



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: REPEAL OF THE CRUISING
ORDINANCE**

DATE: August 17, 2022

Bulletin #2022-024

On August 9, 2022, the City Council repealed San José Municipal Code chapter 11.34 relating to the regulation of cruising. As defined in the Municipal Code, cruising is the repetitive driving of any motor vehicle past a traffic-control point in congested traffic at or near the traffic-control point. A traffic-control point is a location along a public street or highway utilized by a police officer on duty in the affected area as an observation point in order to monitor traffic conditions for potential violations of the cruising ordinance. **Cruising is not the same as a sideshow.**

While enforcement of the cruising municipal code is no longer applicable, the following is a list of citable/arrestable illegal actions often associated with cruising:

- 21956(a) VC – Pedestrian in the roadway (e.g., when a pedestrian comes into the street to look at a vehicle or communicate with its occupants)
- 22400(a) VC – Impeding traffic (e.g., a vehicle driving slowly and disrupting the normal flow of traffic)
- 23103(a) VC – Reckless driving (e.g., “hopping” or when the wheels of a vehicle leave the ground)
- 23109(c) VC – Exhibition of speed (e.g., “burnouts” or spinning the wheels of a vehicle)
- 27001(b) VC – Unlawful use of the horn (e.g., honking to garner attention)

Department members may no longer use violations of San José Municipal Code sections 11.34.010, 11.34.060, or 11.34.070 (repealed) as reasonable suspicion to detain or probable cause for a citation.

A handwritten signature in black ink, appearing to read "A. Mata".

Anthony Mata
Chief of Police

AM:SD