

# **“TACO TRUCKS” ON THE STREET: WHERE FOOD AND SOCIAL JUSTICE MEET**

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I. INTRODUCTION .....	52
II. GRASS ROOTS ORGANIZING CAMPAIGN .....	54
III. GRAPPLING WITH STIGMA AND ANTI-IMMIGRANT SENTIMENT .....	57
IV. GENTRIFICATION: WHAT THIS MEANT FOR <i>LONCHERAS</i> .....	58
V. USING THE “SYSTEM” TO BEAT THE “SYSTEM” .....	59
A. <i>Legal and Political Work</i> .....	59
B. <i>Shaping Future Regulations and Ordinances</i> .....	62

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VI. AN ORGANIZED MOVEMENT .....	63
A. <i>Coalition Building</i> .....	63
B. <i>Asociación de Loncheros L.A. Familia Unida de California</i> .....	64
VII. CONCLUSION .....	66

### I. INTRODUCTION

Catering food trucks have been a part of the socio-cultural landscape of Los Angeles for many years. These mobile food facilities, commonly referred to as taco trucks, create a sense of community and provide a much-needed food service to their respective neighborhoods. However, in 2008, Los Angeles passed an ordinance that severely restricted food truck operation. This article argues that the “real” issue raised by this ordinance was part of a larger struggle against stigmas and anti immigrant sentiment caused by gentrification and ignorant notions of poverty. Thus, this is the story of the association that formed out of opposition to the ordinance, and how that association has come to represent an advocacy nucleus for a population of Latino immigrants that have come to the United States in search of the American dream.

“Taco trucks”<sup>1</sup> or more appropriately, catering food trucks have been a Los Angeles staple ever since the burgeoning construction scene of the 1970s.<sup>2</sup> During that era, most trucks were completely mobile – going to and from construction sites to offer food services that were not readily available. As construction waned in the late 1980s, food trucks began to operate on a mostly stationary basis by staying parked in one location for hours on end. Food trucks are characteristically located in underserved Latino communities, and up until 2009, were known to typically sell traditional Mexican food, but now sell a variety of fusion cuisine. Traditional catering food

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<sup>1</sup> For the purposes of inclusivity I will be using the term catering food truck and not “taco truck” when referring to traditional mobile food facilities throughout the rest of this article.

<sup>2</sup> See Elina Shatkin, *The Food Trucks Just Keep Rolling*, L.A. TIMES, July 22, 2009, at E6.

trucks – or “*loncheras*” as they are commonly referred to by Spanish speaking clientele – are family owned small businesses, and are the primary source of employment and income for the families that depend on the revenue generated from food sales. For the *loncheras*, this trade comes from the practice of vending food on the street in Latin America, where most catering food truck owners had worked in some type of food related industry before migrating to the United States. Equally important is the food service that these *loncheras* provide for some of the economically disadvantaged clientele that frequent food trucks. Hence, it is not uncommon to see families dining out at *loncheras*, as oftentimes it is the only dining out experience some of these families can afford to have.

Until recently, *loncheras* selling traditional Mexican cuisine dominated the street food scene in Los Angeles.<sup>3</sup> In 2009, a new breed of catering food trucks began operating on the streets of L.A. These *nouveau* gourmet food trucks began selling a Korean fusion of traditional Mexican street food.<sup>4</sup> The use of fusion cuisine coupled with the use of social media to alert “followers” of their whereabouts created a culinary niche for these food trucks, and subsequently created a new business model by utilizing social media to create a clientele base (as opposed to the standard mode of operating in one location for a long period of time currently utilized by their traditional counterparts).<sup>5</sup> The presence of gourmet food trucks in L.A. has added further valor to the idea that catering food trucks are beneficial to Los Angeles as a whole and have helped to create a sense of community in the various neighborhoods where they operate. Undoubtedly, high-end gourmet food trucks have contributed to a Los Angeles street food renaissance<sup>6</sup>. However, this article focuses on the unique situation of more traditional Mexican food trucks. In April 2008, the Los Angeles County Board of Supervisors unanimously passed ordinance §7.62.070 that would only allow *loncheras* to operate for a maximum of one hour per day

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<sup>3</sup> *Id.*

<sup>4</sup> See Jennifer Steinhaurer, *For a New Generation, Kimchi Goes With Tacos*, N.Y. TIMES, Feb. 24, 2009, at D1.

<sup>5</sup> *Id.*

<sup>6</sup> See Ben Bergman, *Tweeting Food Trucks Draw L.A.’s Hungry Crowds*, NATIONAL PUBLIC RADIO, Mar. 23, 2009, <http://www.npr.org/templates/story/story.php?storyId=101881984>.

in any given location in the unincorporated areas of Los Angeles County,<sup>7</sup> which tend to be the place of business for the traditional food trucks. For countless *loncheros*, this ordinance was a death sentence for the businesses they had cultivated for several years.<sup>8</sup> Despite the obstacles that ensued for the catering food truck industry after the ordinance was passed, the *loncheros* managed to save their livelihoods by organizing, lobbying and establishing the first non-profit advocacy organization<sup>9</sup> for their industry in Southern California.

## II. GRASS ROOTS ORGANIZING CAMPAIGN

Once the ordinance restricting food trucks passed by the Los Angeles County Board of Supervisors, two different groups of people began organizing almost simultaneously. The first group was comprised mostly of young, white professionals who had developed an affinity for traditional Mexican “taco trucks” after moving into areas like Echo Park and Highland Park as a part of the gentrification of those neighborhoods. The second group was made up of *loncheros*, many of whom were Mexican immigrants to the United States. Soon these two factions merged into one organizing collective, the precursor to the Asociación de Loncheros. The collective used both social media and immigrant social networks<sup>10</sup> to

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<sup>7</sup> *Id.*

<sup>8</sup> See Jesus Hermsillo, *Loncheras: A look at the Stationary Food Trucks of Los Angeles* 6 (Sept. 2010) (unpublished report, UCLA Labor Center), available at <http://www.labor.ucla.edu/publications/reports/Loncheras.pdf>.

<sup>9</sup> A “non-profit advocacy organization” is an organization established under the Internal Revenue Code, 26 U.S.C. § 501 (c)(6) (2010).

<sup>10</sup> The use of immigrant social networks to organize was invaluable for this movement in that the information given and received through these networks mobilized the core group of *loncheros*, and essentially compensated for the digital divide between themselves and some of the other advocates. For a fuller discussion of the role of social networks in immigrant organizing, see Ruth Milkman, Keynote Address at the Gerald J., Myrna F. and Stuart L. Bernath Lecture Series for the 32nd Annual North American Labor History Conference: Immigrant Workers and the Future of American Labor 5 (Oct. 2010) (explaining the particular strength of immigrant social networks in collective organizing), available at [http://www.google.com/url?sa=t&rct=j&q=ruth%20milkman%20immigrant%20workers%20and%20the%20future%20of%20american%20labor%20&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Fwww.law.gwu.edu%2FNews%2F2010-2011Events%2FNLRB%2FDocuments%2FMilkman\\_paper.doc&ei=9NCh](http://www.google.com/url?sa=t&rct=j&q=ruth%20milkman%20immigrant%20workers%20and%20the%20future%20of%20american%20labor%20&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Fwww.law.gwu.edu%2FNews%2F2010-2011Events%2FNLRB%2FDocuments%2FMilkman_paper.doc&ei=9NCh)

bring awareness to a cause that eventually transformed into a movement.<sup>11</sup> The fusion of classic and modern approaches to organizing launched the effort to save L.A.’s catering food truck industry.

Technology played a prominent role in the beginning of this organizing campaign, with a prime example being the *Save Our Taco Trucks* website.<sup>12</sup> Outraged by the passing of ordinance §7.62.070, two teachers who ran a popular blog created an online petition and open letter addressed to Los Angeles County Supervisor Gloria Molina regarding her leadership in passing ordinance §7.62.070.<sup>13</sup> This opposition and subsequent backlash against Supervisor Molina propelled the concerns of those in support of repealing ordinance §7.62.070 into the spotlight, thus generating more support for traditional food trucks. The website and public demonstrations in the Highland Park and East Los Angeles neighborhoods of Los Angeles helped raise the profile of the campaign, and led to widespread support from allied community groups. *Save Our Tacos Trucks* ignited a firestorm of opposition against ordinance §7.62.070. However, it was not until the *Loncheros* themselves began to mobilize their voices that the movement gained a human face. The campaign against the 2008 ordinance was not merely about reversing a regulatory inconvenience; it was instead part of a larger struggle for social justice. Thousands of families would have lost their livelihoods<sup>14</sup> had §7.62.070 not been deemed unconstitutional.<sup>15</sup>

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TsraCcmriAKtquQ3&usg=AFQjCNFyqnhIIvLd1fTuZLy-hnT2oJo51A.

<sup>11</sup> See generally Asociación de Loncheros, Press Release, <http://www.loncheros.com/prensa/prensa.html#> (last visited Apr. 11, 2011) (chronicling the press coverage and actions and events hosted by the Asociación de Loncheros during its formation).

<sup>12</sup> *Save Our Taco Trucks* was created by Aaron Sonderleiter and Christopher Rutherford and can be viewed at [www.saveourtacotrucks.org](http://www.saveourtacotrucks.org). For a discussion of the origin of the website, see generally Jean-Paul Renaud, *On A Taco Truck Bandwagon*, L.A. TIMES, May 1, 2008, at B1.

<sup>13</sup> See Open Letter to Supervisor Gloria Molina (Apr. 20, 2008) (on file with author), available at <http://yorkblvd.com/2008/04/20/open-letter-to-supervisor-gloria-molina/>.

<sup>14</sup> See Hermosillo, *supra* note 8, at 6 (finding that 4,480 food trucks operated in Los Angeles County).

<sup>15</sup> See *People v. Garcia*, No. 8EA0584, slip op. at 2-6 (L.A. County Super. Ct. Aug. 27, 2008) (order following demurrer hearing) (holding ordinance §7.62.070 unconstitutional on three grounds: (1) that it is unconstitutionally vague; (2) that it

Due to a legal challenge initiated by a core group of organized *loncheros*, ordinance §7.62.070 was only enforced in the unincorporated areas of Los Angeles County for a short period of time. Nevertheless, the knowledge that an ordinance of this nature had been signed into legislation and the threat of passing another ordinance deliberately written to pass constitutional muster mobilized the aforesaid group of *loncheros* and community organizers to create an association whose mission is to protect the livelihoods of catering food truck owners and operators organizing against ordinance §7.62.070. The association became known as the *Asociación de Loncheros L.A. Familia Unida de California*. Members of the *Asociación*<sup>16</sup> began meeting at a restaurant in South L.A. every other week to discuss recent issues in the struggle to operate their *loncheras* within the City and County. This core group of organized *Loncheros* also met on a weekly basis with community organizers and attorneys at the Downtown UCLA Labor Center to strategize for their organizing campaign. At these meetings, organizing goals were set and organizers trained the *loncheros* on lobbying, messaging, branding, outreach and other skills relevant to maintaining a successful organizing campaign.<sup>17</sup>

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is preempted by California state law by conflicting with California Vehicle Code §22455; and (3) that the California Legislature has limited municipalities to regulatory as opposed to complete prohibition ordinances for sales from vehicles); see also Ernesto Hernández-López, *LA's Taco Truck War: How Law Cooks Food Culture Contests* 14 (Chapman Univ. School of Law Legal Studies Research Paper Series No. 10-29, Oct. 18, 2010), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1694747&http://www.google.com/url?sa=t&rct=j&q=people%20v.%20garcia%2C%20no.%208ea0584%20los%20angeles%20superior%20court&source=web&cd=1&ved=0CBoQFjAA&url=http%3A%2F%2Fpapers.ssrn.com%2Fsol3%2Fdelivery.cfm%3Fabstractid%3D1694747&ei=Ve2hTsbWKOneiALg15ll&usg=AFQjCNEWe2ZbWNgUZ230fkmRXAovSvTBhQ](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1694747&http://www.google.com/url?sa=t&rct=j&q=people%20v.%20garcia%2C%20no.%208ea0584%20los%20angeles%20superior%20court&source=web&cd=1&ved=0CBoQFjAA&url=http%3A%2F%2Fpapers.ssrn.com%2Fsol3%2Fdelivery.cfm%3Fabstractid%3D1694747&ei=Ve2hTsbWKOneiALg15ll&usg=AFQjCNEWe2ZbWNgUZ230fkmRXAovSvTBhQ).

<sup>16</sup> Abbreviation for Asociación de Loncheros L.A. Familia Unida de California.

<sup>17</sup> The core group of organized *loncheros* met on a weekly basis from 2008-2010 with Victor Narro, Program Director, UCLA Labor Center, Chris Newman, Legal Programs Director, National Day Laborer Organizing Network, and Erin Glenn, Community Organizer at the Downtown UCLA Labor Center. Notes on file with author.

### III. GRAPPLING WITH STIGMA AND ANTI IMMIGRANT SENTIMENT

Superficially, this issue was portrayed as one of competition between established restaurants and food trucks. Proponents of the ordinance argued that food trucks were infringing upon the rights of restaurants simply by coexisting in the same communities as restaurants.<sup>18</sup> Furthermore, opponents of the mobile food industry viewed food trucks as the cause of urban blight and blamed food trucks for keeping out potential investors.<sup>19</sup> However, the “real” issue had more to do with stigma and anti immigrant sentiment; and how these two factors played a possible role in the developing and passing of ordinance §7.62.070.

When ordinance §7.62.070 was passed in 2008, the unincorporated part of East Los Angeles became the battleground for the intricate and complex issues surrounding the need to regulate the catering food truck industry. East L.A. became the designated area for the Los Angeles County board of supervisors to implement this new ordinance.<sup>20</sup> Some business owners on the Eastside, particularly those who owned shops on Whittier Boulevard, welcomed this type of regulation as a means of attracting developers and investors into their community.<sup>21</sup> Likewise, Eastside politicians and merchants

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<sup>18</sup> KPCC Wire Services, *City Council moves toward a permit process for food trucks*, KPCC NEWS, Nov. 10, 2010, <http://www.scpr.org/news/2010/11/10/city-council-takes-first-step-toward-regulating-fo/>.

<sup>19</sup> *Id.* (quoting Los Angeles City Councilmember Dennis Zine in his motion calling for parking regulations for food trucks, “[I]ncreasing prevalence of food trucks in Los Angeles has adversely affected certain locations in which they operate. For example, insufficient access to trash and restroom facilities can dirty the surrounding area. Businesses operating as legitimate restaurant establishments have also been affected with mobile food trucks operating at their doorstep.”); see also Jennifer Steinhauer, *In Taco Truck Battle, Mild Angelinos Turn Hot*, NY TIMES, May 3, 2008, at A15 (quoting an East Los Angeles resident calling *loncheras* “an eyesore,” and county supervisor Gloria Molina’s policy director Gerry Hertzberg attributing “quality of life issues” to taco trucks, including, “litter, noise, public urination and excessive parking space hoarding”).

<sup>20</sup> Steinhauer, *supra* note 19; see also John Rogers, *Court Overturns Taco Truck Limits in L.A. County*, SAN DIEGO UNION TRIBUNE, Aug. 28, 2008, available at [http://www.signonsandiego.com/uniontrib/20080828/news\\_1n28taco.html](http://www.signonsandiego.com/uniontrib/20080828/news_1n28taco.html) (explaining that the ordinance is enforceable only in unincorporated parts of Los Angeles County, not in the City itself).

<sup>21</sup> Jean-Paul Renaud, *East L.A. Taco Truck Owners Say They’ll Stay Put*, L.A. TIMES, Apr. 16, 2008, at B3 (“Merchants in East L.A. say this is long overdue in an area striving to develop a strong business community.”).

wanted to see East L.A. flourish like other immigrant communities that were reaping the economic benefits of gentrification. As a result, *loncheras*, representative of the low-income ethnic component still prevalent on the Eastside of Los Angeles, became targets of anti-immigrant sentiment. Under the guise of wanting to improve their community, an East Los Angeles residents' group and business association teamed up with Supervisor Molina's District 1 office to support the passing of ordinance §7.62.070.<sup>22</sup>

The goal of §7.62.070 proponents was to "clean up" the Eastside for the purposes of attracting more corporate investment to the unincorporated area of East Los Angeles.<sup>23</sup> From one point of view, these big businesses were going to revitalize the Eastside – a revitalization that could not take place if the ethnic staples of this Mexican neighborhood, like the "taco truck," remained intact. It was made known to the *loncheros* by community activists in East Los Angeles that developers had shied away from investing in East Los Angeles because of the prevalence of *loncheras* and other types of street food vendors. While some of the goals of those trying to restrict taco trucks were commendable, they could have done more to encourage economic opportunity without obliterating the ethnic components that make communities like East L.A. unique.

#### IV. GENTRIFICATION – WHAT THIS MEANT FOR *LONCHERAS*

Gentrification has been both cruel and kind to the catering food truck industry. In 2008, in areas like Echo Park and Highland Park, *loncheras* had become the "it" way of dining.<sup>24</sup> Concurrently,

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<sup>22</sup> Several members of the East Los Angeles Residents Association and the Maravilla Businesspersons Association publically supported the passing of ordinance §7.62.070. *Id.*; see also Steinhauer, *supra* note 19.

<sup>23</sup> Steinhauer, *supra* note 19 (quoting County Supervisor Gloria Molina's policy director's list of taco trucks' "spillover effects," including litter, noise and public urination).

<sup>24</sup> Renaud, *On a Taco Truck Bandwagon*, *supra* note 12 (noting that the creators of Saveourtacotrucks.org hail from Highland Park and at graduates of Occidental College, and explaining the cultural significance of taco trucks to a new groups of customers in these areas, as described by a Pasadena resident: "There are at least two distinct populations that visit the taco truck. There are the native Angelenos, and then there's the kind of hipster population who think it's cool."); see also Scott Gold, *Gentrification divides Echo Park community in Los Angeles*, L.A. TIMES, June 27, 2008, at B1 (describing the intense gentrification of Echo Park and other interior neighborhoods of Los Angeles).



loncheras also became the target of legislative and law enforcement scapegoating. *Loncheras* began to be frequented not only by the Latino customers who had consumed at these food trucks for years, but by a new population of young Anglo-Americans who had migrated to these up-and-coming areas, in large part due to gentrification.<sup>25</sup> The wave of revitalization brought on by gentrification proved to be both savior and enemy for immigrant-based small-businesses like the *lonchera*. These new customers were educated white professionals. They highlighted the multifaceted nature of this new type of dining and in turn legitimized it to the mainstream public.

The stereotype that *loncheras* solely catered to the poor Latino population persisted. Yet as gentrification made taco trucks more popular, the economic, social and cultural dichotomies playing out in communities throughout Los Angeles grew ever more apparent and complex. What was once a symbol of poverty and blight was now seen as chic and novel. What was once passively legislated became spotlighted. As the *loncheras* became more and more popular, the stigma associated with these mobile food facilities became more evident. Questions were raised among legislators and law enforcement about the effects *loncheras* had on the public’s well-being.<sup>26</sup> The notions of poverty and blight and how they fueled the misperceptions related to traditional food trucks were used to promote harsher regulations and enforcement against the catering food truck industry.

## V. USING THE “SYSTEM” TO BEAT THE “SYSTEM”

### A. *Legal and Political Work*

Thus, the initial challenge *loncheras* faced to the growing “public” backlash was of a legal nature. In 2008, The City of Los

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<sup>25</sup> Renaud, *On a Taco Truck Bandwagon*, *supra* note 12.

<sup>26</sup> One of the principle arguments used by government officials in support of passing ordinance §7.62.070 was that stationary catering food trucks pose a hazard to public health and safety if parked in the same location for more than an hour at a time. See John Rogers, *LA County Puts Taco Truck Battle on Front Burner*, USA TODAY, Sept. 9, 2008, available at [http://www.usatoday.com/news/nation/2008-09-09-2917838081\\_x.htm](http://www.usatoday.com/news/nation/2008-09-09-2917838081_x.htm). Other less tenuous but perhaps more indicative of the Ordinance’s race and class biases concerned the “spillover effects” attributable to taco trucks, including public urination and litter. See Steinhauer, *supra* note 19.

Angeles passed ordinance §7.62.070. The ordinance harshly regulated taco trucks, requiring, among other things, that they relocate at least one-half mile away every thirty to sixty minutes.<sup>27</sup> Operators of *loncheras* found to be in violation could be fined up to \$1,000 and sentenced to six months in jail.<sup>28</sup> *Loncheros* grouped together and attacked the ordinance's existence. They hired an attorney to successfully challenge the citations issued against Margarita Garcia, one of the first taco truck drivers to be cited pursuant to §7.62.070.<sup>29</sup> Superior Court Judge Dennis Aichroth found that the stringent new law was "too ambiguous to be enforceable" and possibly in conflict with the California State Vehicle Code.<sup>30</sup>

The victory paved the way for another legal challenge to the City of Los Angeles' Municipal Code §80.73(b)(2)(F), a nearly-identical ordinance to the County's. While enacted in 2006, the City only began to enforce the Ordinance stringently in 2008.<sup>31</sup> Enlisting

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<sup>27</sup> See LOS ANGELES, CA., COUNTY CODE § 7.62.070 (2008).

<sup>28</sup> Rogers, *LA County Puts Taco Truck Battle on Front Burner*, *supra* note 26.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> LOS ANGELES, CAL. MUNICIPAL CODE § 80.73(b)(2)(F) (2006). That Ordinance states:

No catering truck shall remain parked at any residential location for the purpose of dispensing victuals, or at any residential location within a half mile radius of that location, for a period of time, adding together all time parked at each residential location, which exceeds 30 minutes. Upon the elapse of that period of time, any catering truck that continues to be used for the purpose of dispensing victuals must be parked at a location more than half a mile distant, as measured in a straight line, from the location where the vehicle was parked at the beginning of the 30-minute period, and the vehicle shall not return to that location for at least another 30 minutes from the time of departure or relocation. The requirement that a vehicle must be parked one-half mile distant shall only apply if the new parking location is in a residential area.

No catering truck shall remain parked at any commercial location for the purpose of dispensing victuals, or at any commercial location within a half mile radius of that location, for a period of time, adding together all times parked at each commercial location, which exceeds one hour. Upon the elapse of that period of time, any catering truck that continues to be used for the purpose of dispensing victuals must be parked at a

the help of UCLA School of Law clinical students, *lonchero* Francisco Gonzalez challenged his citation and won.<sup>32</sup> Los Angeles Superior Court Barry D. Kohn found that the Ordinance bore no rational relationship to public health and safety, and was preempted by the California State Vehicle code.<sup>33</sup> As a result of the ensuing legal victories, the *loncheras* had a stronger foundation on which to base their growing political organizing campaign. *Loncheras* expanded from their initial organizing work to attack the ordinances, and began to focus on establishing key political contacts to preserve their industry.

By 2009, catering food truck operators had gained the momentum and public leverage they needed to stall the Board of Supervisors from implementing another ordinance similar to §7.62.070. Supervisor Molina intended to sponsor an ordinance similar to §7.62.070. When approached, she ceded to the organized taco truck drivers on condition that they could prove to her that self-regulation was more effective in alleviating some of her constituents' alleged concerns.<sup>34</sup> The process of uniting to defend thrust lobbying into the organizing work of the *loncheros*.<sup>35</sup> Lobbying efforts that began in 2008 have resulted in numerous meetings with elected

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location more than half a mile distant, as measured in a straight line, from the location where the vehicle was parked at the beginning of the one hour period, and the vehicle shall not return to that location for at least another 60 minutes from the time of departure or relocation.

*Id.* See also, Lauri Gavel, *UCLA School of Law Clinical Program Wins Case Challenging Validity of Los Angeles City Ordinance Implemented Against Taco Trucks*, UCLA SCHOOL OF LAW NEWS AND MEDIA, June 10, 2009, <http://www.law.ucla.edu/news-media/Pages/News.aspx?NewsID=737> (explaining that while adopted in 2006, the Ordinance was not heavily enforced until 2008).

<sup>32</sup> *Gonzalez v. City of Los Angeles Dept. of Transportation*, No. 09K08485, slip op. (L.A. Super. Ct. June 8, 2009) (order reversing administrative action); see also Ingrid V. Eagly, *Food Trucks and Criminal Clinics: Cause Lawyering for Immigrants Rights*, 1 U.C. IRVINE L. REV. \_\_ (forthcoming 2011) (discussing the case and clinical course).

<sup>33</sup> Phil Willon, *Taco Trucks Can Just Stay Put, Court Says; L.A. Law That Restricted How Long Mobile Food Vendors Could Remain Parked In One Place Has Been Overturned*, L.A. TIMES, June 11, 2009, at A6.

<sup>34</sup> Meeting with Supervisor Molina, notes on file with author.

<sup>35</sup> David Dayen, *Taco Trucks and the Future of California*, CALIFORNIA PROGRESS REPORT, May 15, 2008, <http://www.californiaprogressreport.com/site/node/2556> (noting the increasing lobbying power of the taco truck industry).

officials and other government agencies that have a direct regulatory impact on the catering food truck industry. Over time, the relationship between the *loncheros* and legislators has grown into an egalitarian one in which the *loncheros* are considered stakeholders by elected officials.

### B. *Shaping Future Regulations and Ordinances*

The catering food truck industry is one that is heavily regulated by the Los Angeles County Health Department.<sup>36</sup> Despite these regulations, catering food trucks still suffer from past stigmas. Many of these stigmas reflect anti-immigrant sentiment; many are just based on ignorance. For instance, it is commonly assumed that taco truck operators are rogue entities who pay no taxes or overhead. In reality, operators pay \$200 to \$300 per week just to park and maintain their trucks, after the enormous expense of acquiring and upgrading the vehicles.<sup>37</sup> It is also commonly assumed that *loncheros* are unsanitary, and catering food trucks have often been referred to as “Roach Coaches” and other derogatory names that stereotype and further the notion that these types of businesses do more harm to the public than good. Food truck vendors often experience numerous health inspections within a few short months, three or four times as often as fixed establishments.<sup>38</sup> These misperceptions and an overall lack of awareness of the industry by legislators result in legislation like ordinances §7.62.070 and §80.73(b)(2)(F). Consequently, establishing and building relationships with government officials has been essential to the success of this movement. *Loncheros* are now

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<sup>36</sup> See generally COUNTY OF LOS ANGELES’ ENVIRONMENTAL HEALTH VEHICLE INSPECTION PROGRAM, L.A. COUNTY DEP’T OF PUB. HEALTH, MOBILE FOOD FACILITY INSPECTION GUIDE (2010), available at <http://publichealth.lacounty.gov/eh/docs/vip/MobileFoodFacilityInspectionGuide.pdf> (seventy-seven pages in length); see also Adam Nagourney, *Inspectors in Rearview as Food Trucks Rule the Road*, N.Y. TIMES, Oct. 11, 2010, at A1, available at <https://www.nytimes.com/2010/10/12/us/12trucks.html> (discussing Los Angeles County’s exacting health regulations for mobile food vendors).

<sup>37</sup> Thomas Rogers, *Behind the Food Truck Divide*, SALON.COM, Jan. 7, 2010, [http://www.salon.com/food/feature/2010/01/07/food\\_truck\\_lot](http://www.salon.com/food/feature/2010/01/07/food_truck_lot) (interview with author explaining in detail the stigma faced by *loncheros*).

<sup>38</sup> Zach Behrens, *Politicians, Mobile Vendors and Businesses Meet to Discuss the Future of L.A.’s Food Truck Policy*, LAIST, August 11, 2010, [http://laist.com/2010/08/11/food\\_truck\\_meeting.php](http://laist.com/2010/08/11/food_truck_meeting.php).

considered stakeholders in regulating the catering food truck industry and they have a say in how their industry should be regulated. *Asociación de Loncheros* is one such organization at the forefront. The *Asociación* has been working with elected officials in Los Angeles to create a comprehensive ordinance—an ordinance that is mutually beneficial to food truck operators and the public alike.

Currently, the *Asociación de Loncheros* and other industry stakeholders are participating in a task force put together by Los Angeles city officials.<sup>39</sup> The task force was created in response to a motion introduced by a member of the Los Angeles City Council Transportation Committee to convene a task force of mobile and stationary food vendors that would “facilitate the co-existence of both types of retail food enterprises in ways that also serve the public interest.”<sup>40</sup> Participation in this task force has given the *loncheros* a monumental opportunity to apply the skills that they developed through early unification work.

The food truck industry has become a huge economic and cultural contributor to the City of Los Angeles.<sup>41</sup> *Loncheros* have become legitimate in the mainstream public through community recognition, which would never have occurred but for community activists.

## VI. AN ORGANIZED MOVEMENT

### A. Coalition Building

Simply put, the *Asociación de Loncheros* would have never existed without the efforts of the many advocates supporting catering food truck operators and their right to organize on behalf of their

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<sup>39</sup> Memorandum from William T. Fujioka, Chief Executive Officer of the County of Los Angeles, to the County Transportation Comm. on Mobile and Fixed Food Establishment Task Force (Jan. 24, 2011) (on file with author), *available at* [http://file.lacounty.gov/bc/q1\\_2011/cms1\\_155784.pdf](http://file.lacounty.gov/bc/q1_2011/cms1_155784.pdf). Participants of the Los Angeles City Council Transportation Committee task force are as follows: Southern California Mobile Food Vending Truck Operators Association, the Restaurant Association, the Department of Public Health, and the Small Business Commission, the Los Angeles Police Department, and the Los Angeles Department of Transportation, *Id.*

<sup>40</sup> *Id.* (explaining that Supervisor Don Knabe instructed the County CEO to convene the task force).

<sup>41</sup> Hermosillo, *supra* note 8.

livelihoods. It was through the support of activists, students, organizers, public interest attorneys, academics and general “taco truck” enthusiasts that the *loncheros* were able to salvage their industry and preserve the *lonchera* as a cultural fixture in Los Angeles. In 2009, the core group of organized *loncheros*, with the help of coalition partners,<sup>42</sup> registered the *Asociación de Loncheros L.A. Familia Unida de California* as the first 501(c)(6) trade association for the catering food truck industry.<sup>43</sup>

B. *Asociación de Loncheros L.A. Familia Unida de California*

As stated, the *Asociación de Loncheros L.A. Familia Unida* originated out of the need to organize against an ordinance that stood to end the livelihood of thousands of people in Southern California. Through laborious and painstaking efforts, the members of the *Asociación* have become legitimate representatives for an industry that serves as a cultural institution for many Angelenos. The association that formed out of these organizing efforts has also come to represent an advocacy nucleus for a population of Latino immigrants that have come to the United States in search of the American dream. The *Asociación de Loncheros* is committed to preserving the traditional aspects of the catering food truck industry as well as protecting the rights of their operators. By applying the concept of social justice to the *lonchero* movement, the *Asociación* created the *Campana de Educacion*, an educational campaign consisting of a series of trainings and workshops for members to participate and become empowered.

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<sup>42</sup> These partners included: Public Counsel, UCLA School of Law Professor Scott Cummings, and Director the UCLA Downtown Labor Center Victor Narro. Meeting notes on file with author.

<sup>43</sup> See *Carne Asada Is Not a Crime: Loncheros Update*, June 10, 2009, SAVE OUR TACO TRUCKS, <http://saveourtacotrucks.org/2009/06/10/loncheros-update/> (discussing new trade association status for the *Asociación*). The *Asociación*'s incorporation as a 501(c)(6) precedes the incorporation of the Southern California Mobile Food Vendors Association, which at its date of incorporation consisted of 64 “gourmet” food trucks that reflect the new trend. For information about the SCMFVA, see generally <http://socalmfva.com/>; see also Zach Behrens, *Do Food Trucks Have Political Power? 64 Trucks Endorse an Assembly Candidate*, LAIST, May 25, 2010, [http://laist.com/2010/05/25/food\\_trucks\\_take\\_politics\\_on\\_the\\_ro.php](http://laist.com/2010/05/25/food_trucks_take_politics_on_the_ro.php).

Initially the *Campaña de Educación* was created in response to legislative criticism that *loncheros* were a nuisance to the communities in which they operated. *Loncheros* who attended the various legislative meetings – specifically with Supervisor Molina and her staff – took these criticisms to heart. Whether or not the allegations of nuisance were true, the members of *Asociación de Loncheros* wanted to remove the stigma and differentiation they perceived underlying the intent of such legislative criticism. The *Campaña de Educación* is the *Asociación’s* fundamental curriculum and consists of topics relating to public health, safety and leadership. The members of the *Asociación de Loncheros* have made it their personal mission to adhere to this “best practices curriculum” as a way of proving to opponents that they are not rogue entities permeating the streets; instead, they are educated business owners providing a much-needed food service to their respective neighborhoods. In addition to the rights of immigrants and the working poor, the *Asociación de Loncheros* promote food justice by providing fresh vegetables,<sup>44</sup> and in some cases fruits—a healthier alternative to their fast food counterparts, especially when located in communities identified as “Food Deserts.”<sup>45</sup>

During these legislative visits, it became clear that self-regulation of the catering food truck industry would be the only way to deflect the need for more government regulations. Incidentally, as time passed and more and more lobbying occurred on behalf of preserving the catering food truck industry, it grew evident that the grave misconceptions surrounding industry were due in part to the

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<sup>44</sup> Rogers, *Behind the Food Truck Divide*, *supra* note 37 (discussing the use of fresh vegetables); see also Steven Gray, *Can America’s Urban Food Deserts Bloom?*, TIME, May 26, 2009, available at <http://www.time.com/time/nation/article/0,8599,1900947,00.html> (describing food deserts and identifying Los Angeles as one); see also Tara Lohan, *Food Trucks: A Solution to Overcoming Food Deserts?*, CHANGE.ORG, Oct. 1, 2010, <http://news.change.org/stories/food-trucks-a-solution-to-overcoming-food-deserts> (describing the importance of food trucks in delivering healthy food to underserved areas and the potential for addressing hunger and health).

<sup>45</sup> See Econ. Research Serv., U.S. Dep’t. of Agric., *Food Desert Locator, How Is A Food Desert Defined?*, <http://www.ers.usda.gov/data/fooddesert/about.html#Defined> (last visited September 21, 2011). The Healthy Food Financing Initiative defines a food desert as a low-income census tract in which greater than one-third of the residents live greater than one mile of a grocery store. *Id.*

lack of knowledge about the industry as a whole; therefore, the Campaña de Educación expanded to educate both *loncheros* and legislators alike.

## VII. CONCLUSION

Catering food trucks have been a part of the socio-cultural landscape of Los Angeles for many years. These mobile food facilities, commonly referred to as taco trucks, are essentially small-scale mobile restaurants. From the inception of the industry up to 2008, catering food trucks were relatively low-profile and operated in underserved Latino communities. Consequently, food trucks have been viewed as a symbol of poverty, as opposed to being a symbol of prosperity—which is what they are for the families who own and operate them. In 2008, the Los Angeles County Board of Supervisors unanimously passed ordinance §7.62.070, which stipulated that food trucks could no longer operate in the manner they had operated for several years. East L.A. *loncheros* appropriately viewed the passing of this ordinance as a threat to their livelihoods, and the subsequent organizing that ensued against these regulations became the foundation for a movement of traditional catering food truck owners. For many *loncheros*, this ordinance would have meant their demise. Despite the obstacles that arose after the passage of ordinance §7.62.070, the *loncheros* managed to salvage their family-owned businesses by organizing, lobbying and establishing the first legitimate trade association for their industry. The *lonchero* movement was born out of the need to protect and preserve an industry that provides income to thousands of people in Southern California. In their struggle, the *loncheros* used the legal system to challenge ordinances that unfairly targeted them for mistreatment due to ignorance, anti-immigrant sentiment, and fear of competition from fixed restaurants. Similarly, political endeavors, such as lobbying and grassroots organizing, convinced elected officials to take a holistic approach to regulating the catering food truck industry; specifically, one that would allow *loncheros* to have a say in their own regulation. The organizing efforts put forth by the core group of *loncheros* was also strengthened by the network of organizers and workers' rights activists involved in other social justice campaigns throughout Los Angeles. Coalition building and the utilization of immigrant social networks has been an integral part



of the success of the movement. Above all, the *Lonchero* movement is exemplary of the dedication, discipline and unity that is achievable in an organizing campaign. The *loncheros* came together under adverse conditions and courageously challenged a legislative body that would have otherwise banished them from the streets of Los Angeles. Today, there are approximately three hundred association members with at least forty core members at the helm of the *Asociación*'s ongoing organizing campaign.