

BOARD REPORT
CITY OF LOS ANGELES
DEPARTMENT OF TRANSPORTATION

Date: July 14, 2011 A

To: Board of Transportation Commissioners

Subject: REPEAL OF BOARD ORDER 362 AND FINAL ADOPTION OF BOARD ORDER 598 – REVISING THE RULES AND REGULATIONS FOR ALL DRIVERS, ATTENDANTS AND OPERATORS OF PRIVATE AMBULANCE AND NON-AMBULATORY PASSENGER VEHICLES IN THE CITY OF LOS ANGELES

SUMMARY

At its meeting of June 9, 2011, the Board approved Tentative Resolution, Board Order 598 establishing the rules and regulations for all drivers, attendants and operators of Private Ambulance and Non-Ambulatory Passenger Vehicles in the City of Los Angeles.

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

That the Board, after a public hearing:

- a. That your Board **APPROVE** the attached Final Resolution, Board Order 598, revising the rules and regulations for all drivers, attendants and operators of private ambulance and non-ambulatory passenger vehicles, and;
- b. That your Board **DIRECT** the Board's Executive Assistant to publish the Final Resolution (Board Order 598) to become effective thirty (30) days after publication.

INITIATED BY

A recent review of Board Order 362 (which establishes the requirement for drivers, attendants and operators of private ambulance and non-ambulatory passenger vehicles) indicated that in its present format it is out-of-date and contains provisions that are no longer applicable to the

operations of private ambulances and non-ambulatory vehicles. Revision of Board Order 362 will greatly enhance the public's safety.

DISCUSSION

The current Board Order 362, establishing the requirements for drivers, attendants and operators of private ambulance and non-ambulatory passenger vehicles operating within the City of Los Angeles was enacted on December 6, 1979. Since that time there have been numerous changes and improvements to the type and style of available vehicles used as private ambulances and non-ambulatory passenger vehicles; the training of drivers and attendants, and to the way such companies conduct business.

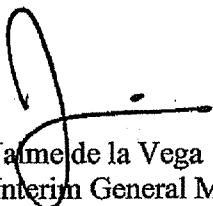
Staff has found that the existing regulations, per Board Order 362, are no longer adequate to address modern private ambulance and non-ambulatory passenger vehicle operations and therefore recommends that Board Order 362 be rescinded and Board Order 598 be adopted.

Board Order 598 addresses the many changes that have occurred since Board Orders 362 was enacted. These changes include:

- Updates safety and medical equipment.
- Clarifies and updates the regulations for drivers and attendants.
- Establishes better regulation pertaining to the operation of private ambulance and non-ambulatory passenger vehicle services.
- Establishes better record keeping.

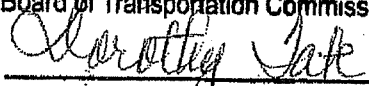
RECOMMENDATION

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 362, and adopt Board Order 598.


Jaime de la Vega
Interim General Manager

DATE SIGNED: 7/14/11

TMD/pab
B10-051.a.pab.BO598
Attachment

Approved: July 14, 2011
Board of Transportation Commissioners

Commission Executive Assistant

**BOARD ORDER NO. 598
FINAL RESOLUTION OF THE
BOARD OF TRANSPORTATION COMMISSIONERS
CITY OF LOS ANGELES**

WHEREAS, the Board of Transportation commissioners provides for the regulation of all non-taxi, vehicle-for-hire permittees in the City of Los Angeles; and

WHEREAS, the Board of Transportation Commissioners adopted current Board Order 362 on December 6, 1979, to establish consistent regulation of all drivers, attendants and operators of private ambulances and non-ambulatory passenger vehicles; and

WHEREAS, the Board has found that the modification and revision of Board Order 362 to provide updated and consistent regulation of drivers, attendants and operators of private ambulance and non-ambulatory passenger vehicles will greatly benefit the public, the drivers, the attendants, the regulated companies and the Department's regulatory effectiveness; and

WHEREAS, the Board approved the Tentative Resolution, Board Order 598 on June 9, 2011, and such Tentative Resolution was published on June 17, 2011 for a five-day public review period; and

NOW, THEREFORE, BE IT RESOLVED, that Board Order 362 is hereby rescinded and that all drivers, attendants and operators of Private Ambulance and Non-Ambulatory Passenger Vehicles, shall be governed by the following rules and regulations until modified, amended, or repealed by the Board of Transportation Commissioners of the City of Los Angeles. All prior rules and regulations in conflict with the following are hereby cancelled and suspended by this order.

Rules and Regulations Applicable to Drivers and Attendants of Non-Ambulatory Passenger Vehicles:

- A. All applicants for driver and/or attendant permits must furnish acceptable proof of right to work in the United States. Acceptable documents may include, but shall not be limited to: Birth Certificates, U.S. Passport or Passport Card, Social Security Card, Certificate of Naturalization, Restricted Social Security Card w/other required documents, Permanent Resident Card or Alien Registration Receipt (Form I-55), or any other I.N.S. document that shows the legal right to work in the United States.
- B. Rules and Regulations Applicable to Drivers and Attendants of Non-Ambulatory Passenger Vehicles:

1. QUALIFICATIONS

The applicant shall:

- a. Be at least 18 years of age.
- b. Possess a valid California Driver's License.
- c. Possess a current American Red Cross Standard first aid card or its equivalent.
- d. Possess a certificate of cardiopulmonary resuscitation training, meeting American Heart Association or American Red Cross standards.
- e. Possess a valid certificate of Emergency Medical Technician I or above if a gurney patient's transport is covered by Medicare, MediCal or other Medical Insurance.
- f. New driver and attendant applicants shall have the ability to communicate and comprehend English, written and spoken. Applicants shall demonstrate to the satisfaction of the Department their English comprehension proficiency. Questions and answers derived from the Driver/Attendant application shall be used to establish the standard for such testing.

2. AMBULANCE DRIVERS AND ATTENDANTS

- a. Any person who meets the qualifications and training required by this order and holds a valid ambulance driver's permit or ambulance attendant's permit issued by the City of Los Angeles, Department of Transportation may serve as a medical transportation vehicle or non-ambulatory passenger vehicle driver or attendant.
- b. Shall have the ability to communicate in English, written and spoken, as measured by standards and procedures established by the Department.

3. PROHIBITIONS

The Department shall refuse to issue a permit to an applicant who:

- a. Is required to register as a sex offender under Section 290 of the Penal Code.

- b. Has a record of habitual or excessive use or addiction to intoxicating beverages, narcotics or dangerous drugs.

C. Rules and Regulations Applicable to Non-Ambulatory Passenger Vehicles:

- 1. All Non-ambulatory Passenger Vehicles which have never held a Department issued Permit shall be no older than 10-years old as defined by the initial date the vehicle was first manufactured. Permitted vehicles older than 10-years as described above, may remain in service for up to five (5) additional years provided the vehicle is inspected by a state certified auto-mechanic facility on an annual basis.
- 2. The vehicle shall be equipped with:
 - a. Minimum interior height of 56 inches for vans 22 feet in length or less, and 68 inches for vans in excess of 22 feet in length.
 - b. Loading entrances, including an emergency exit, large enough to accommodate a passenger comfortably seated in a wheelchair, or ambulatory patients using any non-wheeled, non-motorized mobility assistance device, such as crutches or a four-footed walker.
 - c. Locking devices on all doors and all door latches which shall be operable from the inside and the outside.
 - d. Seat belts for the driver and all seated passengers.
 - e. Mechanisms that meet ADA requirements to secure wheelchairs to the vehicle and the passenger to the wheelchair.
 - f. Lift or ramp with a load capacity of at least 600 pounds.
 - g. A sturdy footstool or extra step at the entrance.
 - h. An interior light
 - i. A portable, battery operated light.
 - j. In addition to any GPS or electronic location finder a map or atlas, not more than 2 years old, covering the streets of the service area shall be kept in each vehicle.

- k. Washable vinyl or similar impermeable material seat covers.
 - l. Company name permanently affixed to the vehicle in lettering of at least 4 inches in height, and of a contrasting color which is easily visible in daylight from a distance of 50 feet. Each vehicle shall have the unit number permanently affixed to the right rear and left front fender areas in letters at least 4 inches in height and of a contrasting color which is easily visible in daylight from a distance of 50 feet.
 - m. A properly inflated, usable spare wheel with tire, jack and tire tools, or reliable, fully contracted road service.
 - n. A properly maintained 4-B: C dry powder or carbon dioxide fire extinguisher.
 - o. A certificate indicating that the odometer has been tested within the past year and that the odometer meets the requirements of the California Business and Professions Code Chapter 5, Weighting and Measuring Devices, Section 12500 et seq.
 - p. A "No Smoking" sign.
 - q. A 10-Unit first aid kit, equivalent to either OSHA or ANSI specifications, and maintained and properly filled with all necessary products at all times.
 - r. A two-way radio system or cell phone capable of communication with a dispatcher under normal operating conditions.
3. Vehicles permitted to transport gurney patients shall be equipped as above and shall also be equipped with:
- a. An "E" size cylinder of oxygen, a regulator and three masks of various sizes.
 - b. Two seats, capable of being securely fastened to the vehicle and with seat belts, shall be provided in the gurney area of the vehicle.
 - c. A device to hold the gurney securely in place.

- d. A two-way radio, or cell phone capable of communication with a dispatcher under normal operating conditions.
- e. A gurney or stretcher with a minimum of two (2) restraining straps, which shall be fastened at all times so as to securely restrain the patient when a patient is on the gurney or stretcher.

D. Rules and Regulations Applicable to the Operation of Non-ambulatory Passenger vehicles transporting gurney patients.

1. No person shall transport a passenger on a gurney unless:

- a. There is in the vehicle at least (1) driver or an attendant possessing a valid Emergency Medical Technician I certificate or its equivalent for trips covered by Medicare, MediCal or other recognized medical insurer.
- b. There is a dispatcher on duty capable of communicating with the driver of the vehicle.
- c. There is available prior to transporting the patient a prescription signed by a doctor containing a statement as follows: "Gurney van transportation will not adversely affect this patient's condition."
 - 1. The company shall retain a copy of the prescription available for examination by the Department for not the less than two years.
 - 2. A copy of each prescription shall be obtained whenever the trip is covered by Medicare, MediCal, or other recognized medical insurer. The company shall be wholly responsible for maintaining the veracity of each prescription, retaining a copy of each prescription for a period of not less than 2 years. Copies shall be made available at all reasonable times for review by an authorized representative of the Department of Transportation.

E. Reporting Requirements of the Operator

- 1. Every operator shall maintain a current record of each call for which a non-ambulatory vehicle is requested. The record shall be

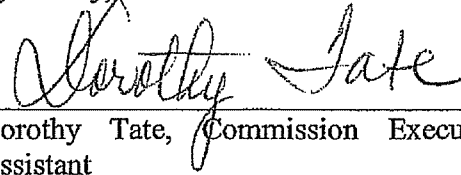
retained for a period of not less than two years and shall be available at all reasonable times for review by an authorized representative of the Department of Transportation:

- a. Date and time, location where service is needed.
 - b. Driver's Name and Van Unit number assigned to the pick up.
 - c. Time of pick up.
 - d. Destination of passenger and time of arrival.
 - e. Charge for transportation.
 - f. Designation that the trip was covered by MediCare, MediCal, or other recognized medical insurer.
2. Every Operator shall maintain and provide to the Department, when requested, for a period of no less than two (2) years the records of every request for service, including cancellations and no-loads. Every record shall include all of the information included in Section E (1). Failure to maintain such records as required, and by the request of Department staff shall be considered a violation of this Board Order.
 3. Every Operator shall submit to the Department on an annual basis, and not less than 45 days after the end of the operator's fiscal year, a profit and loss statement, a balance sheet, and a statistical report showing the number of trips operated, the number of miles operated and the number of passengers carried. All such statements and reports shall be certified as correct in accordance with generally accepted accounting principles by the permittee or an officer of a corporation.
 4. Each bill or statement given to a passenger or his representative shall contain a statement thereon that complaints not satisfactorily resolved by the permittee may be referred to the City of Los Angeles, Department of Transportation, 100 S. Main Street, Los Angeles, California 90012, telephone (213)928-9600.

I HEREBY CERTIFY THAT the foregoing Final Resolution, Board Order 598 was adopted by the Board of Transportation Commissioners at its meeting held on the 14th day of July 2011.

Dated at Los Angeles, California, on this 14th day of July, 2011.

ATTEST



Dorothy Tate, Commission Executive
Assistant
Board of Transportation Commissioner
City of Los Angeles

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