

CITY OF LOS ANGELES

CALIFORNIA



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When making inquiries relative to
this matter, please refer to the
Council File No.

May 2, 2013

To All Interested Parties:

City Attorney (w/blue sheet)

The City Council adopted the action(s), as attached, under Council File No. 13-0358,
at its meeting held May 1, 2013.

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TO THE COUNCIL OF THE
CITY OF LOS ANGELES

File No. 13-0358

Your

TRANSPORTATION

Committee

reports as follows:

TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to authorizing the Los Angeles Department of Transportation (LADOT) to access federal, state, and local summary criminal history information for employment, licensing, and certification purposes.

Recommendations for Council action:

1. CONCUR with the actions taken by the Board of Transportation Commissioners and the Board of Taxicab Commissioners at their respective meetings held February 14, and February 21, 2013, approving the various findings and determinations of LADOT relative to accessing federal, state, and local summary criminal history information for employment, licensing, and certification purposes.
2. ADOPT the accompanying RESOLUTION authorizing the City of Los Angeles through LADOT to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, and certification of Parking Meter Collectors, Taxicab Drivers, Ambulance Drivers, Ambulance Attendants, Non-ambulatory Drivers, Non-ambulatory Attendants, Utter Van Drivers, Utter Van Attendants, PTV Drivers, Motor Bus Drivers, Pedi-cab Drivers, Animal-drawn vehicle Drivers, Company Owners, Company Directors, Company Managers, and Company Supervisors.
3. REQUEST the City Attorney to prepare an ordinance amending Article 1 of Chapter VII, Section 71.01.2 of the Los Angeles Municipal Code (LAMC), to authorize designated LADOT personnel to access federal and state summary criminal history information, substantially as written in the draft ordinance attached to the LADOT report to the Board of Transportation Commissioners dated February 14, 2013 (attached to the Council file).

Fiscal Impact Statement: None submitted. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

SUMMARY

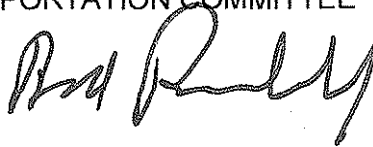
In a report to the Board of Transportation Commissioners dated February 14, 2013, LADOT requests authority to access federal, state, and local summary criminal history information for employment, licensing, and certification purposes. LADOT, in consultation with the Los Angeles Police Department, has determined that access to federal level summary criminal history information, which includes criminal justice records obtained from all 50 states, U.S. territories, and federal and international criminal justice agencies, is necessary to ensure that a more thorough background review is done on all persons authorized to operate permitted vehicles or own/manage a permitted transportation company in the city of Los Angeles. In order to authorize LADOT to request the additional Federal criminal history records, Council must approve the accompanying Resolution to request such records, and revise the LAMC. LADOT's

recommendations were approved by the Board at its meeting held February 14, 2013. On February 21, 2013, the Board of Taxicab Commissioners concurred with this action.

At its meeting held April 24, 2013, the Transportation Committee recommended that Council concur with the actions taken by the Boards of Transportation and Taxicab Commissioners, approve the accompanying Resolution, and request the City Attorney to prepare an ordinance amending the LAMC to authorize LADOT to access federal, state, and local summary criminal history information for employment, licensing, and certification purposes.

Respectfully submitted,

TRANSPORTATION COMMITTEE



<u>MEMBER</u>	<u>VOIE</u>
ROSENDAHL:	YES
KORETZ:	YES
PARKS:	ABSENT
LABONGE:	ABSENT
HUIZAR:	YES

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ADOPTED

MAY 01 2013

LOS ANGELES CITY COUNCIL

FORTHWITH

**RESOLUTION
AUTHORIZING DEPARTMENT OF TRANSPORTATION
ACCESS TO FEDERAL LEVEL SUMMARY CRIMINAL HISTORY
INFORMATION**

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment, licensing or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW, THEREFORE BE IT RESOLVED, that the City of Los Angeles through its Department of Transportation are hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, and certification of Parking Meter Collectors, Taxicab Drivers, Ambulance Drivers, Ambulance Attendants, Non-ambulatory Drivers, Non-ambulatory Attendants, Litter Van Drivers, Litter Van Attendants, PTV Drivers, Motor Bus Drivers, Pedicab Drivers, Animal-drawn Vehicle Drivers, Company Owners, Company Directors, Company Managers, and Company Supervisors.

Presented by _____

Seconded by _____

WHEREBY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF MAY 01 2013
BY A MAJORITY OF ALL ITS MEMBERS.



JUNE LAGMAY
CITY CLERK

BY [Signature]
DEPUTY