Senate Bill 946 (Lara) decriminalizes sidewalk vending across the state, encourages the establishment of vending programs by local jurisdictions, dismisses pending sidewalk vending violations, and creates a process to dismiss prior sidewalk vending convictions. It took effect on January 1, 2019.
How can you help?
If you are a local organization invested in protecting sidewalk vendors from harassment, extortion, and other threats to their livelihood, then we encourage you to monitor how your local jurisdiction is implementing SB 946.

What to watch out for

AN OUTRIGHT BAN ON SIDEWALK VENDING
Under SB 946, local jurisdictions cannot outright ban sidewalk vending. A locality can only enforce local sidewalk vending regulations that are in compliance with SB 946. A locality may not cite, fine or prosecute a vendor for a violation of any local sidewalk vending regulation that is inconsistent with SB 946 (for example, local restrictions that are not based on health, safety or welfare concerns). While a locality is not required to adopt a set of regulations, it may not enforce rules that are inconsistent with SB946.

LIMITS SET ON THE NUMBER OF SIDEWALK VENDORS PER BLOCK
SB 946 does not allow local jurisdictions to set arbitrary caps on the number of vendors per block. Any limits on the number of vendors in a given location needs to be rooted in public health, safety, or welfare. In parks, local jurisdictions may set limits in order to preserve the natural character of the park.
Being an Ally to Vendors

Your organization has a role to play in ensuring that sidewalk vendors are protected from harassment and intimidation.

- **Track changes to local sidewalk vending policies within your municipality** to ensure that they comply with SB 946. Remember that SB 946 does not create a “one size fits all” model to regulate sidewalk vending but rather sets parameters for local jurisdictions. This means that local rules will vary by city.

- **Provide sidewalk vendors in your city with resources, such as the** Know Your Rights Pocket Guide for Sidewalk Vendors.

ALLOWING PRIVATE BUSINESSES TO RESTRICT SIDEWALK VENDING

Businesses or other nongovernmental entities cannot have veto power over whether sidewalk vendors can sell in front of their brick and mortar location.

EXCESSIVE ADMINISTRATIVE PENALTIES FOR SIDEWALK VENDING

Under SB 946, a violation of a sidewalk vending program’s rules can be punishable by (at a maximum): $100 for the first violation, $200 for the second violation within a year, and $500 for each additional violation within one year. If a sidewalk vendor sells without a permit in cities that require sidewalk vendors to have a permit to operate, this can be punishable by (at a maximum): $250 for the first violation, $500 for the second violation within a year, and $1,000 for each additional violation within one year. A permit can be revoked upon the fourth violation in a year.

CRIMINAL PENALTIES BEING ISSUED FOR SIDEWALK VENDING

Under SB 946, any fees for sidewalk vending violations must be administrative citations, not misdemeanors or other criminal charges.
How to report violations of SB 946

If your organization becomes aware of a violation of SB 946, first contact local officials, such as city council members, to inform them of the violation. It is possible that local officials don’t realize that SB 946 is in effect or have not updated their policies to comply with the law. If nothing changes after contacting local officials, Public Counsel or East Los Angeles Community Corporation are organizations that will have resources to help you maneuver next steps.

RESOURCES FOR ORGANIZATIONS

Legal Help for Vendors
Please contact Public Counsel for more information on the following:

• To help vendors get their cases dismissed and previous convictions taken off their record
• For information needed to bring down administrative fines to 20% of cost

Rights for Vendors
See the Know Your Rights Pocket Guide for Sidewalk Vendors.

Still have questions about SB 946?
Call any of the following organizations:

East LA Community Corporation (ELACC)
(323)269-4214

Los Angeles Food Policy Council (LAFPC)
(213) 473-3520

Public Counsel
(213) 385-2977

LURN
(323) 604-9765