

# **VEHICLE FOR HIRE**

## **ADMINISTRATOR'S PUBLIC HEARING**

**May 3, 2018**

### **MINUTES**

On Thursday, May 3, 2018 at 9:00 a.m., the Vehicle for Hire Administrator, Deputy Chief Eric D. Smith held an Administrator Public Hearing, as prescribed by Chapter 55 of the City Code of Orlando. The hearing was held in the Auditorium of the Orlando Police Headquarters which is located at 1250 West South Street, Orlando, Florida. The Public Hearing was advertised in accordance with Sections 286.011 and 119, Florida Statutes. The hearing was called to order at **9:05** a.m. by the VFH Administrator.

<b>Staff Present:</b>	Deputy Chief Eric D. Smith	VFH Administrator
	Captain Dean A. DeSchryver	Special Operations Division
	Austin Moore	Legal Advisor
	Gilbert Nieves	Vehicle for Hire Supervisor
	Wagner Alves	Vehicle for Hire Officer
	Harold Felshaw, Jr.	Vehicle for Hire Officer
	Daniel Monn	Vehicle for Hire Officer
	Willia Williams	Recording Secretary

**WELCOME AND OPENING STATEMENT** Administrator Deputy Chief Eric D. Smith

### **OLD BUSINESS**

Approval of March 1, 2018

### **NEW BUSINESS**

None

### **PUBLIC COMMENT**

None

### **ENFORCEMENT**

### **Paulo Dias Da Silva – Notice of Violation**

**Violation:** Chapter 55.12 (4); **Charge:** Effect of no insurance.

Mr. Dias Da Silva **was** present. On February 28, 2018, Mr. Dias Da Silva was issued a Notice of Violation #17032 to appear at today's Administrators Public Hearing. Officer Felshaw discovered in viewing the files of Mr. Dias Da Silva showed a lapse of insurance of 19 days. Officer Felshaw issued Notice of Violation #17032.

Mr. Dias Da Silva explained at the time of renewing his insurance, he submitted a check to the bank, but the bank did not honor his check. During this process, his insurance lapse on his vehicles.

**Results:** The Vehicle for Hire Administrator issued a warning and no fine in favor of Mr. Dias Da Silva.

### **Aldo Canani – Notice of Violation**

**Violation:** Chapter 55.12 (4); **Charge:** Effect of no insurance.

Mr. Canani **was not** present. On March 13, 2018, Mr. Canani was issued a Notice of Violation #17118 to appear at today's Administrators Public Hearing. Officer Felshaw discovered in viewing the files of Mr. Canani vehicles were removed from insurance with active permits. Officer Felshaw issued Notice of Violation #17118.

**Results:** The Vehicle for Hire Administrator issued a \$500 fine.

### **Ronel Jean- Philippe - Notice of Violation**

**Violation:** Chapter 55.31 (4); **Charge:** Most direct route.

Mr. Jean-Philippe **was** present. On April 2, 2018, Mr. Jean-Philippe was issued a Notice of Violation #17160 to appear at today's Administrators Public Hearing. Officer Alves received a complaint from a passenger, which received services from Mr. Jean-Philippe from the OIA. The passenger suggests to Mr. Jean-Philippe a most direct route from the OIA. Instead, Mr. Jean-Philippe refused and took another route, which was not the most direct route. Officer Alves issued Notice of Violation #17160.

Mr. Jean-Philippe explained, he choose the route according to the GPS. Mr. Jean-Philippe stated once the route began, he realized the GPS was not accurate. Mr. Jean-Philippe addressed this to the passenger and offers to return the difference of the fare to the passenger. The passenger declined and stated he will make a complaint to the company.

**Results:** The Vehicle for Hire Administrator issued a \$100 fine.

### **Luis Sanchez – Notice of Violation**

**Violation:** Chapter 55.12 (4) (t); **Charge:** Effect of no insurance.

Mr. Sanchez **was** present. On April 13, 2018, Mr. Sanchez was issued a Notice of Violation #1222 to appear at today's Administrators Public Hearing. Officer Alves discovered in viewing the files of Mr. Sanchez showed insurance cancelled on 7/5/17. Officer Alves issued Notice of Violation #1222.

**Translation:** Completed in Spanish by Gilbert Nieves, VFH Unit, Supervisor

Mr. Sanchez stated, he and his wife started a business but did not pursue the business. Mr. Sanchez said, he was issued two permits, an airport and the second permit for the VFH Unit. Mr. Sanchez stated, the airport permit was returned, due to a notice from the airport. Mr. Sanchez, said he did not received notice from the VFH Unit, therefore he had no knowledge to return the active permit, but as of date permit was returned.

**Results:** The Vehicle for Hire Administrator issued a warning in favor of Mr. Sanchez.

### **Abdelmalek Eloumari – Notice of Violation**

**Violation:** Chapter 55.14 (4) (a); **Charge:** Luxury passenger vehicle without front DBA tag (approved trade name on the front license plate).

**Violation:** Chapter 55.21 (5); **Charge:** Display of vehicle permit. The permit decal shall be affixed in a manner determined by the VFH Administrator

Mr. Eloumari was present. On March 21, 2018, Mr. Eloumari was issued a Notice of Violation #1221 to appear at today's Administrators Public Hearing. Officer Alves was conducting a routine detail on 7825 Universal Blvd at the Baymont Inn & Suites. Officer Alves observed Mr. Eloumari operating his vehicle with the vehicle permit attached with scotch tape, which is a violation to code. Officer Alves issued Notice of Violation #1221.

Mr. Eloumari, admits he was in error to have the vehicle permit taped to the window of his vehicle. Mr. Eloumari stated, he did not realize it was not within code and apologies for this mistake.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to operating as a business.

### **Surindra Basdeo – Notice of Violation**

**Violation:** Chapter 55.12 (4); **Charge:** Effect of no insurance.

Mr. Basdeo was present. On March 28, 2018, Mr. Basdeo was issued a Notice of Violation #17139 to appear at today's Administrators Public Hearing. Officer Alves discovered in viewing the files of Mr. Basdeo showed a lapse of insurance of 255 days. Officer Alves issued Notice of Violation #17139.

Mr. Basdeo explained he started a limousine services at the airport. Unfortunately, the business was not profitable, due to rules changed at the airport. Mr. Basdeo stopped doing business at the airport and returned the airport permit. Mr. Basdeo, said notice was not received to return permit by the VFH Unit; therefore he had no knowledge to return the active permit.

**Results:** The Vehicle for Hire Administrator ruled that Mr. Basdeo pay the \$500 fine with instructions to return permit #L18-561 to the VFH Unit.

### **Kevin Leman – Notice of Violation**

**Violation:** Chapter 55.106 (2); **Charge:** No driver permit on demand.

Mr. Leman was not present. On March 30, 2018, Mr. Leman was issued Notice of Violation #17143 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Leman. Officer Monn was conducting a routine detail on the corner of Church Street and Division Avenue. Officer Monn observed Mr. Leman operating his Pedicab without an available permit. Officer Monn issued Notice of Violation #17143.

Mr. Chad Riley, manager of Kween Cab Company spoke on behalf of Mr. Leman. Mr. Riley, stated on date of violation; he was contacted by Mr. Leman. Mr. Riley advised Mr. Leman to stop working. Mr. Leman immediately retrieved his permit at his residence; and forward a photo of the permit to Mr. Riley as proof.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

#### **Bradley Knirnschild – Notice of Violation**

**Violation:** Chapter 55.105 (3) (d); **Charge:** Vehicle safety – No working turn signals on Pedicab.

Mr. Knirnschild **was not** present. On March 30, 2018, Mr. Knirnschild was issued Notice of Violation #17142 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Knirnschild. Officer Monn was conducting a routine detail on the corner of Church Street and Hughey Avenue. Officer Monn observed Mr. Knirnschild operating his Pedicab with none working turn signals. Officer Monn issued Notice of Violation #17142.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

#### **Zachary Palmer – Notice of Violation**

**Violation:** Chapter 55.104; **Charge:** No rates to be displayed.

Mr. Palmer **was not** present. On March 30, 2018, Mr. Palmer was issued Notice of Violation #17140 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Palmer. Officer Monn was conducting a routine detail on the corner of Division Avenue and Church Street. Officer Monn observed Mr. Palmer operating his Pedicab rates was not displayed. Officer Monn issued Notice of Violation #17140.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

#### **Marc Embrey – Notice of Violation**

**Violation:** Chapter 55.105 (3) (d); **Charge:** Vehicle safety – No mirror on Pedicab.

Mr. Embrey **was not** present. On March 30, 2018, Mr. Embrey was issued Notice of Violation #17144 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Embrey. Officer Monn was conducting a routine detail on the corner of Division Avenue and Church Street. Officer Monn observed Mr. Embrey operating his Pedicab with no mirror. Officer Monn issued Notice of Violation #17144.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

### **Christopher Vargas – Notice of Violation**

**Violation:** Chapter 55.106 (2); **Charge:** No driver permit on demand.

Mr. Vargas **was not** present. On March 30, 2018, Mr. Vargas was issued Notice of Violation #17141 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Vargas. Officer Monn was conducting a routine detail on the corner of Church Street and Division Avenue. Officer Monn observed Mr. Vargas operating his Pedicab without an available permit. Officer Monn issued Notice of Violation #17141.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

### **Johnathan Eslick – Notice of Violation**

**Violation:** Chapter 55.105 (3) (d); **Charge:** Vehicle safety – Tail light not operational on Pedicab.

Mr. Eslick **was not** present. On March 10, 2018, Mr. Eslick was issued Notice of Violation #1579 to appear at today's Administrators Public Hearing. On the record, Mr. Chad Riley was present on behalf of Mr. Eslick. Officer Monn was conducting a routine detail on the corner of Church Street and Terry Avenue. Officer Monn observed Mr. Eslick operating his Pedicab with his tail light not operational on his Pedicab. Officer Monn issued Notice of Violation #1579.

**Results:** The Vehicle for Hire Administrator withheld the fine, but requests the VFH Unit complete an inspection of the vehicle prior to the operation of the business.

### **ADJOURNMENT**

The hearing adjourned at 9:37 a.m.

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Willia Williams, Recording Secretary