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OPERATIONS COMMITTEE

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MANAGEMENT SERVICES
NOVEMBER 10, 2000

OPERATIONAL NOTICE

SUBJECT: UNITED STATES DISTRICT COURT RULING ON LOS ANGELES
MUNICIPAL CODE SECTION 80.75



EFFECTIVE: IMMEDIATELY

This Notice is to advise Department personnel of a recent United States District Court ruling regarding the enforcement of the Los Angeles Municipal Code (LAMC) Section 80.75, "Sale of Vehicles or Bicycles – Where Prohibited." This LAMC section authorized the enforcement of "for sale or rent" signs located on any bicycle or vehicle subject to registration under the California Vehicle Code, which is on any public or private property other than the place of business of a bicycle retailer or a duly licensed vehicle dealer.

On October 16, 2000, at a hearing on the preliminary injunction of *Edward Burkow v. City of Los Angeles*, Judge Howard Matz ruled that LAMC Section 80.75 was an unconstitutional restriction on commercial speech. The City Attorney's Office has notified the Police Department and the Los Angeles Department of Transportation that effective immediately, personnel are no longer authorized to cite any vehicle or bicycle for LAMC Section 80.75.

Questions regarding this court ruling may be directed to Traffic Coordination Section, Uniformed Support Division, at (213) 473-7788.


MARTIN H. POMEROY, Deputy Chief
Chair, Operations Committee

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