

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: April 5, 2021

TO: Honorable Members of the Council

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 19-0454
Assignment No: 21-03-0188

SUBJECT: Enforcement of Truck Idling Parking Restrictions.

SUMMARY

On July 3, 2019, the Council approved an instruction to this Office, with the assistance of the Los Angeles Department of Transportation, the City Attorney's Office, and other departments, as needed, to report with options that would grant the necessary authority to the City of Los Angeles to post No Truck Idling signs and enforce any truck idling parking restrictions, including those that have been posted by the California Air Resources Board (CARB) (C.F. 19-0454).

CLA RECOMMENDATION: That the City Council instruct the Department of Transportation to install and maintain “No Trucks/Bus Idling” signs at locations requested in writing from the California Air Resources Board (CARB), with concurrence of the affected Council Office, and provided that enforcement has been accepted by an appropriate law enforcement agency.

BACKGROUND

The term idling refers to the continuous operation of a vehicle’s main propulsion engine while the vehicle is stopped. A suspected major source of idling emissions are long-haul trucks, which are routinely idled overnight to provide cab heating and air conditioning. Idling buses and trucks create toxic air pollution contributing to global warming, increase respiratory health problems, add to traffic congestion, are unsightly, and emit noxious odors.

California has enacted rules that prohibit vehicles that weigh more than 10,000 pounds from idling for more than five minutes. Near the Port of Los Angeles, signs were installed by an agency or neighborhood group other than the Los Angeles Department of Transportation (LADOT) to remind truck drivers not to leave their vehicles idling for more than five minutes. Many truck drivers disregard this instruction, parking and leaving their engines idling for lengthy periods of time. The communities near the Port are increasingly experiencing more of these trucks idling along residential streets adjacent to the 110 Freeway.

According to Motion (Buscaino - Koretz), the process to submit a complaint to CARB is cumbersome and does not immediately address problem trucks. The Motion suggests that specific local authorization is needed to allow swift and simple parking enforcement.

ANALYSIS

Since the introduction of Motion (Buscaino – Koretz), the City Attorney has undertaken legal analysis to determine the roles and responsibilities related to posting and enforcement of truck idling restrictions. The LADOT and the City Attorney's Office staff have reported that:

- “No Truck/Bus Idling” restrictions are not covered by the California Vehicle Code, but are included in the California Code of Regulations, Title 13, Division 3, Chapter 10, Article 1, Sections 2480 and 2485, which prohibits the unnecessary idling of commercial vehicles and all buses, regardless of weight.
- This code is enforceable, with specified penalties, at any location in the State of California, with or without posted signage.
- Enforcement is required by State code to be done by the Air Resource Board (the South Coast Air Quality Management District [South Coast AQMD] in the City of Los Angeles) or Peace Officers as defined by Penal Code Section 830 et seq. LADOT Parking Enforcement is not legally allowed to enforce violations of this code since they are not "Peace Officers." (See CCR Sec. 2485(f).)
- On or after January 1, 2015, any person who violates any requirement of this section is subject to the penalties set forth in California Health and Safety Code sections 39674, 39675, 42400, 42400.1, 42400.2, 42400.3, 42402, 42402.1, 42402.2, 42402.3, 42402.4, 42403.5, and 42410 and 43704. (See CCR Sec. 2485 (g).)
- Although the signs giving drivers notice of the “No Truck/Bus Idling” restrictions are not required for enforcement, the California Manual on Uniform Traffic Control Devices (MUTCD) provides two options for standard signs that local agencies can use if they wish to post signs for this restriction.
- If used, the “No Truck/Bus Idling” signs are required to be placed in areas where idling commonly occurs. The sign locations are to be determined by CARB and officials of the law enforcement agency responsible for enforcement (LAPD). The jurisdiction that owns the roadway (LADOT) is required to install the signs.
- All sign installations need to be authorized by LADOT, under LAMC Section 80.07.(d).

Our Office consulted with the LAPD and they reported that limited enforcement may be available due to CARB training requirements. While an agreement has been reached to enforce such signs in the Wilmington area, enforcement efforts in other areas of the City needs to be clarified.

An additional issue has been the implementation of Assembly Bill (AB) 617, passed in 2017, which focuses on reducing air pollution in Environmental Justice communities. The program requires local air districts and CARB to reduce air pollution in the most impacted communities. For each community approved by CARB, South Coast AQMD staff has worked with a community steering committee (CSC), local stakeholders, and members of the public to assess their major air pollution concerns and propose specific action strategies. Depending on the specific needs of each community, South Coast AQMD staff develops and implements a tailored Community Emission Reduction Plan (CERP) and a Community Air Monitoring Plan (CAMP). The three communities within the South Coast AQMD that were designated by CARB for Year 1 AB 617 implementation are:

- Wilmington / Carson / West Long Beach

- San Bernardino / Muscoy
- East Los Angeles / Boyle Heights / West Commerce (ELABHWC)

The LADOT reports that on February 4, 2021, staff met with CARB to discuss the recommendations of the ELABHWC Community Steering Committee. One of the top priorities of the ELABHWC is to reduce truck emissions through the posting of “No Truck/Bus Idling” signs at designated locations along active truck routes in the community.

CONCLUSION

The list of priority locations provided to the City by CARB included all the locations previously requested by Council District 15, as well as other locations in Boyle Heights and other City locations (see Attachment 2). Since the locations requested for “No Truck/Bus Idling” signs were requested in writing by CARB, and because they propose to provide MUTCD standard signs to LADOT for installation, LADOT will authorize and install the signs at the requested locations, pending approval as to enforcement. LADOT will work with staff from the affected Council Offices to notify LAPD of the proposed new sign locations and the need for active enforcement.

Any future Council Office requests for “No Truck/Bus Idling” signs will need to be submitted directly to CARB, and coordinated with LAPD, Los Angeles Port Police or other law enforcement agencies relative to enforcement efforts.

Maria Souza-Rountree
Maria Souza-Rountree *by KEK*
Analyst

SMT:msr

Attachments: Attachment 1 - Motion (Buscaino - Koretz)
Attachment 2 - Sites approved and requested “No Idling” signage

TRANSPORTATION

MOTION

Idling diesel trucks and buses create toxic air pollution, contribute to global warming, increase respiratory health problems, add to traffic congestion, are unsightly, and emit smelly noxious odors. California has enacted rules that prohibit vehicles that weigh more than 10,000 pounds from idling for more than five minutes. These restrictions are enforced by the California Air Resources Board (CARB).

Within the vicinity of the Port of Los Angeles, signs have been installed to remind truck drivers not to leave their vehicles idling for more than five minutes. Unfortunately, many trucks in the area disregard these instructions, parking and leave their engines idling for lengthy periods of time. The communities surrounding the Port are increasingly experiencing spillover of these trucks onto residential streets along the 110 freeway.

To report an idling commercial vehicle, individuals may submit a complaint form to CARB. This process is cumbersome and does not immediately address problem trucks. CARB regulations note that local law enforcement agencies and the California Highway Patrol can also issue citations, however, specific local authorization is needed to allow swift and simple enforcement.

I THEREFORE MOVE that the Council INSTRUCT the Chief Legislative Analyst, with the assistance of the Los Angeles Department of Transportation, the City Attorney's office, and other departments, as needed, to report with options that would grant the necessary authority to the City of Los Angeles to post 'no truck idling' signs and enforce any truck idling parking restrictions, including those that have been posted by the California Air Resources Board.

PRESENTED BY: Joe Buscaino
JOE BUSCAINO
Councilmember, 15th District

SECONDED BY: Pal Kutz

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[Signature]

ATTACHMENT 2

California Safe Schools AB 617 - Sites approved by CARB for "No Idling" signage
(Locations outside of the City of Los Angeles have been deleted from original list)

1. Multnomah Elementary on 2101 N Indiana Ave, Los Angeles, CA 90032. The diesel trucks all park on the docks there along Soto. (CD 14)
2. Figueroa St under the 134 freeway, north of Eagle Vista, and under the 134 freeway on-ramp, south of Eagle Vista. (CD 14)
3. Clarence between 4th & 6th St., in Boyle Heights. (CD 14)
4. The freeway underpass on Whittier between Fresno and Lorena in Boyle Heights. (CD 14)
5. Fernangeles Elementary - 12001 Art St, Sun Valley, CA 91352. (CD 6)
6. Jordan High School -2265 E 103rd St, Los Angeles, CA 90002. (CD 15)
7. Next to Atlas Metals -10019 S Alameda St, Los Angeles, CA 90002. (CD 15)
8. Van Nuys Auto Row along Van Nuys Boulevard, between Burbank Boulevard and Hatteras Avenue. (CD 4)
9. Wilmington Park Elementary 1140 Mahar Ave, Wilmington, CA 90744. Note- Already posted, but not authorized. (CD 15)
10. Sylvan Park Elementary School & Early Education Center - 6238 Noble Ave, Van Nuys, CA 91411. (CD 6)
11. Torrance & Del Amo (City of Los Angeles) (CD 15)
12. Del Amo & Normandie near alley (City of Los Angeles) (CD 15)
13. Denker Avenue & Florence Boulevard (City of Los Angeles) (CD 8)

Additional locations requested by CD 15
(Locations will require approval from CARB and LAPD)

1. M Street, between Sanford Ave and the end of the block.
2. Hawaiian Ave, between C Street southerly to the alley and the alley between Hawaiian and King Ave.
3. C Street, between Neptune Ave. & Avalon Blvd.
4. Marine Ave., between D St. & Harry Bridges Blvd.
5. Avalon Blvd., between D St. & Harry Bridges Blvd.
6. Imperial Hwy between Wilmington and Central Ave.
7. Central on From Imperial Hwy to 103rd St.
8. Broadwell-253rd St to Lomita Bl.
9. Sanford Av between Mauretania Av and M St.- Existing, unknown who installed.