neighborhood.

Staff was unable to identify a local jurisdiction with codified policy or language specific to limousine signage. The Transportation Engineering team 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. Staff developed a "Limousine Staging Prohibited" sign to deter livery activity in residential neighborhoods (Attachment-B). The custom signs, along with signage informing of vehicle weight and length restrictions, were posted in the corridor adjacent to the L'Ermitage hotel on July 8, 2016. Parking Enforcement management reports that no citations have been issued since the signs were posted, and Parking Enforcement Officers have not received any recent complaints specific to limousine parking adjacent to residential properties.

#### Transportation Network Companies

The TPC also requested staff to assess whether Transportation Network Companies (TNC) activity can be regulated by local ordinance. Currently, local jurisdictions do not regulate on-street parking for TNC like Uber and Lyft. State authority is delegated to the CPUC. 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 requirements on the TNC parent company (not the independent drivers) for acquiring operating permits than it does for 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.

According to the City Attorney's Office, the City can likely prohibit the standing, stopping or parking of vehicles driven by employees of TNCs in residential zones (CVC §22507) by amending BHMC Title 7 *Traffic, Parking and Public Transportation*, Chapter 3 *Standing, Stopping and Parking*. Unless the CPUC permit issued to a TNC parent company *specifically authorizes* the standing, stopping or parking in residential areas, the City would be acting within the authority provided by CVC §22507.

Similar to disabled placard enforcement, a Parking Enforcement Officer (PEO) would most likely need to witness the standing, staging or parking of a TNC vehicle in order to cite the driver; TNC drivers could potentially drive away before the PEO can make contact with them; and the PEO would need to determine whether a driver sitting in a car with TNC sticker(s) is actively "for-hire" (i.e., "on-call") or sitting in their vehicle on personal time.

Staff recommends additional research on enforceability of TNCs, and returning at a future date with a practical enforcement strategy that includes staff resources and possible capital investments, and the development of TNC signage requirements by local and state authorities.

### **Recommendation**

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

- Amend Beverly Hills Municipal Code §7-2-206 *Commercial Vehicle Restrictions - Definitions* 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
- Further research creating a municipal code section with the definition of "Transportation Network Company" and language to regulate TNC parking and signage.

# **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)

**7-3-123: PARKING OF OVERSIZED VEHICLES PROHIBITED IN RESIDENTIAL ZONES:**

A. No person shall stop, park or leave standing upon any street that is designated by the director of community development within a residential zone a vehicle having any of the following:

1. A manufacturer's rated load capacity greater than three-fourths ( $\frac{3}{4}$ ) of a ton;
2. A length in excess of twenty one feet (21').

Any vehicle stopped, parked or left standing shall be subject to removal.

B. The following vehicles are hereby exempt from the provisions of this section:

1. Any authorized emergency vehicle, any authorized highway work vehicle or any vehicle used in the construction, installation, or repair of a utility or a public utility in accordance with sections 22512 and 35704 of the California Vehicle Code;
2. Any vehicle engaged in loading or unloading adjacent to the residence;
3. Any vehicle making pick ups or deliveries of goods, wares and merchandise adjacent to the residence;
4. Any vehicle picking up or delivering materials used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure for which an encroachment permit or construction permit has been obtained adjacent to the residence;
5. Any vehicle operated by the city, or any employee thereof, in the course of regular or official city business.

C. The director of community development is authorized to designate the streets subject to the restrictions set forth in subsection A of this section. Upon such designation, the director of community development shall place or cause to be placed signs on said streets giving notice of the restriction. (Ord. 09-O-2569, eff. 11-6-2009; amd. Ord. 13-O-2647, eff. 10-11-2013)

# **ATTACHMENT B**

