


BOARD REPORT  
CITY OF LOS ANGELES  
DEPARTMENT OF TRANSPORTATION

Date: July 7, 2023

To: Board of Transportation Commissioners

From: Connie Llanos, Interim General Manager 

Subject: **APPEAL OF MONETARY PENALTY OF \$750.00 ASSESSED ON JUNE 1, 2023 AGAINST EASTWESTPROTO, INC. DBA LIFELINE AMBULANCE FOR VIOLATION OF LOS ANGELES MUNICIPAL CODE §71.03(A) – UNPERMITTED DRIVER**

**RECOMMENDATIONS**

That your Board:

- a. **Find** that EastWestProto, Inc. dba Lifeline Ambulance (Lifeline) was found observed picking up a patient with a permitted van being operated by an unpermitted driver, a violation of Los Angeles Municipal Code (LAMC) §71.03(a) — unpermitted driver.
- b. **Find** that an Administrative Hearing on June 1, 2023 established that the violation did occur and Lifeline was found guilty of violating LAMC §71.03(a) and was assessed the appropriate monetary penalty of \$750.00.
- c. **Deny** Lifeline's appeal of the Department's June 1, 2023, decision and confirm the assessment of a \$750.00 monetary penalty.
- d. **Inform** Lifeline that payment of the monetary penalty must be received by the Department no later than 30 calendar days from the date of the Board's decision.

Initiated By

On June 9, 2023, Lifeline submitted a "Request For Hearing Before The Board of Transportation Commissioners (Attachment 1) pursuant to Board Order 600, Section H.

**DISCUSSION**

On May 23, 2023, at approximately 8:20 a.m., a Department Investigator observed Lifeline Ambulance, Unit #405, License Plate LIFE405, (VIN #1FDWE3FS2GDC55964) enter the parking lot of Providence Holy Cross Medical Center, 15031 Rinaldi St, Mission Hills, CA 91345. The Investigator approached the driver and, after identifying herself, requested to see the LADOT permit for the driver, identified as Enrique Tapia Huerta (Tapia). Tapia was unable to present a valid current LADOT Driver or Attendant permit. The Investigator issued Hearing Notice #100363 to Tapia for violation of LAMC §71.03(a). The Administrative Hearing was scheduled for 10:00 a.m. on June 1, 2023. (Attachment 2)

### Additional Information

A review of the Taxicab Ambulance and Vehicle for Hire Information System (TAVIS) found the following facts regarding Tapia's permit history:

On March 1, 2023, Lifeline submitted an Ambulance Driver Permit Application for Tapia. TAVIS assigned permit #607679 to the application. TAVIS indicates that the Driver Questions and Fees were never received for this application and it was expired by the administration staff on May 01, 2023. (Attachment 3)

On April 20, 2023, a new application for Tapia was submitted by Lifeline. This application predates the expiration date for the prior application (permit #607679) by 10 days. TAVIS assigned permit #626906 to this application. Permit #626906 was not issued to Tapia until June 7, 2023. (Included with Attachment 3)

At the time of the observation, Tapia did not possess a valid current ambulance driver permit.

### Administrative Hearing

The hearing was scheduled for June 1, 2023. The company was notified through the Hearing Notice and the TAVIS system. Investigator Marlene Prado (Prado) attended the hearing; however, Lifeline failed to appear or send a company representative. Investigator Prado concluded that the violation had occurred and assessed a Monetary Penalty of \$750.00.

### **PROPOSED DISCIPLINARY ACTION**

It is staff's recommendation that the Board approve the assessment of the Monetary Penalty of \$750.00 and advise Lifeline that payment must be received by the Department within 30 calendar days of the Board's decision.

### Applicable Regulations

Los Angeles Municipal Code Section 71.03(a) states:

(a) No person shall drive a private ambulance as defined in Section 71.00 without first having obtained an ambulance driver permit from the Board.

Board Order 580, states, in part:

"Any occurrence/incident may have multiple violations and each violation will be reviewed and assessed independently. Any three occurrences/incidents of violations within a 12-month period may result in the Department's recommendation to the Board to revoke all existing permits and impose a probationary period, for no less than one year, during which time no new applications will be accepted. Furthermore, depending on the severity of the violations(s), the Board may revoke all existing permits after the first or second violation and impose a probationary period of no less than one year."

Los Angeles Municipal Code §71.09(d) states:

“(d) **Waiver of hearing:** Failure of permittee to respond to a notice to appear for a hearing before the General Manager of the Department or his authorized representative or before the Board is a waiver of the right to a hearing and action may be taken without permittee being present.”

Appellant's Statement

Lifeline stated that: “Appointment request and paid for on April 20, 2023. Incident on May 17, 2023. Driver was pending at the moment of citation. Since then it has been approved and in good standing. Hearing not attended due to notification sent to former Director of Operations.” [Sic]

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