

## Communication from Public

**Name:** Pacific Palisades Community Council

**Date Submitted:** 05/28/2021 04:20 PM

**Council File No:** 20-1328

**Comments for Public Posting:** Pacific Palisades Community Council submits the attached letter requesting that our questions and concerns about PDD regulations be addressed and that the regulations include either an "opt-in" or an "opt-out" provision for neighborhoods in Los Angeles, including Pacific Palisades.



## PACIFIC PALISADES COMMUNITY COUNCIL

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May 28, 2021

Members of the City Council Transportation Committee

Chair: Hon. Mike Bonin

Members: Hon. Joe Buscaino and Hon. Paul Koretz

*Via email to all addressees and submission to the City Clerk filing portal*

**Re: Council File 20-1328 - Personal Delivery Devices regulatory framework; hearing in Transportation Committee 6/1/21 – REQUEST TO ADDRESS CONCERNS & FOR OPT-IN OR OPT-OUT PROVISIONS**

Dear Councilmembers:

Pacific Palisades Community Council (PPCC) has been the most broad-based community organization and the voice of Pacific Palisades since 1973. PPCC held its regularly-scheduled public board meeting on March 25, 2021, at which time CD 11 Transportation Deputy Eric Bruins gave a presentation and answered questions about a proposed program to regulate robotic “personal delivery devices” (PDDs) in Los Angeles. In advance of the meeting, a list of questions was submitted to Mr. Bruins, and a number of other questions and concerns were raised during the meeting.

PPCC only learned yesterday that LADOT had issued a report recommending regulation of PPDs citywide, and that this matter would be heard on June 1. We have had insufficient time to consider the report or to agendize this matter for possible action by the full PPCC board. At our regularly scheduled public board meeting on May 27, board members indicated, in a straw poll, that the PPCC Executive Committee, as authorized by PPCC’s By Laws, should raise our questions and concerns with the Transportation Committee and should request an opt-in or opt-out provision.

Attached are copies of 1) the list of questions previously submitted to Mr. Bruins, with pertinent questions highlighted; and 2) an excerpt from our approved minutes of March 25, 2021, showing the discussion on this matter and questions and concerns raised by board and community members.

We request that the Committee undertake to ensure that the proposed regulations address our questions and concerns. We also specifically request that any regulation of PDDs in Los Angeles include either an “opt-in” or an “opt-out” provision for neighborhoods within the City, including Pacific Palisades.

Thank you.

Executive Committee

David Card, Chair

David Kaplan, Vice-Chair

Richard G. Cohen, Treasurer

Pacific Palisades Community Council

Christina Spitz, Secretary

John Padden, Organization Representative (PRIDE)

Joanna Spak, Elected Representative (Area 1; Castellammare, Paseo Miramar)

cc (via email): Eric Bruins, CD 11 Transportation Deputy

See Attachments on pages 2-4, following:

## Attachments

### Questions for Eric Bruins/CD 11 re Robotic Delivery Devices

1. How did this issue come to the attention of the Councilmember? Are there persons or entities asking for these devices to be permitted in CD 11 or in Los Angeles in general?
2. Is the pilot program in San Pedro still operating? When did it begin and when will it end (if still operating)? What has been the public reaction? How does that program work? Are there any other pilots in the City and if so where, how do they operate, and what has been the reaction? Have there been public or private requests for other such programs and will other pilots be initiated? Has the Palisades Chamber been approached and if so, what has been the reaction among Palisades businesses?
3. How are these devices operated? What safeguards would be in place to avoid 1) blocking pedestrian, handicapped or vehicular passage on sidewalks and in streets; and 2) accidents/ injury to pedestrians, animals and vehicles?
4. How many companies have expressed an interest in operating their devices in CD 11 or Los Angeles? How would their devices be allocated throughout the City? Would there be more than one type of device operating in a given area? Would there be a limit to the number of devices operating in an area?
5. How large are these devices typically, and would there be a limit on the individual size? Where would the devices be stored when not in use?
6. What is the range for these devices? Are they able to travel up and down hillside streets? Can they maneuver over broken sidewalks, tree roots, large-sized debris? How about streets with no sidewalks? Do they stop when their passage is blocked by a person or object? Do they move aside or go into the street?
7. What happens when the devices arrive at their delivery destination? Do they travel on private driveways or pathways to a front door? Do they wait on the sidewalk if the property is fenced? How long do they wait at the destination before returning? Do they move aside if a pedestrian is trying to pass while they wait?
8. Where would these devices be restricted? Would they be allowed to traverse or travel in City streets? In the Palisades, would they be allowed to cross Sunset Blvd.? How would they be controlled remotely to observe traffic signals & stop signs and/or to avoid oncoming traffic?
9. How do these devices operate consistent with ADA requirements? What specific regulations would you expect to be in place to protect access to public rights of ways and public safety in general?
10. Will there be opt-in or opt-out provisions in the regulations? Would specific communities within CD11, e.g., Pacific Palisades, be allowed to exercise the option, and if so, would PPCC be the forum that the City would look to in order to determine community consensus on whether or not to opt-in or opt-out? If a pilot program is being contemplated for the Palisades, will you similarly reach out to PPCC to ascertain community consensus?
11. Where does this now stand with the City? What is the process and the expected timeline?

Excerpts from Meeting Minutes on pages 3-4, following:

**Excerpts from PPCC meeting minutes – March 25, 2021**

<http://pacpalicc.org/index.php/ppcc-minutes-2021-03-25-2/>

**11. New Business.**

11.1. “Personal Delivery Devices” (PDDs; remote-controlled/robotic delivery devices; proposed City regulations & pilot program) – Eric Bruins, CD 11 Transportation Deputy.

The Chair welcomed Eric Bruins, CD 11 Transportation Deputy. Mr. Bruins explained that the City does not yet have a regulatory program for these robotic delivery devices (PDDs). He provided context: Councilmember Blumenfeld (second by Councilmember Bonin) brought a motion in Council last November for a report by LADOT on possible regulation of PDDs. LADOT has not yet reported back with a draft regulatory program/ordinance. The reason for the motion is that there seemed to be an emergence of PDD companies looking into spaces for deliveries in Los Angeles. This has become a huge business during the pandemic. The motivation is to do more deliveries more quickly and at lower cost. However, there are issues with these devices, such as crowded and/or broken sidewalks, and locations where there may not be enough space to accommodate the devices.

The Blumenfeld/Bonin motion was an attempt to address possible problems. Issues to be considered include: Sidewalk accessibility; visual management tools; public right of way and use fees; limitations on advertising; enforcement capacity; consumer/public privacy (potential to collect data). Basic questions to be asked: Are there real public benefits and what are the trade-offs? Mr. Bruins advised that state law authorizes PDDs but the City has the right to regulate them locally. Absent a regulatory program the devices are legal under California law, so we see them operating in some locations without regulation by the City. He hopes that LADOT will report back in the next month or so with a draft program.

The Chair: We submitted a list of questions in advance to Mr. Bruins, but the basic question is, what will be the safeguards for pedestrians and motorists? Mr. Bruins: That is Councilmember Bonin’s top priority. He wants to have a safe public right of way for all users. Mr. Bruins explained that we have started to see two types or models of PDDs. The first type involves fully autonomous devices. We have a great deal of concern over whether this technology is ready for prime time. Mr. Bruins is skeptical of the autonomous model.

The Chair: What about permitting bicycle or motor scooter deliveries? Mr. Bruins: That’s a good question; he doesn’t know why we don’t have more demand for these in Los Angeles.

Eric Dugdale (PPHS): The Alphabet Streets are very narrow streets. We would be looking at real traffic issues with PDDs in this area, and there is also an invasion of privacy concern.

The Secretary: She submitted the list of advance questions, but will wait to respond to what LADOT reports. She asked if there will be an opt in or opt out provision for communities such as the Palisades? Mr. Bruins: We are waiting to see what LADOT reports as to appropriate regulations. We don’t yet know where the companies want to operate or whether this will even be a citywide effort at this point.

The Chair: What type of program has San Pedro launched? Mr. Bruins: Councilmember Buscaino welcomed a PDD company there. This was a very limited arrangement with the City and there were no regulations; they are only operating under the state authority. Mr. Bruins has not heard anything positive or negative about how this is working.

Mr. Bruins then explained that the second type or model of PDD is a remote-controlled robot, in which an operator controls the device's motions. The operator can see if someone is coming and can move the device out of the way.

Karen Ridgley (Area 4 Representative): What is the radius where these are practical? The Palisades has hillsides, we are spread out, and some areas have no sidewalks. PDDs are not convenient in a place like the Palisades. She also noted that people are very concerned about invasion of privacy and she has questions about liability: Could terrorists use robots to deliver bombs? Who has liability? Mr. Bruins: We have asked for an explanation of the public benefit so we can weigh the trade-offs. There are congestion and climate benefits as well as public health benefits from contactless delivery during the pandemic. But we need to weigh the negatives against the positives.

Ms. Ridgley also asked about enforcement: How can we enforce regulation of these devices, given the already-existing demands on LAPD? Mr. Bruins: That is a good question. StreetsLA is the enforcement wing for streets, so they will have a role in enforcement. It is important for the City to have data-sharing, as we do with scooters, so that we have real time data about what is happening with the devices. StreetsLA has a "for hire" division that works with enforcement.

Steve Lantz (resident; PPCC representative to WRAC Transportation Committee): How do PDDs get through intersections? Can we charge the companies to put in curb cuts? Mr. Bruins: He would love to be able to charge a high enough fee to manage the right of way in this manner. He is skeptical about autonomous PDDs, which now cross intersections by waiting for other pedestrians to cross and then by moving along with the pedestrians. The PDD companies are mapping City sidewalks to see where the curb cuts are. Mr. Lantz: How do we deal with cars making right hand turns and potentially running over PDDs? He is worried about cars not seeing the devices and ending up crushing someone's dinner. Mr. Bruins: He shares the concern.

Bruce Schwartz (Area 2 Second Alternate): How do we know that these devices won't be stolen? Mr. Bruins: Another good question; the solution that we've seen is for the PDDs to be slim in profile but heavy enough so that they can't be picked up. The companies also use different technologies to secure the cargo hatches. We are looking to the private sector to innovate more in this area