ITEM 7

BOARD REPORT
CITY OF LOS ANGELES
DEPARTMENT OF TRANSPORTATION

Date: July 13, 2020

To: Board of Transportation Commissioners

From: Seleta J. Reynolds, General Manager

Subject: RECOMMEND APPROVAL OF THE APPLICATION OF NU CARE TRANSPORT INC. DBA NU CARE FOR TWO UNRESTRICTED NON-AMBULATORY PASSENGER VEHICLE PERMITS

RECOMMENDATIONS

That your Board:

a. Find that Nu Care Transport Inc. dba Nu Care, based upon evidence of patients in need of transportation; public convenience and necessity, requires the operation of two unrestricted non-ambulatory passenger vehicles.

b. Grant two unrestricted non-ambulatory passenger vehicle permits to Nu Care Transport Inc. dba Nu Care contingent upon:

1. The applicant filing with the Department in such form as the Department requires and thereafter, keeping in full force and effect a policy of automobile liability insurance acceptable to the City Attorney and the City Risk Manager;

2. The drivers and attendants obtaining the required permits;

3. The applicant obtaining commercial or exempt registration for the vehicles;

4. The vehicles passing Department inspection;

5. The applicant complying with all Board rules and regulations and City ordinances pertaining to the operation of non-ambulatory passenger vehicles;

6. The applicant charging only those rates for non-ambulatory passenger vehicle service as set forth in Board Order No. 602 (Ordinance No. 182,502) and successor regulations; and

7. The vehicles must be placed into service within 120 days after the Board of Transportation Commissioners’ (Board) approval, or such authority shall become invalid.
Upon written request and for good cause, the Department in its discretion, may grant an extension of time beyond the initial 120-day period after Board approval. Any request for an extension beyond the initial deadline date must be received prior to the 120-day deadline. Furthermore, if an extension is granted, only one extension may be allowed per application.

INITIATED BY

On March 31, 2020, the Department received an application from Ho Wah Edward Lee, CEO of Nu Care Transport Inc. dba Nu Care (Nu Care), 13950 Milton Avenue, Suite 404, Westminster, California 92683, requesting two unrestricted non-ambulatory passenger vehicle permits, one to be used for wheelchair van, and the second to be used for gurney van (Attachment 1). On June 19, 2020, Mr. Lee submitted additional documents needed to complete the application.

DISCUSSION

Nu Care is not currently authorized by the Board to operate any vehicles for hire in the City of Los Angeles.

The history of Nu Care Transport Inc.’s business is as follows: On December 28, 2016, the Articles of Incorporation were filed with the California Secretary of State establishing Nu Care Beverly Hills Inc. (Attachment 2). On August 10, 2017, a Certificate of Amendment of Articles of Incorporation was filed with the California Secretary of State amending the name of the corporation to Nu Care Transport Inc. (Attachment 3). On August 8, 2018, a Statement of Information (Domestic Stock and Agricultural Cooperative Corporations) was filed with the California Secretary of State naming H. Edward Lee as Chief Executive Officer, Chief Financial Officer, and Secretary of the company (Attachment 4). On September 25, 2018, Nu Care Transport Inc. filed a Fictitious Business Name Statement with the Los Angeles County Clerk to do business as Nu Care (Attachment 5). Ho Wah Edward Lee is the sole shareholder of the company.

Public Convenience and Necessity

The application of Nu Care was evaluated against Section 2 of the Guidelines for Establishing Public Convenience and Necessity as established by the Board on August 11, 2005, for applicants with no unrestricted non-ambulatory passenger vehicle permits (Attachment 6).

a. **Experience** – The resume of Huy P. Ton, Director Operations of Nu Care was submitted. The applicant states that he is the Director of Operations for the company since December 2017 to present. His resume also states that he recruits and trains the employees, handles billings, and manages dispatch operations.

b. **Background Check** – A background check was conducted on the owner and general manager of Nu Care and no disqualifying criminal history was found as listed in Board Order No. 600.

c. **Financial Capability** – The applicant submitted the Department of Motor Vehicle’s registration for two non-ambulatory passenger vehicles. The applicant also submitted financial documents
showing that the company demonstrates sufficient liquid assets to support the request for two non-ambulatory passenger vehicle permits.

d. **Reason for Requesting Permits** — The applicant states that by obtaining the permits, they will be able to provide a more reliable services to their patients who requires outbound and inbound transportation services between the Orange County and the City of Los Angeles.

e. **Impact on Existing Transportation Providers** — The applicant states that placing two vans into service will not have any significant negative impact on the existing transportation providers as the aging population is growing. They will create a positive impact on the existing transportation providers as their drivers and attendants are trained caregivers and registered home Care Aides; therefore, their level of care will influence other transportation providers to improve their level of services.

f. **Description of Public Benefit** — The applicant states that they will offer unique quality of services to all patients as their drivers and attendants are registered caregivers as well. They also provide continuous trainings for all their staff members. In addition, they use state-of-the-art in-car video surveillance and GPS route management infrastructure to provide reliable transportation to doctors’ offices, dialysis centers, and medical facilities for the disabled patients.

g. **Business Plan** — The applicant submitted a business plan that includes the company’s days and hours of operation, dispatching procedures, employee training plans, affirmative action policy, method of monitoring the quality of service, and emergency procedures. The standard office hours are Monday through Friday, from 7 a.m. to 6 p.m., and Saturday through Sunday with advance notice. The hours of operations are 24 hours a day, seven days a week with prior reservations.

There is no documented evidence of illegal operation by Nu Care Transport Inc. in the City of Los Angeles in the past 12 months.