

**M O T I O N**

There have been numerous complaints from residential neighborhoods about the noise emanating from sightseeing tour buses, especially those that are open air. The rise in the noise complaints has been attributed to public announcement systems from some of the tour bus companies. This concern has been expressed by many residents in the Hollywood area, as well as other neighborhoods in Los Angeles. As a specific example, the City has received reports that tour buses using megaphones stop in front of residential homes up to 100 times a day.

To ensure that residents are not disturbed, reasonable regulations should be drafted to mitigate noise and traffic impacts caused by such bus tours in residential areas.

The City Attorney has advised that San Francisco has adopted an ordinance that is consistent with state law and requires unenclosed tour bus operators to receive certification of the sound levels for any amplification system used by an unenclosed tour bus. The San Francisco ordinance provides an exemption from the certification process for any unenclosed tour bus that uses a headset/headphone amplification system for its passengers. The City of Los Angeles may adopt an ordinance similar to the San Francisco model without running afoul of state law, whereas outright requiring headsets / headphones or banning public announcement systems would be preempted by state law. The Police Department is well positioned to be the enforcing agency for such an ordinance, and the Police Commission (Investigation Division) has indicated its suitability to serve as the permitting authority.

Under State law, no driver of a vehicle shall operate, or permit the operation of, any sound amplification system which can be heard outside the vehicle from 50 or more feet when the vehicle is being operated upon a highway. [California Vehicle Code Section 27007]. The restrictions in Section 27007 on sound are applicable to sightseeing tour buses, including unenclosed tour buses.

I THEREFORE MOVE that the City Attorney be requested to prepare and present an ordinance, similar to the San Francisco ordinance described in the text of this Motion, which would regulate the use of amplified sound on unenclosed tour buses to require unenclosed tour bus operators to obtain a permit to operate in the City that verifies their sound systems cannot be heard more than 50 feet away, consistent with State Vehicle Code requirements, with an exemption for unenclosed tour buses using individual listening devices, such as headsets / headphones.

PRESENTED BY: 

DAVID RYU

Councilman, 4<sup>th</sup> DistrictSECONDED BY: 

DEC - 9 2015

  
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