



City of Long Beach

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OFFICE OF THE CITY ATTORNEY

Memorandum

Date: August 22, 2006

To: Honorable Mayor and Councilmembers

From: Richard F. Anthony, Deputy City Attorney, Ext. 82211 RFA

Subject: Amendment to LBMC Section 10.66 Regarding "Cruising"

Attached hereto please find a copy of Section 10.66 of the Long Beach Municipal Code, as it currently exists, which prohibits "cruising".

Reviewing the current Section 10.66 should assist you in understanding exactly how tonight's ordinance (Item No. 42) amends the current Section 10.66. My apologies for not including a copy of Section 10.66 in the original materials provided to you with respect to this Item.

Title 10 VEHICLES AND TRAFFIC

Chapter 10.66 CONTROL OF VEHICULAR CRUISING

10.66.010 Cruising prohibited.

10.66.020 Cruising defined.

10.66.030 Elements of the offense.

10.66.040 Exemptions.

10.66.050 Designated streets.

10.66.060 Penalty.

10.66.010 Cruising prohibited.

The ranking peace officer on duty within any area affected by traffic congestion may, having determined that such area is so affected, establish one or more traffic control points at or near such area to regulate cruising. (Ord. C-6648 § 1 (part), 1989).

10.66.020 Cruising defined.

"Cruising" is defined to mean the driving of a motor vehicle three or more times within a four-hour period past a traffic control point so established on a portion of any street identified as subject to cruising controls by signs posted at the beginning and end of the controlled roadway, that briefly and clearly state the appropriate provisions of this chapter and Section 21100(k) of the Vehicle Code, and after the operator of the vehicle has been given the notice specified in this chapter. (Ord. C-6648 § 1 (part), 1989).

10.66.030 Elements of the offense.

No person, having driven a motor vehicle past a traffic control point established pursuant to this chapter twice within any four-hour period, and having received written notice that further driving past the traffic control point will constitute a violation of this chapter, shall drive past that control point within the time period in which cruising controls are in effect. Each successive trip past the traffic control point shall constitute a separate violation of this chapter, and no additional notice shall be required prior to issuance of a second or subsequent citation. (Ord. C-6648 § 1 (part), 1989).

10.66.040 Exemptions.

The provisions of this chapter shall not apply to:

- A. Any authorized vehicle as defined in Section 165 of the California Vehicle Code;
- B. Any publicly owned vehicle of any city, county, district, state or federal agency;
- C. Any vehicle licensed for public transportation or vehicles which are normally used for business purposes and are engaged in such business use. (Ord. C-6648 § 1 (part), 1989).

10.66.050 Designated streets.

The provisions of this chapter shall apply to the following locations:

1. First Street, between Hermosa Avenue and Molino Avenue;
2. Second Street, between Hermosa Avenue and Molino Avenue. (Ord. C-6648 § 1 (part), 1989).

10.66.060 Penalty.

It shall be an infraction for any person to violate this chapter, and upon conviction thereof shall be subject to the payment of penalties as provided in Section 42001 of the Vehicle Code and as that section may be amended. (Ord. C-6648 § 1 (part), 1989).

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