



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: June 10, 2003

TO: Board of Supervisors

SUBJECT: SHERIFF'S DEPARTMENT – SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO TO PROHIBIT SPECTATORS AT ILLEGAL SPEED CONTESTS (District: ALL)

SUMMARY:

Overview

The Board of Supervisors finds and declares that pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Motor vehicle speed contests and exhibitions of speed are more commonly known as street races or drag races. Spectators at these illegal events encourage the participants to continue these acts and thus endanger the health and safety of the public. This board letter requests the adoption of an ordinance adding Division 10 to Title 7 of the San Diego County Code of Regulatory Ordinances Relating to Traffic Regulations in the County of San Diego to Prohibit Spectators at Illegal Speed Contests. This ordinance will prohibit spectators at illegal speed contests or exhibitions of speed.

Recommendation(s)

SUPERVISOR DIANNE JACOB AND SHERIFF

Read title, waive further reading and introduce the following ordinance for adoption on June 17, 2003:

AN ORDINANCE ADDING DIVISION 10 TO TITLE 7 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO TO PROHIBIT SPECTATORS AT ILLEGAL SPEED CONTESTS.

Fiscal Impact

If approved, there is no fiscal impact associated with this request. This board letter will not require the addition of any staff years.

Business Impact Statement

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Illegal speed contests and exhibitions interfere with the right of private business owners to enjoy the use of their property within the County of San Diego. This ordinance is designed to decrease the number of illegal street races and activities within the county.

Advisory Board Statement

N/A

BACKGROUND:

The Board of Supervisors finds and declares that pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Motor vehicle speed contests and exhibitions of speed are more commonly known as street races or drag races.

Streets within the County of San Diego have been the site of continuing and escalating illegal street racing over the past several years. Such street racing threatens the health and safety of the public, interferes with pedestrian and vehicular traffic, creates a public nuisance, and interferes with the right of private business owners to enjoy the use of their property within the County of San Diego. The illegal street races occur on a regular basis on various streets within the County. Hundreds of racers and spectators gather on these streets late at night and in the early morning hours, blocking the streets and sidewalks to traffic, forming a racetrack area, placing bets, and otherwise encouraging, aiding and abetting the racing process.

Illegal street racers accelerate to high speeds without regard to oncoming traffic, pedestrians, or vehicles parked or moving nearby. The racers drive quickly from street to street, race for several hours, and then move to other locations upon the arrival of the police. Those who participate in this illegal activity are very sophisticated, using cellular phones, police scanners, and other electronic devices to communicate with each other to avoid arrest. They also use the Internet to provide information on where to race, and give advice on how to avoid detection and prosecution. Traffic accidents, property crimes, and calls for police service have increased dramatically.

In most cases, illegal street races attract hundreds of spectators. Knowingly present spectators who purposefully watch illegal street racing encourage these illegal activities. Without the presence of spectators, much of the sport in illegal street racing would be eliminated.

Any individual who is knowingly present as a spectator, either on a public street or highway at an illegal motor vehicle speed contest or exhibition of speed, with the intent to be present at such illegal speed contest or exhibition of speed, is guilty of a misdemeanor subject to a maximum of six months in jail and a fine of \$1,000.00.

Any individual who is knowingly present as a spectator, either on a public street or highway, where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed, with the intent to be present at such illegal speed contests or exhibition of speed, is guilty of a misdemeanor subject to a maximum of six months in jail and a fine of \$1,000.00.

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Exemption: Nothing in this ordinance prohibits law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their duties.

Linkage to the County of San Diego Strategic Plan

This board action seeks approval of an ordinance to prohibit spectators at illegal speed contests. If approved, this ordinance will allow spectators at these illegal speed contests to be arrested and fined. This ordinance supports the strategic initiative of safe and livable communities by deterring spectators at illegal street contests, thus reducing one of the strong incentives for illegal street contests and raising the level of public safety.

Respectfully submitted,

DIANNE JACOB
Supervisor, Second District

Respectfully submitted,

WILLIAM B. KOLENDER
Sheriff

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
GROUP/AGENCY FINANCE DIRECTOR	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
CHIEF FINANCIAL OFFICER	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
COUNTY TECHNOLOGY OFFICE	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
DEPARTMENT OF HUMAN RESOURCES	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: Sheriff

CONTACT PERSON(S):

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CHIEF ADMINISTRATIVE OFFICER:

Walter F. Ekard

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

CONTRACT NUMBER(S):

N/A