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New Report Exposes Why Street Vendors Are Still Being Ticketed and Harassed By Law Enforcement In Los Angeles

Three years after street vending was legalized in California and LA, “poorly designed food laws” prevent street vendors from pursuing their livelihood

LOS ANGELES, CA – A new report by the UCLA School of Law Community Economic Development Clinic and the nonprofit law firm Public Counsel uncovers how little-known and poorly designed food laws make it functionally illegal for most street vendors to sell food, despite landmark efforts to legalize it. In 2018, the State of California and the City of Los Angeles passed legislation to legalize street vending. Yet, three years later, the report states, “most sidewalk food vendors remain exposed to the daily threat of ticketing, harassment, and fines, which perpetuate an unending cycle of criminalization and poverty.”

“The problem stems from a tangled web of state, county, and city laws that deprive sidewalk vendors of access to permits to legally sell food, denying vendor dreams of entrepreneurialism while hurting all Angelenos by undermining the food safety principles the laws claim to protect,” said **Scott Cummings**, a co-author of the report. “Even as local officials make it easier for brick-and-mortar restaurants to conduct outdoor dining, we see them continue to vigorously enforce a system that operates as a de facto ban on LA’s celebrated street food.”

For example, the report details how a food vendor seeking a permit from LA County must navigate multiple offices, secure multiple prerequisite documents without adequate support, and follow a dizzying process only explained in English. Selling unpackaged food incurs a minimum of \$10,000 in startup costs, plus \$5,000 in annual fees. For workers earning an average of only \$15,000 per year, this amounts to a ban.

The report also describes, in detail, the ways in which sidewalk vendors’ carts must meet equipment standards that were developed for large food trucks instead. This includes requirements for integrated multiple-compartment sinks, plumbing, ventilation, refrigeration, and high-capacity food storage. According to the report, these design requirements mean that the few carts available on the market cost thousands of dollars, and many are “too large for most sidewalks and too heavy to push.”

In another example, the report identifies that the California Retail Food Code (CRFC) bans slicing fruit or reheating or hot-holding previously prepared food on an unenclosed food cart, which “prohibits the core functions of two of the most iconic southern California street vending operations—the fruit cart and the taco stand.”

The report also spotlights that vendors must pay high fees to commissaries that are designed for food trucks, while underutilized kitchens in community spaces like schools, restaurants, and places of worship sit empty.

“California’s sidewalk vendors are hard-working entrepreneurs who have stood up and spoken out against arrests and harassment. But as the title of this new report says, we really do have unfinished

business,” said Insurance Commissioner **Ricardo Lara**, who authored the Safe Sidewalk Vending Act (Senate Bill 946) as a member of the California State Senate in 2018. “We haven’t seen enough proactive support for vendors who still face nearly impossible obstacles to get legalized. We need continued reform at the state and local level to make sure that our vendors get the same opportunity at success as other small businesses.”

The report, “UNFINISHED BUSINESS: How Food Regulations Starve Sidewalk Vendors of Opportunity and What Can Be Done to Finish the Legalization of Street Food,” includes stories and perspectives from sidewalk vendors attempting to navigate the County’s permitting system, demonstrating that instead of helping vendors break down barriers, local officials punish violations with tickets and cart confiscation—depriving vendors of their livelihood. Raids are often conducted by sheriff’s deputies who have no business enforcing food safety rules.

“We were disturbed by what we found,” said **Joe Phillipson**, another co-author of the report. “Instead of protecting the public and evolving to embrace our flourishing culture of street food, these laws end up causing harm and hold back thousands of vendors from economic opportunity.”

Co-author **Cassidy Bennett** added: “It’s particularly striking compared to how officials recently moved with lightning speed to create outdoor dining opportunities for brick-and-mortar businesses during the pandemic, yet, LA’s original outdoor food purveyors have been left behind.”

The report’s authors and their supporters say that their findings come at a critical moment as street vendors have been financially devastated by the pandemic, yet they remain barred from entering the formal economy and are frequently targeted by law enforcement.

“UCLA and Public Counsel’s report is timely and ground-breaking,” said **Rudy Espinoza**, Executive Director of Inclusive Action for the City. “Despite important legislative victories and needed local initiatives in Los Angeles, food vendors face nearly impossible obstacles to obtaining a permit. Now is the time for us to thoughtfully reform the policies that have kept thousands of sidewalk food vendors in the shadows. As our economy recovers from COVID-19, we can’t leave behind this sector of businesses that create jobs, fill gaps, and feed our communities.”

According to the report’s authors, since the City of LA began issuing its vending permits in 2020, it has only issued 165 permits to sidewalk food vendors, even though there are an estimated ten thousand eligible vendors. The report proposes numerous reforms to reduce regulatory barriers and promote safe sidewalk food vending.

“This report outlines numerous steps, both big and small, that local and state elected officials can make today and in the coming year to provide real economic opportunity to thousands of street vendors,” says **Katie McKeon**, co-author of the report and Staff Attorney at Public Counsel. “California leaders need to take a close look at the roadmap laid out in this report if they are truly interested in building up an inclusive and resilient economy that supports long-standing small business owners.”

Read the report here: <http://publiccounsel.org/UNFINISHED-BUSINESS>

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The Community Economic Development Clinic at the UCLA School of Law provides transactional and policy-oriented legal support to community-based organizations throughout Los Angeles, working to ensure affordable housing and living-wage jobs for all. For two decades, the Clinic has represented groups that are building community-controlled economic institutions and promoting empowerment through the meaningful participation of communities in development and planning decisions which fundamentally impact their lives.

Public Counsel is the nation's largest provider of pro bono legal services. Utilizing an innovative legal model, Public Counsel strives to bring justice, hope, and opportunity to underserved communities in Los Angeles and across the nation. Through groundbreaking civil rights litigation, advocacy and policy change, and direct legal services that help thousands of low-income people every year, Public Counsel has fought to secure equal justice and opportunity for all for more than 50 years.