



TRAINING BULLETIN

Los Angeles Police Department

Michel R. Moore, Chief of Police

Volume XLVIII, Issue 7

November 2019

BANDIT TAXICABS



There are thousands of taxicabs operating within the City of Los Angeles on a daily basis. A number of illegal taxicabs, “bandit taxicabs,” operate without authorization. Bandit taxicabs do not pay taxes or fees and deprive the City of revenue. More importantly, they place passengers at risk. The purpose of this Bulletin is to provide officers with the enforcement statutes regarding bandit taxicabs to curtail their illegal activities.

Franchised taxicabs can be identified by the City of Los Angeles Department of Transportation (DOT) Taxicab seal located on both front doors. All drivers undergo a thorough Department of Motor Vehicle (DMV) and criminal history background check, and are then issued a Los Angeles City Taxi Driver Permit. Permits are mounted inside the taxicab and display the driver's photo, name, and company. In the event of a dispute, passengers can file a complaint using the information on the permit to identify the company and driver. The transportation rates charged by franchised taxicabs are established by the Los Angeles City Council.



The bandit taxicab issue is more complex than mere municipal code or vehicle code violations. Bandit taxicabs are a serious threat to passenger safety. Most are underinsured or lack insurance, and do not comply with any form of safety inspections. The drivers do not undergo any type of DMV or criminal history background check. Some drivers have been known to distribute narcotics, engage in prostitution, commit robbery, rape, and even murder.

Most bandit taxicabs are independents, but many form companies with fleets of seventy-five to a hundred vehicles. Many of these bandit taxicabs are painted yellow and display lettering, logos, and phony City decals. The intent is to fool the public into believing they are legitimate taxicab operators. Bandit taxicabs flagrantly advertise their phone numbers on their vehicles. They also list their services and phone numbers in newspapers, phone books, and stickers at pay phones throughout the City. Bandit taxicab operators frequently intercept radio dispatches from legitimate taxicab companies to steal passengers. Overcharging with altered taximeters is a common practice among bandit taxicab drivers.

Los Angeles City DOT investigators conduct vehicle safety inspections and meter verification of franchised taxicabs on a regular basis. They also have the primary responsibility for enforcing taxicab violations and are authorized to make arrests of bandit drivers only when vehicles are parked. Los Angeles police officers have the authority to stop moving bandit taxicabs for traffic and equipment infractions, and also for taxicab violations when they observe a pick-up. The mere act of a taxicab without a seal picking up a passenger within the City of Los Angeles establishes probable cause for police officers to stop the vehicle and conduct an investigation. The passenger and driver should be interviewed separately.

ENFORCEMENT SECTIONS

There are several Los Angeles Municipal Code (LAMC) Sections governing taxicabs that are not franchised which can be used to reduce illegal taxicab operations within our City.

LAMC Section 71.02 (b) Operation of Vehicles - Permit or Franchise Required

Generally, the driver will agree to transport the passenger for a specific dollar amount or simply point to the meter. Once the driver's actions indicate intent to transport the passenger, an LAMC violation has occurred, even if the price of the trip was not settled. The driver should be arrested for violation of LAMC Section 71.02 (b), "Operation of Vehicles-Permit or Franchise Required," and issued a Release From Custody (RFC) citation, Form 5.2.2. A physical arrest is required when the violator cannot provide sufficient identification. Include on the RFC Report Continuation, Form 5.2.8, verifiable statements obtained from the witness on the destination and agreed upon price, or other payment arrangement.

LAMC Section 71.03 (c) Driving of Vehicles - Driver Permit Required

When the driver has no Los Angeles City Taxi Driver Permit, an additional charge of LAMC Section 71.03 (c), “Los Angeles City Taxi Driver Permit Required,” should be included.

LAMC Section 71.03 (d) Driving of Vehicles - Driver Permit Required

When the driver has no Los Angeles City Driver Permit (to drive a vehicle for hire), an additional charge of LAMC Section 71.03 (d), “Los Angeles City Driver Permit Required,” should be included.

LAMC Section 71.16 (c) Fake Seals and Taxicab Identification

Some bandit taxicabs operate within the City using fake City of Los Angeles Department of Transportation Taxicab seals to mislead the public. The wording will be similar to the actual caption on a legitimate seal. Officers have probable cause to stop and conduct an investigation when a taxicab displays a fake seal and is operating within the City.



The driver should be arrested for violation of LAMC Section 71.02 (b), “Operation of Vehicles-Permit or Franchise Required.” Include an additional charge for, “Fake Seal,” LAMC Section 71.16 (c). When possible, photographs of the fake seal should be taken and included as evidence with the arrest report.

Vehicles for Hire

Two other violations that officers may encounter are “vehicles for hire” and “poachers.” Vehicles for hire are licensed by the State but cannot legally operate within the City of Los Angeles, except to deliver and pick-up passengers on a prearranged basis. Illegal vehicles for hire can be sedans, limousines or vans. They do not have the markings or the equipment found on taxicabs. These vehicles are not charter-party carriers (also known as “TCP” operators) licensed by the California Public Utilities Commission and



are not authorized to operate in Los Angeles. These illegal vehicles and drivers are in violation of LAMC Sections 71.02 (a) "Operation of Vehicles-Permits or Franchise Required," and 71.03 (d) "Driving of Vehicles-Permits Required."

Drivers of vehicles for hire who are not meeting passengers on a prearranged request, but are operating within the City without a valid Los Angeles City Permit, should be arrested for violation of LAMC Section 71.02 (a) or 71.03 (d). When the driver has no Los Angeles City Taxi Driver Permit, an additional charge of LAMC Section 71.03(c), "Los Angeles City Taxi Driver Permit Required," should be included.

Poaching

Poachers are taxicabs licensed to operate within neighboring cities. These taxicabs can legally transport passengers from outside the City to locations within the Los Angeles City boundaries. They can wait for the same passenger as long as the taximeter is kept running. The driver cannot pick-up a new rider. Poachers enter Los Angeles to poach or steal customers from franchised taxicab companies. Poachers also include City franchised taxicab companies that operate non-sealed vehicles to avoid paying fees and taxes. The drivers should be arrested when the appropriate LAMC Sections are violated.

Pick-ups that occur outside the City of Los Angeles, and stop within the boundaries of the City may be lawful if the driver waits at the exact point of the passenger drop-off. These trips are considered continuous trips and are not illegal as long as the driver can prove the passenger was picked up in another city. The activated meter with the appropriate charges, the completed waybill with pickup address, appropriate times recorded, and corroborating statements by the passenger, can prove that the trip is continuous.

VEHICLE IMPOUNDS

Officers should not impound a vehicle solely for being a bandit taxicab or an illegal vehicle for hire. Officers should only impound a vehicle if the driver is operating the vehicle without a driver license, in violation of 12500(a) VC or driving with a suspended or revoked license, in violation of 14601(a)(1) VC.

Note: Officers shall be guided by the Community Caretaking Doctrine and the procedures set forth in current Department policy when deciding whether to impound a vehicle driven by an unlicensed driver, or a driver with a suspended license.

Section 22651(p) VC shall be used as the impound authority for all vehicles being impounded when it has been determined that the driver was driving without a valid California Driver License (unless the driver is a nonresident with a valid license or otherwise exempt under the Vehicle Code); or, driving with an expired, withheld, or out-of-class California Driver License.

Section 14602.6(a)(1) VC (30-Day Hold) shall be used as the impound authority when it has been determined that the driver has never been issued a driver license by any jurisdiction (foreign or domestic) and has a prior misdemeanor conviction, failure to appear, or warrant for Section 12500(a) VC.

The Storage Authority/Reason portion of the Vehicle Report, CHP 180 Form, shall be marked 14602.6(a)(1) VC (30-Day Hold). The "Agency Hold" box shall be checked accordingly.

Additionally, the officer shall request additional filling for 12500(a) VC or 14601 VC in the narrative part of the RFC.

CONCLUSION

Some bandit taxicab drivers have criminal warrants, and may be involved in other crimes such as theft, drug dealing, prostitution, and gang activity, posing a serious threat to passenger safety. In order to better combat the bandit taxicab problem, all taxicab-related arrest and/or crime reports should be forwarded to the Bandit Taxicab Enforcement Program (BTEP) Coordinator, Traffic Coordination Section, Mail Stop 932.

For further information and assistance regarding bandit taxicabs, contact the BTEP Coordinator at (213) 486-0690.

This Bulletin cancels and supersedes Volume XLII, Issue 4, Bandit Taxicabs, September 2012

Field Training Services Unit
Police Training and Education

DISTRIBUTION "A"