



**CPUC Public Agenda 3291**  
**Thursday, March 22, 2012, 9:00 a.m.**  
**505 Van Ness Ave, San Francisco**



**Commissioners:**  
**Michael R. Peevey**  
**Timothy Alan Simon**  
**Michel Peter Florio**  
**Catherine J.K. Sandoval**  
**Mark J. Ferron**

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# Passenger Transportation Enforcement at Los Angeles International Airport



**Adrienne Johnson**  
***Supervising Transportation Representative***  
**California Public Utilities Commission**

March 22, 2012





# Presentation Overview

- Brief History
- Los Angeles International Airport (LAX) Program
- Success Rate





# History of the LAX Program

- In the late 1990's PUC worked together with LAX officials to begin an enforcement program that would address the alarming number of unlicensed passenger carriers that conducted business at LAX.
- The program was successful.
  - Decrease in the number of unlicensed carriers,
  - After four years the program was discontinued.





# Passenger Carrier Industry Requested Program Return

- Without CPUC presence the unlicensed activity increased once again. The Limousine Industry demanded that there be a CPUC presence and illegal carriers be cited and fined.
- Industry agreed to fund the program with an increase in their regulatory fee
- In 2007, the CPUC-LAX office was re-opened and staffed by 2 CPUC investigators.







# Passenger Carriers Regulated



- The Commission is responsible for regulating for-hire carriers of passengers as passenger stage corporations and charter-party carriers:
- Charter vehicles of all kinds, including limousines, sedans, SUVs, vans, and buses
- Sightseeing services
- Airport shuttle services
- Scheduled bus operators





# LAX Police Assist With Our Program

- For-hire vehicles must be properly permitted with LAX and CPUC to pick up passengers.
- This helps to ensure the safety of the visiting public.





# It's a Crime to Operate Without Authority

- Under Public Utilities Code § 5411 it is a misdemeanor, punishable by a fine of not less than \$1,000 and not more than \$5,000 or by imprisonment in a county jail for not more than three months, or both, to operate without a charter-party carrier certificate or permit or to otherwise violate the Passenger Charter-Party Carriers' Act (§§ 5351 – 5420).





## Vehicles May Be Impounded

Public Utilities Code § 5411.5 provides that whenever a peace officer arrests a person for operating as a charter-party carrier without a valid certificate or permit, the officer may impound and retain possession of the vehicle. The vehicle is returned to the owner when (1) the owner pays any fine ordered by the court, (2) the matter is not prosecuted or is dismissed, (3) the owner is found not guilty of the offense, or (4) it is determined that the vehicle was used without the knowledge and consent of the owner.





# Alternative Remedy to Misdemeanor Citations

- Penal Code § 1377 provides, with certain exceptions, that when a person injured by an act constituting a misdemeanor has a remedy by a civil action, the offense may be “compromised.”
- A misdemeanor citation issued by LAX police for unlicensed carrier operations may be resolved by a “civil compromise” with the CPUC if the carrier waives its right to a court hearing and agrees to pay an administrative fine to the CPUC. Otherwise, the matter is referred to the City Attorney’s Office for possible criminal prosecution.





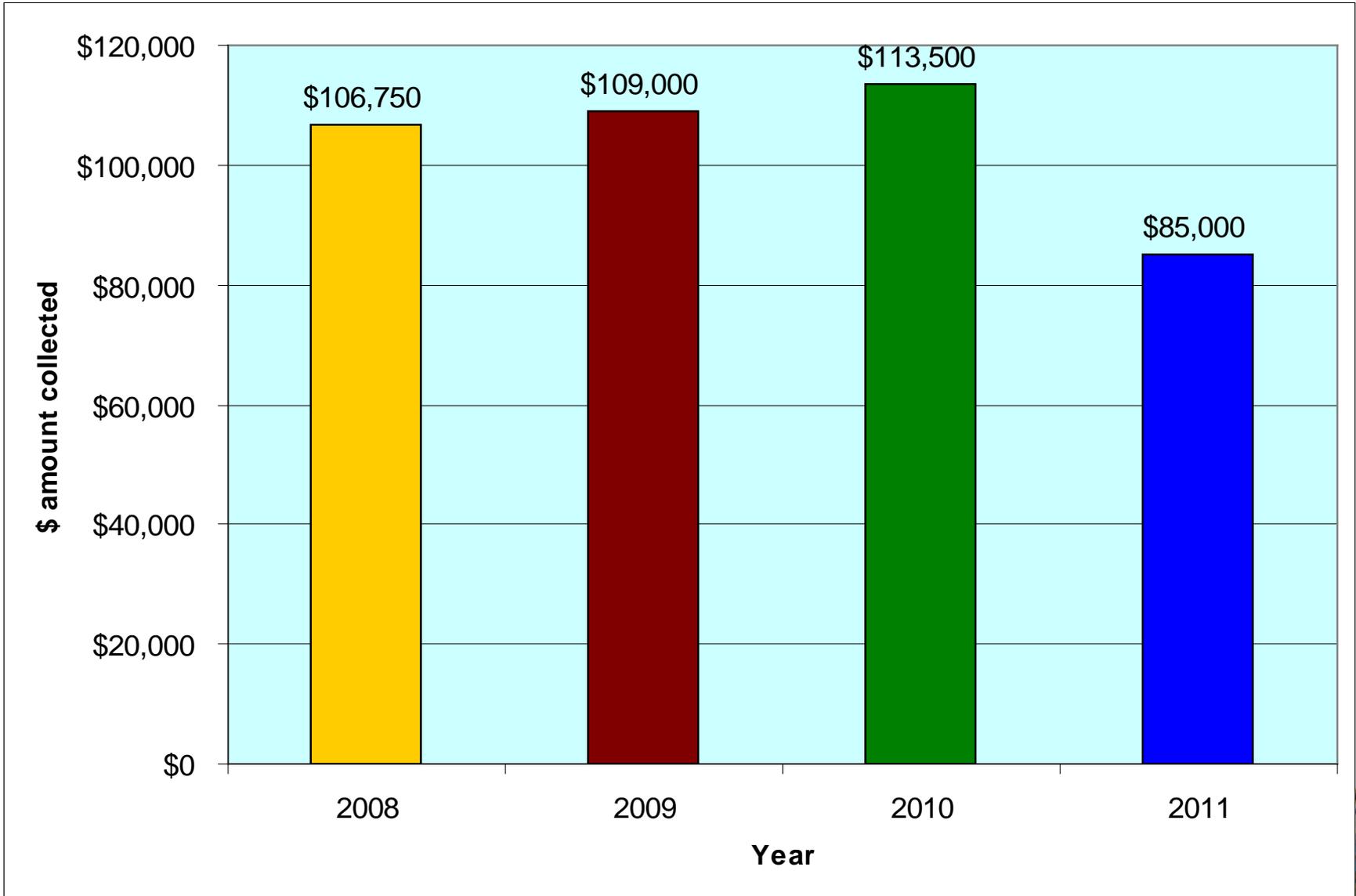
# Civil Compromise Outcomes

- In the majority of cases, the carrier opts for a civil compromise and pays an administrative fine to the CPUC.
- With the assistance of CPUC staff at LAX, the carrier may pay its administrative fine and get its vehicle released from impound all in the same day.
- The civil compromise of a misdemeanor citation is offered to first-time offenders only.





## Fines Collected





## 2011 LAX Statistics

- LAX police issued:
  - 145 citations for unlicensed carrier violations
  - 36 citations for General Order 157 violations (e.g., waybill and vehicle identification violations)
  - 69 unlicensed carrier vehicles were impounded
- CPUC issued 85 administration citations
  - \$85,000 – Total administrative and court-ordered fines collected

