



CITY HALL
LOS ANGELES, CALIFORNIA 90012

March 16, 2016

Ms. Liane Randolph
Commissioner, California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Commissioner Randolph,

For several decades, the City of Los Angeles has required Taxicab operators to seek a franchise agreement with the city in order for their drivers to operate within the city limits. A condition of that franchise agreement has been that taxi drivers are required to submit Live Scan fingerprints so that their provided identification can be crosschecked against law-enforcement databases for the purpose of determining a driver's criminal history and verifying driver identity.

This has had the effect of disqualifying many potential applicants from employment as taxicab drivers. Under the city's regulations, the Los Angeles Department of Transportation receives the results of Live Scan reviews and either rejects or accepts an applicant and notifies the Taxicab franchisee as to whom they may hire. Drivers who are rejected may appeal to the Board of Taxicab Commissioners, who are appointed by the Mayor and confirmed by City Council.

For the past several months, in conversations with you and the CPUC staff, we have discussed the potential for a pilot program to begin implementing a fingerprinting requirement for Charter-party Carrier (TCP) and Transportation Network Company (TNC) drivers, similar to that which is already applied to Taxicab drivers, in the City of Los Angeles. The goal of the pilot would be to safeguard the public and help transit providers use data for the development of future regulations for TCPs, TNCs and the Taxicab industry.

Specifically, we propose the following elements of a fingerprinting pilot program: TNC and TCP drivers would be required to be fingerprinted and have a background check under the California DOJ screening process.

TNCs and TCPs would be required to report on the number of existing drivers whose non-fingerprint background checks were found to be incomplete or inconsistent with the results of the new screening process, including reporting on the nature of missing information.

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TNCs and TCPs would be required to reveal their criteria, patterns and practices for denying drivers employment, driver appellate processes and their pre- and post-fingerprinting rates of acceptance and rejection for new drivers.

The implementation of the pilot could be handled two ways. In one scenario, the TNC or TCP who is checking the background of a driver could be the recipient of the new screening data and make an independent assessment of the driver candidate and hire or reject that candidate based on the results of the screening. In the alternative scenario, the CPUC or LADOT could be the recipient of the results of the Live Scan background check and provide a similar service as LADOT provides in the case of taxicab franchisees, in accepting or rejecting a candidate driver. If the CPUC is willing to engage in the pilot, the City of Los Angeles could expand its operations to accommodate the addition of TNC and TCP drivers.

Lastly, and with regards to the jurisdictional challenge posed by a City of Los Angeles-oriented pilot, we would propose that TNCs configure their ride-hail platforms to disallow a non-fingerprinted driver from picking up a passenger within the City of Los Angeles. The City's Planning department can provide shapefiles and GIS data to configure the apps to reject fares originating from within the city from drivers who have not submitted their fingerprints.

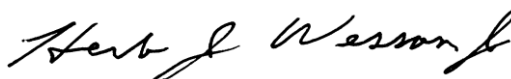
We know that the CPUC is committed to passenger safety as well as a robust, thriving and competitive transportation services marketplace. The opaque nature of current TCP and TNC background check protocols and practices is a cause for concern for the riding public. Furthermore, even if the TCP and TNC claims of safety and security are to be believed, their best practices are subject to change at any time without the backstop of law or regulation. Without gathering a significant pool of control and test data, we do not believe that the Commission or the City can adequately respond to the rapidly changing landscape of this marketplace.

We view the addition of a fingerprinting pilot program as the next logical step towards enhancing the safety of the riding public. We urge you to consider our proposal and continue working with us towards implementation.

Sincerely,



Eric Garcetti
Mayor
City of Los Angeles



Herb J. Wesson, Jr.
President, Los Angeles City Council
Councilmember, 10th District



Paul Krekorian
Chair, Budget and Finance Committee
Councilmember, 2nd District