

## REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: April 18, 2023

TO: Honorable Members of the Rules, Elections & Intergovernmental Relations Committee

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No: 23-0002-S44  
Assignment No: 23-04-0205

SUBJECT: Resolution (Blumenfield – Rodriguez) to support AB 74 (Muratsuchi)

CLA RECOMMENDATION: Adopt the attached Resolution (Blumenfield – Rodriguez) to include in the City’s 2023-2024 State Legislative Program, SUPPORT for AB 74 (Muratsuchi) which would seek to update existing laws pertaining to street takeovers and strengthen enforcement tools in order to reduce street takeovers and prevent fatalities.

### SUMMARY

Resolution (Blumenfield – Rodriguez), introduced March 24, 2023, advises that illegal street takeovers and racing have been a persistent nuisance and public safety issue throughout Los Angeles for years. Intersection takeovers, in which participants block traffic at intersections in a coordinated manner, have seen an increase citywide, disregarding public space. Takeovers typically involve a number of spectators and cars arriving in a coordinated manner at intersections, interstates, or bridges, blocking the thoroughfare, conducting speed exhibitions and other dangerous displays. In addition to terrifying communities, street takeovers often involve vandalism, destruction of property, acts of violence, theft and looting, arson and explosives, possession of firearms, and public use of narcotics and alcohol; illegal activities that are filmed and posted online. Street takeovers cause vehicle collisions, noise pollution, and traffic congestion.

The Resolution further advises that currently pending before the California State Assembly is AB 74 (Muratsuchi) relating to street takeovers, sideshows, and racing. AB 74 would seek to define a street takeover as a standalone crime, recognizing that these dangerous gatherings warrant special consideration. AB 74 would also seek to expand law enforcement’s ability to potentially seize participants’ vehicles and impose additional penalties on the driving privileges of violators.

The Resolution recommends that the City support AB 74 (Muratsuchi) which would seek to update existing laws pertaining to street takeovers and strengthen enforcement tools in order to reduce street takeovers and prevent fatalities.

### BACKGROUND

In recent years, the number of sideshow and street takeover incidents have drastically increased both nation- and citywide. Sideshows are vehicular speed exhibitions or other exhibitions of reckless driving, while street takeovers are coordinated sideshows that obstruct specific intersections or thoroughfares. In 2021, the Los Angeles Police Department (LAPD) responded to 252 street races and 501 street takeovers. The Los Angeles Times reported that between 2000 and 2017, 179 individuals died in speed contests in Los Angeles County.

Existing state law prohibits sideshows and establishes penalties including imprisonment in county jail, fines, and the suspension of a violator’s motor vehicle operation privileges. AB 74 (Muratsuchi) makes a number of updates to California Vehicle Code (CVC) Sections including more inclusive gender pronouns, vehicle identification numbers as a method of vehicle identification, electronic correspondence as a medium for communication, and the inclusion of street takeovers to violations.

The substantial changes made by the bill include increasing the penalties for both drivers and participants in a sideshow or street takeover and providing courts the authority to seize and impound motor vehicles involved in, attending, aiding in reckless driving as part of a side show or street takeover. The bill would include participation in sideshows and street takeovers as reckless driving, establishing the potential penalty of suspension of a violator's motor vehicle operation privileges.

Further, the bill prohibits the attendance, participation in, or aiding of a vehicle sideshow or street takeover, establishing penalties consistent with penalties for operating a motor vehicle in a sideshow or street takeover. The bill would also require a vehicle participating in a sideshow or street takeover to be impounded for a period up to 30 days.

Existing law defines a "sideshow" as an event in which two or more persons block or impede traffic on a highway or in an off-street parking facility, for the purpose of performing motor vehicle stunts, motor vehicle speed contests, motor vehicle exhibitions of speed, or reckless driving, for spectators. The bill would update the definition of a "vehicle sideshow or street takeover" to an event or gathering in which two or more persons barricade, block, impede, or otherwise obstruct traffic or access to a highway or parking facility, without the consent of the owner or operator, for the purpose of performing vehicle stunts, speed contests, exhibitions of speed, or other reckless driving.

The City of Los Angeles prohibits individuals from spectating at a speed exhibition, the violation of which is established as a misdemeanor and punishable by penalties consistent with State law (O-174891).

The LAPD recommends support of AB 74 to combat street racing and street takeovers. The LAPD has advised that existing laws do not adequately regulate street racing and street takeover activities and do not hold the participants and spectators accountable for illegal activity. A number of recommended revisions to State law are supported by the LAPD including mandatory custodial arrests, mandatory 30-day impounds, increased fines, and increases to the mandatory Department of Motor Vehicles driver license points assessed to those convicted of street racing.


Support for AB 74 (Muratsuchi) would be consistent with City efforts to protect the public safety, curb dangerous practices, and ensure access to City roads.

#### DEPARTMENTS NOTIFIED

LAPD

#### BILL STATUS

|          |  |
|----------|--|
| 12/13/22 | Introduced   |
| 03/23/23 | Referred to Committee on Transportation and Committee on Public Safety |
| 03/23/23 | Amended and rereferred to Committee on Transportation                  |
| 04/07/23 | First committee hearing cancelled at author's request                  |

  
Andy Galan  
Analyst

Attachments: 1. Resolution (Blumenfield – Rodriguez)

RESOLUTION

TO CITY CLERK FOR PLACEMENT ON NEXT  
REGULAR COUNCIL AGENDA TO BE POSTED

#56

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal government body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, illegal street takeovers and racing have been a persistent nuisance and public safety issue throughout Los Angeles for years, and intersection takeovers, when drivers and participants arrive in a coordinated manner at specific intersections to block traffic, have seen an increase citywide with a disregard for the public space and environment; and

WHEREAS, takeovers typically involve hundreds of spectators and several cars that arrive in a coordinated fashion at intersections, interstates, or bridges, where they block the thoroughfare of traffic and emergency vehicles, and conduct exhibitions of speed and other dangerous stunts; and

WHEREAS, in addition to terrifying communities, street takeovers often involve vandalism, destruction of property, acts of violence, theft and looting, arson and explosives, possession of firearms, and public use of narcotics and alcohol – all illegal activities that are filmed and posted on social media, which police say generates more interest; and

WHEREAS, street takeovers also cause vehicle collisions, noise pollution, and traffic congestion; and

WHEREAS, currently pending before the State Assembly, is AB 74 (Muratsuchi) relating to street takeovers, sideshows, and racing; and

WHEREAS, AB 74, according to the author, would seek to define a street takeover as a standalone crime, recognizing that these dangerous gatherings warrant special consideration; and

WHEREAS, AB 74, according to the author, would also seek to expand law enforcement's ability to potentially impound and seize participants' vehicles, and further impose additional burdens on the driving privileges of violators;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 State Legislative Program support of AB 74 (Muratsuchi), which would seek to update existing laws pertaining to street takeovers and strengthen enforcement tools in order to reduce street takeovers and prevent fatalities.

PRESENTED BY:

BOB BLUMENFIELD  
Councilmember, 3<sup>rd</sup> District

SECONDED BY:

Monica Rodriguez

MAR 24 2023

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