


ITEM #15

BOARD REPORT
CITY OF LOS ANGELES
DEPARTMENT OF TRANSPORTATION

Date: August 10, 2023
To: Board of Transportation Commissioners
From: Connie Llanos, Interim General Manager 
Subject: **APPEAL OF SECURE MED TRANZ, COMPANY ID #2676, REGARDING THE COMPANY'S JUNE 28, 2023, VIOLATION OF LOS ANGELES MUNICIPAL CODE § 71.02(A) – UNPERMITTED VEHICLE AND § 71.04.1 – UNPERMITTED NON-AMBULATORY ATTENDANT**

RECOMMENDATIONS

That your Board:

- a. **Find** that on June 28, 2023, Secure Med Tranz was found operating in violation of Los Angeles Municipal Code (LAMC) § 71.02(a) – unpermitted vehicle and LAMC § 71.04.1 – unpermitted non-ambulatory attendant.
- b. **Deny** the company's appeal of the Department's July 13, 2023, assessment of a \$500 Monetary Penalty for the violation of LAMC § 71.02(a) – unpermitted vehicle and uphold the Department's assessment of \$500 monetary penalty for the violation of LAMC § 71.04.1 – unpermitted non-ambulatory attendant.
- c. **Inform** the company that the monetary penalty assessment of \$1,000 for both violations is appropriate and must be paid within 30 days of the Board's decision.

INITIATED BY

On July 13, 2023, Secure Med Tranz appealed the Department's July 13, 2023 assessment of \$1,000 Monetary Penalty, by filing a written "Request for Hearing Before the Board of Transportation Commissioners" (Attachment 1) pursuant to Board Order No.600, Sec. H.

DISCUSSION

On October 14, 2021, Secure Med Tranz was authorized by the Board to operate two unrestricted non-ambulatory gurney vehicles. This authority was terminated on February 11, 2022 when the company failed to complete the processing or put their vehicles into service.

On May 12, 2022, the Board again authorized Secure Med Tranz to operate two unrestricted non-ambulatory gurney vehicles. The company successfully placed into service Units #02 and #04, thereby filling their authorized two slots. (See Attachment 2) These vehicles were both in-service on June 28, 2023, the date of the violation.

CURRENT INCIDENT

On June 28, 2023, at approximately 12:30 p.m., while conducting surveillance at the DaVita Silver Lake Dialysis center located at 2723 W. Temple St. in the City of Los Angeles, a Department Investigator observed a Ford Transit vehicle bearing California License Plate 66251P3 enter the parking lot of the facility. The vehicle displayed the logo reading "Secure Med Tranz" Unit #08. After parking, two males exited the vehicle and entered the dialysis center with an empty gurney.

At approximately 12:55 p.m., the two males returned to the van with a patient secured to the gurney. After they secured the patient within the van, the Investigator approached, and after identifying himself, asked to see the driver and attendant's Los Angeles Department of Transportation (LADOT) issued driver and/or attendant's permits. The driver, identified as Mario Ernesto Perez (Perez), produced a current driver permit #622722, valid for Secure Med Tranz. The attendant, identified only as Hazmar, appeared to not understand English well and was unable to produce an LADOT issued permit.¹

Perez was also unable to produce a valid vehicle permit for Secure Med Tranz Unit # 08, which is a violation of LAMC §71.02(a). Perez contacted the owner of Secure Med Tranz, Tigran Arutunyan (Arutunyan), via cell phone. Arutunyan asked to speak to the Investigator and stated that he had paid all the fees and provided all the documentation to the Department but had not yet received an inspection date for Unit #08. He became irate when he learned that the company was being cited. The Investigator issued Hearing Notice #066243 to the company for the following violations: LAMC §71.02(a) – unpermitted vehicle and LAMC §71.04.1 – unpermitted non-ambulatory attendant. The Administrative Hearing was scheduled for July 13, 2023. Perez signed the hearing notice and left the facility.

ADMINISTRATIVE HEARING – July 13, 2023

In attendance at the hearing was Arutunyan as the company representative for Secure Med Tranz and Investigator Andrea Mercier, representing the Department. After hearing all the evidence, the Investigator concluded that the violations had occurred and assessed the company a monetary penalty of \$1,000 as required by Board Order 580.

Arutunyan stated that he was willing to pay \$100 for the unpermitted attendant but was unwilling to pay anything else, stating that he had evidence that he had paid all fees but was unable to locate it. Investigator Mercier advised him of his option to file an appeal, which he did. (See Attachment 3)

NOTE: Hearing Notice #066243 was issued to the company, not to the attendant. Per Board Order 580, Rule 1(d), the penalty assessed to a company for authorizing any person to act as an attendant without a valid LADOT permit is \$500 for the first offense. Further, the monetary penalty for such a violation issued to the unpermitted attendant is \$100.

¹ A search of the T.A.V.I.S system was unable to produce evidence that any permit or permit application has been submitted by Secure Med Tranz for "Hazmar."

PROPOSED DISCIPLINARY ACTION

Staff recommends that the Board uphold the monetary penalty assessment of \$1,000 and advise Secure Med Tranz that payment of the assessment must be received by the Department within 30 days of the Board's decision.

Applicable Regulations

Los Angeles Municipal Code §71.02 (a), states:

“No person, corporation, cooperative, association, firm, partnership, membership organization, or other entity shall drive, operate or use, whether as owner, lessor, lessee or otherwise, any of the vehicles defined in 71.00 to pick-up or attempt to pick-up a passenger within the limits of the City of Los Angeles unless a written vehicle permit for the operation of such specifically defined vehicles has been obtained from the Board.”

Los Angeles Municipal Code §71.04.1, states:

“No person shall act as a non-ambulatory passenger vehicle attendant in a non-ambulatory passenger vehicle as defined in §71.00 unless such person holds a non-ambulatory passenger vehicle attendant permit or an ambulance attendant permit from the Board.”

Appellant's Statement

Arutunyan stated in his “Request for Hearing Before the Board of Transportation Commissioners” that, “I want to appeal because I paid all D the fees six month ago.” [Sic] (Attachment 1.)

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Denied: 8/10/2023
Board of Transportation Commissioners

Commission Executive Assistant