

BOARD REPORT
CITY OF LOS ANGELES
DEPARTMENT OF TRANSPORTATION

Date: February 10, 2011 A

To: Board of Transportation Commissioners

Subject: REPEAL OF BOARD ORDER 243 – REGULATION OF PRIVATE AMBULANCES IN THE CITY OF LOS ANGELES AND FINAL ADOPTION OF BOARD ORDER 599 – ESTABLISHING THE RULES AND REGULATIONS FOR THE REGULATION OF PRIVATE AMBULANCES

SUMMARY

At its meeting of December 9, 2010, the Board approved Tentative Resolution, Board Order 599 establishing the rules and regulations for the regulation of private ambulances. Tentative Board Order No. 599 was published on December 13, 2010. The Department received no public comments.

The City Charter specifies the procedures to be followed for the Board to adopt or modify a rule or regulation. Briefly, the procedure is for the Board to tentatively adopt a new Board Order; the tentative Resolution is published; written comments are received during a five-day public review period; and the Board considers any comments at a second public hearing and may approve the final Board Order. The final Board Order is again published and becomes effective thirty (30) days after publication, unless specified otherwise.

RECOMMENDATION

- a. That your Board **APPROVE** the attached Final Resolution, Board Order No. 599, revising the regulation of drivers, attendants and operators of private ambulance companies, and;
- b. That your Board **DIRECT** the Board's Executive Assistant to publish the Final Resolution (Board Order No. 599) to become effective thirty (30) days after publication.

INITIATED BY

Recently there has been a large increase in the number of companies applying for authorization to operate a private ambulance business within the City. Due to this increase staff reviewed Board Order 243 and found that it is no longer relevant to present day business practices.

DISCUSSION

The current Board Order, 243, regulating private ambulance companies operating within the City of Los Angeles was enacted on August 3, 1972. Since that time there have been numerous

ambulance companies conduct business changes to both the type and style of vehicle used as a private ambulance and to the way private

Staff has found that the existing regulations, per Board Order 243, are no longer adequate to address modern private ambulance operations and therefore recommends that Board Order 243 be rescinded and Board Order 599 be adopted.

Board Order 599 addresses the many changes that have occurred since Board Order 243 was enacted. These changes include:

- Establishes better regulation pertaining to operating location requirements.
- Establishes better requirements for accommodating staff needs and necessities.
- Establishes vehicle regulations that are more consistent with those used by Los Angeles County's Department of Health Services.
- Updates safety and medical equipment.
- Establishes better record keeping.

RECOMMENDATION

To better insure more modern and applicable regulations, and to safeguard the health and safety of the passengers, and the interests of the City of Los Angeles, it is staff's recommendation that the Board repeal Board Order 243, and adopt Board Order 599.



AMIR SEDADI
Interim General Manager

DATE SIGNED: 2/1/11

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<p>Approved: <u>February 10, 2011</u></p> <p>Board of Transportation Commissioners</p> <p><u>Christy Tate</u></p> <p>Commission Executive Assistant</p>

**BOARD ORDER NO. 599
FINAL RESOLUTION OF THE
BOARD OF TRANSPORTATION COMMISSIONERS
CITY OF LOS ANGELES**

WHEREAS, the Board provides for the Regulation of all vehicle-for-hire permittees, and;

WHEREAS the Board adopted the current Board Order 243 on July 20, 1972 to establish consistent regulation of all drivers, attendants, and operators of private ambulances, and;

WHEREAS the Board has found that modification and revision of the criteria of Board Order 243 to more fully set forth consistent and relevant regulation of the private ambulance industry will greatly benefit the public, the drivers, the attendants, the regulated private ambulance companies, and the Department's regulatory processes; and;

WHEREAS the Board approved the Tentative Resolution, Board Order No. 599 on December 9, 2010, and, such Tentative Resolution was published on December 13, 2010, for a five-day public review period;

NOW, THEREFORE, BE IT RESOLVED that Board Order No. 243 is hereby rescinded and that all drivers, attendant and operators of private ambulances shall be governed by the following rules and regulations until modified, amended or repealed by the Board of Transportation, City of Los Angeles. All prior rules and regulations in conflict with the following are hereby cancelled and superseded by this Order.

A. Rules and Regulations Applicable
To Private Ambulance Equipment
And Operations

1. All private ambulance service authorized for pickup in the City of Los Angeles shall be provided on a 24-hour per day, seven-day per week basis with permitted equipment. All permitted equipment shall be stationed only at operating locations approved by the Department.
2. An applicant seeking approval of an operating location shall submit an application to the Board indicating the reasons for establishing such location and making a showing that any new location can be operated without detriment to the applicant's approved location from which operations are already conducted. Each location applied for shall contain telephone facilities, facsimile equipment, equipment necessary to operate an ambulance business including an area adequate for securely storing business records and data that is accessible to Department staff, a storage area for medical supplies and equipment other than drugs, sleeping, eating and toilet accommodations, and shall have sufficient parking or garaging spaces for all permitted ambulances. The building shall conform to at least the minimum standards required by the Building Department, which regulates planning and building in the area of the ambulance location. A valid current Certificate of Occupation shall be on site at all times.

3. A permitted ambulance operator may apply for Department approval to establish service locations. A service location shall have parking facilities for ambulance vehicles and shall contain a building with adequate toilet facilities for ambulance crews; linen storage and telephone facilities. The building shall conform to at least the minimum standards required by the Building Department, which regulates planning and building in the area of the ambulance location. No ambulance advertising shall be displayed at the service locations.
4. Operators shall use each location only after Department approval has been obtained. Operators shall use each approved location for the purpose and in the manner for which approval was obtained. Any change or discontinuance of operation must be in accordance with the approval of the operator's application for modification of the original grant.
5. Authority to use an ambulance as a substitute for a permitted ambulance must be obtained prior to the use of the substitute vehicle, and only after the substitute vehicle has been inspected, approved, and permitted by the Department, except that in an emergency, the operator may inform the Department and file an application for substitution prior to the close of the next business day. Proof of that such an emergency existed shall be supplied with each delayed application for substitution. Application for substitution shall be made on forms furnished by the Department and shall contain the identification of the vehicle taken out of service, the reason therefore, and the expected duration of the substitution period. Equipment under suspension is not eligible for substitution.
6. No permit shall be granted to an ambulance that is more than eight (8) years old as defined by the initial date the vehicle was first placed into service, provided that the date is not greater than one year from the date of its manufacture. In no event shall any ambulance be placed in service that is more than 10 years old. Vehicle age shall be calculated as if the vehicle was purchased on December 31 of its model year.
7. Every ambulance shall have controlled heating and air conditioning in the patient's compartment.
8. Every ambulance shall provide secure seating, with seat belts, for every sitting passenger within the ambulance. Drivers, and passengers seated in the front seat, must use the seat belts at all times when not actively treating the patient.
9. The ambulance body shall have rear loading facilities with the patient's compartment separated from the driver's compartment by a suitable partition. The patient's compartment shall contain two or more exits.
10. Every ambulance shall be identified or constructed in such a manner as shall clearly indicate that the vehicle is used for ambulance purposes.
11. The ambulance operator's business name shall be displayed on the ambulance on each side and at the rear. The names at each side shall be permanently affixed and visible from the exterior. The name at the rear shall be permanently attached to the exterior of the ambulance. All lettering shall be not less than 4 inches in height and not less than 1/4 inch stroke and of a color readily visible from 50 feet during normal daylight hours. The

unit number of each ambulance shall be permanently affixed to left front and right rear fenders.

12. No additional identification other than specified in Items 10 and 11 shall be used unless the identification is first approved by the Department.
13. All advertising of ambulance service of permitted operators proposed to be included in the classified section of telephone books ordinarily distributed in Los Angeles shall first be submitted to the Department for approval before being placed in the classified telephone directories. Such advertisements shall contain the street address at the operating location.
14. Every ambulance shall pass inspection as to mechanical condition and safety features. Every ambulance shall bear a Los Angeles County License tag or be submitted for equivalent inspection by the City of Los Angeles.
15. Every ambulance shall be maintained in first-class mechanical condition and shall be subject to inspection at any time.
16. No ambulance that has been substantially damaged shall be again placed in service until it has been re-inspected.
17. Every ambulance shall be equipped with adequate tires, properly inflated, with at least 1/8 inch minimum thickness or tires of equal or better blowout protection. There shall be no tread or sidewall separation, sidewall cuts, excessive wear, or exposed ply. Tires shall be mounted and inflated so that they do not contact any part of the vehicle body, chassis or frame. The wheels and rims shall be in good condition with no cracks, nor cracks between hand or stud holes, or cracks longer than 1 inch long across a spoke, or substantially damaged edges. There shall be no missing, broken, cracked or stripped lug fasteners on any of the tires.
18. Retread, recapped, or re-grooved tires shall not be used.
19. Ambulance upholstery must be kept in good condition at all times.
20. Storage facilities for linens must be enclosed.
21. Every ambulance must be maintained in a clean and sanitary condition.
22. Bed linens must be changed as soon as practicable after the discharge of a patient.
23. No ambulance shall be used as a hearse.
24. Every ambulance shall be designed and equipped to transport at least two patients at a time.
25. Only one order shall be filled on each private ambulance trip, except in cases of emergencies.

26. Every call for ambulance service shall be answered promptly. Patients shall be loaded and transported without being subjected to unreasonable delays.
27. In emergency cases, an operator shall not delay in dispatching equipment, in giving first aid, or in providing transportation for patients.
28. Owner's Responsibility – No ambulance service permittee or other person directing an ambulance shall:
 - a. Respond to any emergency call that would normally be considered an emergency 9-1-1 call for authorized emergency transportation unless the call is either from a public entity or an authorized emergency transportation 9-1-1 operator requesting backup services. If upon arriving at the scene of a pickup in response to a non-emergency request for service, and after assessment of the patient, it is determined that a higher level of care is needed, the appropriate 9-1-1- dispatcher shall be notified immediately.
 - b. Permit the operation of an ambulance in any manner contrary to this Board Order.
 - c. Fail to dispatch an ambulance within a reasonable time in response to an emergency call from a person, unless such a person is immediately advised of a delay in responding to a call.
 - d. Fail, neglect, or refuse to disclose to any person that an ambulance is not available for an emergency call.
29. Every permitted ambulance operator shall maintain a personnel file for each driver and attendant at the address of the service where the employee is based. Each personnel file shall contain the following information:
 - (a) Effective date of employment.
 - (b) For each driver: Copies, of 1st generation quality or better, of the driver's license, ambulance driver certificate, proof of certification of EMT1 or above, and current medical examination certificate.
 - (c) For each attendant: Copies, of 1st generation quality or better, of their Identification Card, proof of certification of EMT1 or above, and current medical examination certificate.
30. Every permitted ambulance operator shall notify the Department in writing, by facsimile, every time a driver or attendant is suspended from duty, or their employment is terminated.
31. Every permitted ambulance operator shall return to the Department, every Department issued driver and attendant permit within 3 working days of the employee's termination.
32. Every permitted ambulance operator shall maintain a current record of each call for which a permitted ambulance is requested. In addition to hand written forms, the records shall be in a type-written format, as approved by the Department and maintained for a

period of not less than two years and shall be available at all reasonable times for review by an authorized representative of the Department of Transportation:

- a. Date, time and location where the service is needed. Addresses must be complete and legible.
 - b. The unit number that is responding.
 - c. Identity of the person transported.
 - d. Time of pick up.
 - e. Destination of the patient and time of arrival. Addresses must be complete and legible.
 - f. All charges associated with the transport
 - g. The code of the transport.
 - h. Any and all no-loads.
33. Each permitted ambulance operator shall adopt a program of continuous training for all permitted employees and report to the Board at least once each year on the type and progress of the training program in use.

**B. Rules and Regulations Applicable
To Private Ambulance Drivers
And Attendants**

1. Before a Los Angeles City Ambulance Attendant's or a Los Angeles City Ambulance Driver's permit is issued, the applicant shall submit a statement whereby the employer certified, in writing, that the applicant has been instructed in the proper handling of patients, use of the litter or gurney, oxygen therapy, resuscitator and first aid kit and has spent a minimum of eight hours as third man on an ambulance while transporting patients. While spending the eight hours as a third man on an ambulance the applicant may act as an observer only, except in the case of emergency. The certification shall be supplied by the ambulance operators.
2. Every ambulance driver must have passed his 18th birthday and shall possess a valid California driver's license, an ambulance driver's certificate issued by the California Department of Motor Vehicles, and a valid City Driver's permit issued by the Los Angeles Department of Transportation.
3. An applicant for a Los Angeles City Driver's permit to drive a permitted ambulance shall have completed a course in Emergency Medical Technician I, EMT-I Expanded Scope of Practice or above, and shall possess a current certificate showing the completion of such courses. Every applicant shall show to the satisfaction of the Department of Transportation the possession of the required Emergency Medical Technician I or above.
4. A holder of an ambulance driver's permit may not act as an attendant unless the permit has been endorsed by the Department certifying that all qualifications for ambulance attendant have been met.

5. An applicant for an ambulance attendant's permit shall have passed his 18th birthday anniversary. Applicant shall possess a current Emergency Medical Technician I or above.
6. An attendant as well as a driver shall accompany every ambulance on each call.
7. Ambulance drivers shall limit the use of siren to respond to emergency calls and transportation of emergency cases. At no time shall any ambulance driver respond, "Code 3" to any call without prior permission from an authorized emergency transportation 9-1-1 operator.
8. When operating on freeways, ambulance drivers shall not use the siren.
9. Ambulance drivers shall drive with due regard for the safety of all persons using the highway.
10. Emergency lights shall only be used in accordance with the California Vehicle Code and shall not be used to force traffic to the side, or to intimidate other drivers.
11. Ambulance drivers and attendants shall not smoke while transporting patients.
12. Ambulance drivers and attendants, while on duty, shall not use, sell, or be in possession of alcoholic beverages.
13. Ambulance drivers and attendants shall not use, sell, or be in possession of narcotics.
14. Ambulance drivers and attendants shall wear clean uniforms when on duty and/or handling patients.
15. Uniforms worn by ambulance drivers and attendants shall be marked in such a manner as to clearly identify the ambulance operator's business name.
16. Ambulance drivers and attendants shall receive sufficient training so as to be able to readily locate any street address within the City of Los Angeles.
17. Ambulance drivers shall use the most direct, expeditious route on all trips, unless otherwise specifically instructed by the patient, physician or other responsible party.
18. Ambulance operators; ambulance drivers and/or attendants shall not collect, demand, receive or arrange for any compensation in an amount greater or less than the amount computed at rates approved by the Board.
19. Ambulance management and assigned personnel are jointly and severally responsible for seeing that the above rules and regulations are complied with. Lack of compliance will be considered good and sufficient grounds for revocation of permits.

I HEREBY CERTIFY THAT the foregoing Final Resolution, Board Order No. 599 was adopted by the Board of Transportation Commissioners at its meeting held on the 10th day of February 2011.

Dated at Los Angeles, California this 10th day of February 2011.

ATTEST: *Dorothy Tate*
Dorothy Tate, Commission Executive Assistant
Board of Transportation Commissioners
City of Los Angeles

