

**ANNUAL APPLICATION FOR TRANSFER AMBULANCE
OPERATOR'S PERMIT**

**CITY OF LUBBOCK, TEXAS
Ordinance #8525**

DATE: _____

FEE \$75 per vehicle (effective October, 2002)

\$ _____

PERMIT PERIOD

Sec. 27-176.1

(1) BUSINESS NAME: _____

(1) BUSINESS ADDRESS: _____

(1) BUSINESS PHONE No. _____

NAME OF LOCAL MANAGER: _____

(3) OWNER'S NAME: _____

(3) OWNER'S ADDRESS: _____

(3) OWNER'S PHONE No. _____

Sec. 27-178(b)(10)

OWNER'S DRIVER LICENSE No. _____ OWNER'S DOB: _____
(indicate state)

Sec. 27-176.1

(4) NAME/S OF THE OWNER/S OF THE AMBULANCES IF DIFFERENT FROM
THE BUSINESS OWNER: _____

(3) ATTACH LIST OF CORPORATE OFFICERS NAMES, ADDRESS & PHONE
No. IF APPLICABLE

Sec. 27-176.3(5) ATTACH LIST OF DRIVERS: (1) Complete Name, (2) Date of Birth, (3) License Number, and (4) a Statement certifying that the driver is Texas certified as a basic emergency medical technician and/or as an emergency care attendant.

Sec. 27-176.6 PERMIT RENEWAL APPLICATION IS TO BE FILED 45 DAYS PRIOR TO THE EXPIRATION OF THE EXISTING PERMIT.

Sec. 27-176.1(8)

HAVE YOU EVER BEEN CONVICTED OF A FELONY, OR A MISDEMEANOR INVOLVING MORAL TURPITUDE WITHIN THE LAST TEN (10) YEARS?

_____ Yes _____ No

If yes, explain _____

I, _____, Applicant, hereby certify that the information contained herein, and the requested documents attached hereto, are true and correct.

APPLICANT

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this _____ day of _____, 20____.

(Seal)

Notary Public, Lubbock County, Texas

APPROVED:

DISAPPROVED:

Police Chief

Police Chief

City Manager

City Manager

City Secretary

City Secretary

Risk Management

Risk Management

Fleet Maintenance

Fleet Maintenance

DIVISION 4. TRANSFER AMBULANCES*

Sec. 27-176. Permit required.

It shall be unlawful for any person, firm or corporation to furnish transfer ambulance service upon the public streets of the city without first having obtained a city transfer ambulance operator's permit; provided, however, that ambulances operated by the United States Government, a political subdivision of the State of Texas, and ambulances delivering patients from places outside the city to places within the city operated by ambulance services not located within the city shall not be required to comply with this article. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-176.1. Requirements of application; insurance.

Application for a transfer ambulance operator's permit shall be made upon forms supplied by the city and filed with the city secretary. Applicants shall furnish the following information and such information shall be sworn to as being true and correct by the applicant before a notary public.

- (1) The name, trade name, address and telephone number of the transfer ambulance business.
- (2) The number of ambulances proposed to be operated.
- (3) The names and address of the true owners of the transfer ambulance business and, if the business is a corporation, the names and address of the corporate officers.
- (4) The true owners of the ambulances to be used, if different from the owners of the ambulance business.
- (5) A statement from the city tax assessor-collector that all city taxes on the permit applicant's property, both real and personal, to be used in the business are current.
- (6) A certificate of public liability insurance and property damage insurance issued by a casualty company authorized to do business in the State of Texas, in the standard form approved by the State Board of Insurance, containing a provision that at least ten (10) days' prior notice of cancellation of said insurance shall be given to the city secretary of the City of Lubbock by the insurance company with the insured provision of such policy including the City of Lubbock as an additional insured and a coverage provision of such policy insuring members of the public from any loss or damage that may arise to any person or property by reason of the operation of the permit holder's ambulance business and providing that the coverage shall be in at least the sum of one hundred thousand dollars (\$100,000.00) for injury to any one (1) person, three hundred thousand dollars (\$300,000.00) for any one (1) accident and one hundred thousand dollars (\$100,000.00) for injury to property in any one (1) accident.
- (7) A schedule of rates, charges and fees to be charged by the applicant for transfer ambulance service.

*Editor's note—Ord. No. 8525, § 3, adopted Jan. 26, 1984, amended the Code by adding provisions designated as Div. 4, §§ 27-176—27-178, to read as herein set out.

- (8) That the applicant or applicants have not been convicted of a felony or of a misdemeanor involving moral turpitude within the last ten (10) years.
- (9) A description of each transfer ambulance vehicle (or assurance that such description will be furnished prior to issuance of a license), including the make, model, year of manufacture, motor and chassis number; the length of time the ambulance has been in use; and the color scheme, insignia, name, monogram and other distinguishing characteristics to be used to designate applicant's ambulance; including the current state license number.
- (10) Applicant shall attach to his application a current financial statement. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-176.2. Permit and inspection fee.

Every applicant for a transfer ambulance operator's permit shall pay to the City of Lubbock the following nonrefundable fees upon filing of the application with the city secretary:

- (1) An annual permit fee of thirty dollars (\$30.00), which fee shall entitle a permit holder meeting the requirements of this article and state law to operate a transfer ambulance service for a period of one (1) year from the date of issuance of a permit. Permits shall be prominently displayed at the permit holder's principal place of business within the city.
- (2) In addition to the annual permit fee required to be paid to the city as set forth in subparagraph (1) of this section, each applicant for a transfer ambulance operator's permit shall pay to the city an annual inspection fee of fifteen dollars (\$15.00) for each ambulance vehicle operated or to be operated by applicant; said inspection fee is assessed to defray part of the cost of certification and inspection by the city under this division. (Ord. No. 8525, § 3, 1-26-84)

15 per vehicle

Sec. 27-176.3. Requirements; transfer ambulances and crews.

No transfer ambulance shall be operated upon the public streets of the city pursuant to this article unless it meets the following minimum requirements:

- (1) Be suitable for transportation of patients from the standpoint of health, sanitation and safety;
- (2) Contain medical equipment and supplies in good condition and working order which meet the applicable rules and regulations of the Texas Department of Health for "basic life support emergency medical services vehicles";
- (3) Be free from all mechanical defects, whether caused by collision or otherwise;
- (4) Be equipped with a two-way radio which transmits and receives on frequencies designated for use by the Federal Communications Commission between each vehicle and the operator's base station; radio communications to and from such transfer ambulance vehicles shall be the sole responsibility and expense of the operator; in addition, a direct communication system complying with FCC rules and regulations

or its equivalent, shall be installed by the operator for communications between the operator's base station and the police dispatcher; each transfer ambulance vehicle shall further have capability to communicate with hospitals and other emergency services from transfer ambulance units;

- (5) Be staffed with at least one (1) person certified by the State of Texas as a basic emergency medical technician and one (1) person certified by the State of Texas as an emergency care attendant, who may also be the driver;
- (6) Contain a conspicuously posted schedule of fees and rates charged;
- (7) Be certified by the city as meeting applicable city ordinances and state laws as to emergency equipment and lighting. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-176.4. Inspections.

(a) Prior to the issuance of any permit provided for in this division or any renewal of such permit, the city manager or his designated representative shall cause each ambulance vehicle operated or to be operated under such permit to be inspected for compliance with the applicable provisions of section 27-176.3 of this division.

(b) The city manager or his designated representative shall issue a three-inch by five-inch (3 x 5) certificate for every ambulance vehicle found to be in compliance with the applicable provisions of section 27-176.3 of this division. The applicant for the transfer ambulance operator's permit shall cause such certificate to be displayed within each ambulance vehicle so approved.

(c) Every certificate issued in accordance with this section shall show the date of the inspection upon its face and shall be signed by the city manager or his designated representative. The certificates so issued shall expire upon even date with any permit issued to an applicant under this division.

(d) No permit holder or applicant therefor shall allow an ambulance vehicle operated or to be operated by the permit holder or applicant to be placed in service upon the streets of the City of Lubbock, Texas, until a certificate has been issued for such vehicle showing that it has been found to comply with the applicable provision of section 27-176.3 of this article.

(e) An applicant may present an ambulance vehicle for reinspection in all cases where the vehicle has failed to pass its inspection upon the following conditions:

- (1) A reinspection fee of fifteen dollars (\$15.00) shall be paid to the City of Lubbock;
- (2) Evidence is presented to the city manager that any item of noncompliance with the applicable provisions of section 27-176.3 has been corrected;
- (3) Ten (10) days notice of the reinspection is given to the city manager.

(f) The city manager or his designated representative shall notify the city secretary of each ambulance vehicle which has passed the inspection required by this article and shall furnish to the city secretary a list showing the Texas license plate number of each ambulance which has passed inspection and the date of the inspection which list shall be kept of record in

the office of the city secretary. A reinspection ambulance vehicle may be added to the above list upon notification of such fact to the city secretary by the city manager or his designated representative. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-176.5. Permit issuance.

When the requirements of sections 27-176.1, 27-176.2 and 27-176.4 have been completed the city secretary shall issue to applicant a transfer ambulance operator's permit which permit shall expire upon one (1) year from date of issuance. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-176.6. Permit renewal.

A transfer ambulance operator's permit may be renewed by the holder thereof provided said permit holder follows the same procedure for such renewal permit as herein set forth to obtain the initial permit and such renewal application is filed forty-five (45) days prior to the expiration of the existing permit. (Ord. No. 8525, § 3, 1-26-84)

Sec. 21-177. Transfer ambulance operations.

It is the purpose and intent of the city council of the City of Lubbock in creating Division 4 of Article V providing for transfer ambulance service within the City of Lubbock, to provide to the citizens and residents of this city, who are currently under a physician's care, with a mode of medical transportation under conditions which do not ordinarily constitute emergency circumstances as that term is defined in this article. In accord with the aforementioned intent of the City Council the following operational requirements shall apply to every holder of a permit issued under this Division 4 of this article:

- (1) During the hours of operation of the business conducted by the permit holder, there shall be available for duty a minimum of two (2) transfer ambulance vehicles certified in accordance with the terms of section 27-176.4 of this division.
- (2) Every permit holder shall provide a person at the permit holder's principal place of business to receive all calls for service and dispatch vehicles certified under section 27-176.4 in response thereto. This position shall be known as transfer ambulance dispatcher and shall be staffed during all hours of operation of the business conducted by permit holder. The transfer ambulance dispatcher shall perform the following duties:
 - a. Record all incoming calls for service in such a manner that the recordings are clearly audible.
 - b. Store and maintain all recorded incoming calls for a period of one (1) year from the date the call was received.
 - c. Make available to the city manager or his designated representative any stored or maintained recording of incoming calls.
 - d. In every instance where the transfer ambulance dispatcher receives an incoming call for service, that person shall verify the following:
 1. That the person to whom the service is to be rendered is under the current care of a physician;

2. The name and if available, the address of the attending physician;
 3. The location of the person to whom service is to be provided and the destination where the person is to be delivered.
 4. The name and address of the person requesting the service if said person is someone other than the person to be transported.
 5. The items set forth in 1 through 4 above shall be reduced to writing in a daily log to be maintained by the transfer ambulance dispatcher which log shall be made available to the city manager or his designated representative upon request.
- e. In every case where the transfer ambulance dispatcher receives a call or request for services the transfer ambulance dispatcher shall immediately inquire as to whether or not there is in existence at the time the call is received or the request for services tendered emergency circumstances as that term is defined in section 27-126 of this article. In the event that emergency circumstances are determined to exist at the time the call or request for services is received, the transfer ambulance dispatcher shall inform the person making the call or request of such fact and advise that the dispatcher will immediately relay the call to a person, partnership, corporation or governmental unit authorized to handle emergency calls, as that term is defined in this article, by either the State of Texas and the City of Lubbock (if the latter is required), provided such person, partnership, corporation or governmental unit provides such service within the City of Lubbock.
- f. In all cases where the transfer ambulance dispatcher has received a call or request for services involving emergency circumstances as that term is defined in this article, said dispatcher shall immediately relay the call as above set forth and shall enter the following information into the daily log required by this division:
1. The time and date the call or request was received;
 2. The name and address of the party making the call or request;
 3. The name of the person, partnership, corporation or governmental unit to which the call or request has been relayed.
- g. In all cases where the transfer ambulance dispatcher cannot verify or confirm that the person requesting the service or the person to be transported is currently under a physician's care, said dispatcher shall follow the same procedure as set forth in subparagraph (2) of this section. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-177.1. Emergency runs by transfer ambulances not permitted; exception.

A permit holder under this division or a vehicle operated by a permit holder under this division shall not provide emergency service, as that term is defined in this article, upon the streets of the City of Lubbock except under the following conditions:

- (1) In the event emergency circumstances, as defined in this article, arise after the commencement of a transfer ambulance call, either before or after the patient has been picked up, a transfer ambulance may thereafter complete the call as an emergency service run.

- (2) In the event that conditions occur that comply with subparagraph (1) of this section, the transfer ambulance operator shall do the following:
- a. Immediately notify the police dispatcher of the nature of the emergency and obtain permission from the police dispatcher to complete the run as an emergency service run;
 - b. Immediately notify the transfer ambulance dispatcher by radio of the nature of the emergency and said dispatcher shall note the fact of such notification in the daily log maintained by said dispatcher together with the time such notification was received.
 - c. Within ten (10) days after the completion of an emergency service run the transfer ambulance operator shall file a report, with a copy mailed to the city manager, of such run with the transfer ambulance dispatcher which report will contain the following information:
 1. The time, place and nature of the emergency;
 2. The place where the patient was transported to receive emergency care;
 3. The length of time that elapsed from the occurrence of the emergency to point of delivery of the patient;
 - d. The transfer ambulance dispatcher shall maintain all reports required to be filed under this subsection for a period of one (1) year from the date of such report and make them available upon request to the city manager or his designated representative.
- (3) In the event of a public emergency where it is necessary to provide emergency service to the citizens of the City of Lubbock, the city manager may authorize a permit holder to provide emergency service but only for the duration of the emergency.
- (4) When the city manager is notified by an emergency service provider operating within the City of Lubbock that such service requires aid and assistance, then in such circumstances the city manager may authorize the permit holder to respond on an emergency basis until such time as the city manager is notified by the emergency service provider that it no longer requires such assistance. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-177.2. Advertising.

No transfer ambulance service may hold itself out to the public by advertising through any form or by any other means as being a licensed emergency service provider. All advertising undertaken by the permit holder of a transfer ambulance operator's permit shall stress that the service is a transfer service only and that emergency service is not provided. (Ord. No. 8525, § 3, 1-26-84)

Sec. 27-178. Reprimand, suspension or revocation of permit.

(a) The city manager or his designated representative shall investigate every written complaint filed with his office which complaint alleges that the permit holder has committed a

violation of the grounds hereinafter set forth for reprimand, suspension or revocation of a permit issued pursuant to this division.

(b) Any one or more of the following items shall be grounds for reprimand, suspension or revocation of a permit issued under this division:

- (1) Operating a transfer ambulance vehicle upon the streets of the City of Lubbock when such vehicle has not met the inspection requirements set forth in section 27-176.4 of this division.
- (2) Charging a fee for services rendered that is in excess of the schedule of rates, charges and fees filed by the permit holder with the city secretary under section 27-176.1 of this division.
- (3) Failing to conspicuously post within every transfer ambulance vehicle:
 1. A copy of the schedule of rates and fees for services on file with the city secretary;
 2. The inspection certificate required by section 27-176.4 of this division.
- (4) Failure to properly maintain every transfer ambulance vehicle so that it is free of mechanical defects and suitable for transportation of patients from the standpoint of health, sanitation and safety.
- (5) Failure to maintain and have available for duty during the hours of operation of the business conducted by permit holder a minimum of two (2) transfer ambulance vehicles as required by this division.
- (6) Failure to provide for and staff the position of transfer ambulance dispatcher as required by this division.
- (7) Failure to do any of the following:
 - a. Properly record all incoming calls for service as required by this division.
 - b. Store and maintain recorded calls as required by this division.
 - c. Upon request, make any reports, recording or records required to be kept by this division available to the city manager.
 - d. To determine that the person making the request for service or for whom the service is to be rendered is currently under a physician's care.
 - e. To determine at the time the call or request for services is received as to whether or not there is in existence emergency circumstances as defined by this article.
 - f. To immediately relay any call or request for services to those authorized to provide emergency service when required to do so by this division.
- (8) Operating a transfer ambulance vehicle as an emergency service vehicle when not authorized to do so in accordance with the terms of this division.
- (9) Failure to comply with any of the terms and conditions of this division.
- (10) Conviction of the permit holder of a felony or a misdemeanor involving moral turpitude.

(11) Conviction of a driver of driving while under the influence of alcohol or of a driver or attendant of public intoxication.

(c) If the city manager finds that grounds for reprimand, suspension or revocation do in fact exist, he shall reprimand the permit holder in writing, suspend the permit for a period not to exceed ninety (90) days or revoke the permit as the facts of each case warrant.

(d) In each case where a permit is suspended or revoked such facts shall be communicated in writing to the permit holder by certified mail, return receipt requested, and shall set forth the basis for the action taken by the city manager.

(e) In each case where a permit is suspended or revoked, the permit holder shall have a period of ten (10) days from receipt of the notice of such action to appeal the suspension or revocation of the permit to the city license and permit appeals board under the requirements of the city Code of Ordinances for appeals to said board.

(Ord. No. 8525, § 3, 1-26-84)

Secs. 27-179, 27-180. Reserved.

ARTICLE VI. TOW TRUCK SERVICES*

Sec. 27-181. Definitions.

For the purpose of this article, the following terms shall have the meaning hereinafter ascribed to them:

Chief of police: The chief of police of the City of Lubbock, Texas, or a person designated by him to act in his stead for the purpose of this article.

City secretary: The city secretary of the City of Lubbock, Texas, or her designated representative.

Class I tow truck: A tow truck with a gross vehicle weight of at least seven thousand five hundred (7,500) pounds and less than twenty-six thousand (26,000) pounds.

Class II tow truck: A tow truck with a gross vehicle weight of at least twenty-six thousand (26,000) pounds, which shall be used exclusively to tow vehicles with a gross weight of more than ten thousand (10,000) pounds.

Consent tow: Any tow initiated by the owner, operator or other person in possession, custody or control of a motor vehicle, but which does not include tows initiated as a result of an accident or collision on a public highway, street or alley where a law enforcement officer has been dispatched to the scene.

***Editor's note**—Ord. No. 9858, § 1, adopted Nov. 16, 1995, repealed §§ 27-181, 27-184—27-190, 27-196—27-204, and enacted new §§ 27-181—27-192 to read as herein set out. Prior to repeal, such former sections pertained to similar subject matter as derived from Ord. No. 8203, § 1, adopted July 23, 1981; Ord. No. 8238, §§ 1, 3, adopted Sept. 10, 1981; Ord. No. 9145, §§ 1, 3—17, adopted Nov. 19, 1987; and Ord. No. 9376, §§ 1—3, adopted Sept. 27, 1990.