

ORDINANCE NO. _____ C.S

**AN ORDINANCE TO REVISE THE REQUIREMENTS FOR PERMITS FOR
AMBULANCE SERVICES AND OTHER PROVISIONS RELATIVE THERETO**

BE IT ORDAINED by the Hammond City Council that the below sections of Chapter 31, Article III be revised to read as follows (strike through deleted and underlined added):

ARTICLE III. - AMBULANCES

Sec. 31-41. - Definitions.

As used in this article, the following definitions shall have the meanings ascribed to them by this section, unless the context clearly indicates otherwise:

Advanced life support refers to advanced prehospital emergency medical care rendered by personnel certified at the emergency medical technician-paramedic level required by the Louisiana Department of Health, Bureau of EMS and working under direct orders from physicians at a resource hospital or protocols from a physician serving as a medical director.

Basic life support refers to basic ambulance transportation and/or prehospital emergency medical care rendered by personnel certified at a minimum of emergency medical technician – basic level as required by the Louisiana Department of Health, Bureau of EMS.

Ambulance or private ambulance means any privately owned vehicle equipped or used for transporting the wounded, injured, sick or dead, including emergency vehicles used for that purpose, but not including funeral coaches used exclusively as such. Said vehicle shall provide space for a driver, two (2) attendants, and a minimum of two (2) litter patients so positioned that at least one (1) patient can be given intensive life-support during transit.

Certified emergency medical technician-basic ~~or certified emergency medical technician-basie~~ refers to any person who has successfully completed ~~an eighty one (81) hour~~^a basic emergency medical technician training course approved by ~~the department of transportation and development, the department of health and human resources~~ and is currently certified by the Louisiana Bureau of Emergency medical services ~~bureau of emergency medical services of the department of health and human resources.~~

Certified advanced emergency medical technician-intermediate ~~or emergency medical technician-intermediate~~ refers to any person who has successfully completed an Advanced emergency medical technician intermediate course approved by and is currently certified by the Louisiana Bureau of Emergency Medical Services ~~department of transportation and development, the department of health and human resources, the State of Louisiana and is currently certified by the State of Louisiana and the National Registry of Emergency Medical Technicians.~~

Certified emergency medical technician-paramedic ~~or certified emergency medical technician-paramedic~~ refers to any person who has successfully completed an emergency medical technician paramedic course approved by and is currently certified by the Louisiana Bureau of

~~Emergency Medical Services department of transportation and development, the department of health and human resources and the Louisiana State Board of Medical Examiners, and is currently state certified by the Louisiana State Board of Medical Examiners.~~

Driver means any person who physically drives an ambulance.

Owner or operator means any person who owns or controls an ambulance for the purpose of providing both emergency and nonemergency medical care and transportation.

Person includes any person, firm, partnership, association, company, or organization of any kind.

Public convenience and necessity shall mean that there exists a current and permanent need for additional ambulance service in the city and that the existing ambulance operators currently holding valid permits to operate within the city after being notified by the city council of such need fail to provide the additional service determined necessary.

Station shall mean the base of operations for housing ambulances.

Sec. 31-42. - Owner's or operator's license required.

- (a) No owner or operator of an ambulance shall respond to any request for ambulance services originating within the city without first obtaining a permit to operate an ambulance service from the city council.

Sec. 31-43. - Application for permits.

Applications for permits ~~shall be made to the city upon forms prescribed by it and shall include:~~

- (1) The name and address of the owner or operator of the ambulance.
- (2) A description of the ambulance(s) including the make, model, year of manufacture, Louisiana license number for the current year, vehicle identification number and a statement regarding the length of time the vehicle has been in use.
- (3) The location and description of the place or places from which it is intended to operate.
- (4) Proof of insurance in such form and in such amounts as required by this ordinance.
- (5) Initial applicants must include complete financial statements, including balance sheets and profit and loss statements, for a period of not less than two (2) years. Initial applicants must provide proof of a current ambulance service permit with Tangipahoa Parish Government and also include written plans for providing additional ambulances and resources during mass casualty incidents or unexpected times of emergency call system overload.
- (6) Such other information as the city council shall find reasonably necessary to a fair determination of whether the provisions of this article have been complied with.

Sec. 31-44. - Qualifications for permit.

In determining whether a permit shall be issued, the city council shall give weight and due regard among other things to:

- (1) The probable performance and quality of the service offered by the applicant, to include among other things, proof of financial responsibility and the establishment and maintenance of a bona fide office within a radius of ten miles of the corporate limits of the City of Hammond from which the service is offered, and the ability of the applicant to provide both twenty-four-hour emergency and nonemergency response.
- (2) The experience that the applicant has had in the rendering of services, the past experience in payment of judgments, if any, arising out of the operation of such vehicles.
- (3) The financial ability of the applicant to respond in damage.
- (4) That insurance as required by this article has been secured.
- (5) The character and condition of the vehicle to be used as determined after inspection as required by this article, and the ability of the applicant to have available for use and operation ~~in the city~~ at least three (3) ambulances equipped so as to provide advanced life support staffed with an emergency medical technician paramedic 24 hours per day, seven days a week within Tangipahoa Parish as required by the Tangipahoa Parish Ambulance Ordinance. For each station within the city, said ambulance company shall provide one ~~(1) ambulance equipped with an advanced life support and an emergency medical technician paramedic twenty-four (24) hours per day.~~
- (6) That public convenience and necessity require the proposed additional ambulance service and after being provided with written notice setting for the grounds for the finding by the Council of the identified public need and necessity and sixty (60) days to fill the identified additional service determined necessary the existing permit holder has failed, by majority vote of the Council, to do so

Upon a finding that a permit shall be issued, the city shall issue to the applicant a permit authorizing the owner or operator of an ambulance to operate the same within the territorial limits of the city.

Sec. 31-45. - Insurance required.

- (a) Before any permit is issued hereunder, the applicant must file with the city policies of general liability insurance, automobile liability insurance, medical legal liability and malpractice insurance issued by an insurance company qualified to do business in the State of Louisiana, which shall contain the following conditions and stipulations and shall be approved as to form by the city attorney:
 - (1) The term of such insurance policy shall be for a period of not less than one (1) year.
 - (2) The insurance policy shall provide not less than the following limits of liability: For each accident causing bodily injury (including death at any time resulting therefrom), five million hundred thousand dollars (\$500,000.00) (\$5,000,000.00) for each person; five million hundred thousand dollars (\$5,000,000.00) (\$500,000.00) for each accident; and five hundred thousand dollars (\$500,000.00) for property damages sustained in any one (1) accident.
 - (3) The medical malpractice insurance policy(ies) shall provide limits of liability for each accident causing bodily injury (including death at any time resulting therefrom) of five

hundred thousand dollars (\$500,000.00) for each person and five hundred thousand dollars (\$500,000.00) for each accident.

- (4) Such policy shall by its terms provide that it may not be canceled except after ten (10) days written notice thereof to the mayor of the city and/or to the president of the city council.
- (b) Any owner or operator who fails to secure another policy of insurance prior to cancellation of an existing policy shall automatically and without notice of hearing suffer suspension of his permit until such time as such insurance policy has been filed with the city through the office of its mayor.
- (c) Any person who operates an ambulance without having such insurance in force shall be guilty of a violation of this article and shall be punished as hereinafter provided.

Sec. 31-46. - Inspection of ambulances.

- (a) Before any permit shall be issued hereunder, all the ambulances listed in the application shall be inspected and certified to operate by the Louisiana Bureau of Emergency Medical Services ~~vehicle maintenance section of the department of public safety and shall be certified to be in proper mechanical condition.~~ Each ambulance shall also be inspected by the coroner or his designee and shall be certified to be equipped in compliance with the section of this article relative to standards for advanced life support ambulance equipment.
- (b) Said inspections shall be conducted annually as required by the Louisiana Bureau of Emergency Services.
- (c) ~~After each such inspection, certificates of inspection shall be issued for those vehicles which are mechanically fit.~~ Each owner or operator shall provide proof of current certification by the Louisiana Bureau of Emergency Medical Services annually with permit application and fees due by December thirty-first of each year to City of Hammond Permit Department.
- (d) Each owner or operator shall pay to the city a fee of fifty dollars (\$50.00) annually for each vehicle to be inspected; said fee to be due on December thirty-first of each year.
- (e) Any person who operates an ambulance without having obtained the ~~mechanical~~ inspection certificate required by Louisiana Bureau of Emergency Services shall be guilty of a violation of this article and shall be punished as hereinafter provided.
- (f) ~~The owner and/or operator of any ambulance whose ambulance has a mechanical defect shall be given seven (7) days in which to have it repaired. After the expiration of seven (7) days, the name, registration and license number of each ambulance remaining uncertified shall be given to the chief of police for enforcement.~~

Sec. 31-47. - Driver's license required.

- (a) No person shall drive an ambulance upon the streets of the city, and no person who owns or controls an ambulance shall permit it to be so driven unless the driver shall have then in force a class D chauffeur's driver's license duly issued by the State of Louisiana.
- (b) This section shall not apply to an ambulance when not in use as such. By way of illustrating but not limiting this exception, it is intended to delete from the operations of this section the

driving of ambulances by maintenance personnel to test mechanical fitness, to deliver vehicles from one (1) ~~station~~ ~~substation~~ to another, and other similar activities.

Sec. 31-48. - Qualifications for ambulance drivers.

No person shall drive an ambulance on the roads of the city and no person who owns or controls an ambulance shall permit it to be so driven unless the driver thereof shall meet the following qualifications, in addition to those imposed by other sections of this article:

- (1) He/she is a person at least eighteen (18) years of age.
- (2) He/she has a current motor vehicle chauffeur's license issued by the State of Louisiana.
- (3) No person shall be employed in any capacity on any ambulance unless he is in compliance, certified, and licensed by the State of Louisiana Bureau of Emergency Medical Services and in compliance with all local, state, and federal regulations. ~~the holder of a certificate of advanced first aid and emergency care issued by the American National Red Cross or a certification by the Louisiana Department of Health and Human Resources or its agent as a first responder or a certification as an emergency medical technician issued by the National Registry of Emergency Medical Technicians.~~
- (4) He has never been convicted anywhere under the laws of this state, or any other state, or of the United States, or other applicable laws of parishes and cities of the offense of murder, aggravated battery, aggravated rape, simple rape, aggravated burglary, simple burglary, aggravated kidnapping, simple kidnapping, armed robbery, simple robbery, pandering, prostitution, soliciting for prostitutes, illegal possession or sale or use of narcotics, contributing to the delinquency of a juvenile, indecent behavior with a juvenile and has not been convicted two (2) or more times of any traffic offense during the year preceding the filing of the application.
- (5) He has not been convicted of any other felony, or of any misdemeanor involving moral turpitude against the criminal laws of this state or any other state, or of the United States, within five (5) years, and has not served any part of a sentence therefor within five (5) years, before the date of the filing of said application, and he is not presently charged therewith, or with any of the felonies, offenses or misdemeanors set forth in paragraph (4) of this section, or with violating any of the provisions of this section.
- (6) He/she is not addicted to the use of intoxicating liquor, does not use any narcotic drugs, and is not suffering from any disease or infirmity which tends to make him/her an unsafe or unsatisfactory driver.

Sec. 31-49. - Investigation.

- (a) Any permitted ambulance operator must annually submit to the City of Hammond Permit Department, evidence of an ongoing employee background records and screening process with the permit application due by December thirty-one of each year. ~~The chief of police shall conduct an investigation of each applicant annually, and each applicant shall submit himself to being photographed and fingerprinted.~~

- (b) Any permitted ambulance operator must annually submit to the City of Hammond Permit Department, evidence of an ongoing random drug screening process with the permit application due by December thirty-one of each year ~~A report of the police investigation and a copy of the traffic and police record of the applicant shall be attached to the application and kept on file in the office of the city council.~~

Sec. 31-50. - Denial, suspension and revocation.

- (a) Every owner or operator and driver licensed under this article shall comply with all parish, state and federal laws. Failure to do so will justify the city council suspending or revoking the permit or license.
- (b) The city council may deny any applicant's permit or license whenever in the exercise of its reasonable and sound discretion, and after notice and affording the applicant a hearing thereon, it shall determine that said applicant does not possess the necessary qualifications for such permit or license.
- (c) The mayor of the city is hereby given authority to suspend any permit or license issued under this article for failure or refusal to comply with the provisions of this article. Such suspension is to last for a period of not more than thirty (30) days. The city council is also given the authority to revoke any permit or license for failure to comply with the provisions of this article; however, the permit or license may not be revoked unless the holder has received notice and has had an opportunity to present evidence on his behalf.
- (d) Whenever a person who shall have been issued a permit or license under this article shall be charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with violation of this article, the mayor of the city is hereby given authority to suspend the permit or license pending final disposition of the charges against him, and to revoke same upon conviction thereof.

Sec. 31-51. - Unlicensed drivers.

If any person is found driving an ambulance in violation of the provisions of this article, the city council shall immediately take the action necessary to revoke the permit held by the owner or operator of that ambulance.

Sec. 31-52. - Emergency medical technicians.

- (a) No ambulance shall be allowed to carry a patient unless it is in compliance with all local, state, and federal requirements. ~~there is on board a driver who meets the qualifications of this article and an emergency medical technician-intermediate shall ride in the compartment with the patient when intermediate skills are needed.~~
- (b) No person shall be permitted to serve as an emergency medical technician of any class who does not hold a current certificate of registration from the State of Louisiana and the National Registry of Emergency Medical Technicians except where providing services in accordance with State issued emergency order(s) or reciprocity.
- (c) No person shall serve as an emergency medical technician and no person owning or controlling any ambulance shall permit any person to serve in a treating capacity thereon unless he/she also meets the following qualifications:

- (1) He/she is a person of at least eighteen (18) years of age.
- (2) He/she is an emergency medical responder, technician-basic, advanced emergency medical technician, ~~intermediate~~ or emergency medical technician-paramedic.
- (3) He/she has never been convicted under the laws of this state or any other state, the United States or other applicable laws of parishes or cities of the offense of murder, aggravated battery, aggravated rape, simple rape, aggravated burglary, simple burglary, aggravated kidnapping, simple kidnapping, armed robbery, simple robbery, possession, or sale or use of narcotics, contributing to the delinquency of a juvenile, or indecent behavior with a juvenile and has not been convicted two (2) or more times of any traffic offense during the preceding year.
- (4) He/she has not been convicted of any other felony or of any misdemeanor involving moral turpitude against the criminal laws of this state or any other state, or of the United States, within the past five (5) years, has not served any part of the sentence thereof within five (5) years and he is not presently charged therewith or with any of the felonies or misdemeanors set forth in paragraph (c) of this section, or with violating any of the provisions of this article.
- (5) He/she is not addicted to the use of intoxicating liquor, does not use any narcotic drugs and is not suffering from any disease or infirmity which might make him an unsafe or unsatisfactory driver.

No driver shall impersonate, refer to himself, or otherwise hold himself out as an emergency medical responder, basic, advanced ~~intermediate~~ or paramedic emergency medical technician, without maintaining a current certification as such by Louisiana Bureau of Emergency Medical Services.

Sec. 31-53. - Standards for basic life support ambulance equipment.

Each Basic Life Support ambulance is to be certified, equipped, and licensed to operate as such by State of Louisiana Bureau of Emergency Medical Services

- (a) ~~The equipment required in the ambulance, necessary to provide basic life support shall include, at all times when the ambulance is in use as such, equipment adequate in the judgment of the city council or its authorized designee, for dressing wounds, splinting fractures, controlling hemorrhages and providing oxygen, and providing basic life support care.~~
- (b) ~~No ambulance shall be operated unless it has the following equipment on board:~~
 - (1) ~~Oxygen inhalation equipment. Two (2) oxygen supplies, one (1) of which is portable and other installed in the ambulance.~~
 - (2) ~~Suction equipment for the aspiration of secretions. One (1) suction unit which is portable and one (1) suction unit installed in the ambulance.~~
 - (3) ~~Airway. Esophagus obturator airway, oral pharyngeal airways, endotracheal airways, laryngoscope and blades, and air adult bag-mask resuscitator.~~
 - (4) ~~Wound dressings.~~

- ~~(5) Splints for upper and lower extremities, scoop stretcher, long spine board, short spine board (also known as a "Kansas"), Kendrick extrication device (KED) or medical extrication devices (MED), head immobilizer and a traction splint.~~
- ~~(6) Emergency childbirth kit.~~
- ~~(7) Military antishock trousers (MAST), snake bite kits, disaster bags and intravenous fluids necessary to replace blood loss or as a lifeline for medications.~~
- ~~(8) Pillows, blankets, sheets, pillow cases, emesis basins, urinals, bedpans, aneroid blood pressure manometer and stethoscopes, cervical collars, sterile foil, and burn sheets.~~
- ~~(9) Two-way radios for direct notice dispatching, routing, notification of emergency departments and direction and assistance from and liaison with fire, police and civil defense authorities and other ambulance units. Regardless of the location of the basic radio equipment, it must be adaptable for use by both the driver and the medical technician in the patient area. Portable radios shall be provided for communication between personnel working at a distance from the vehicle.~~
- ~~(10) Any other essential equipment for ambulances required by the committee on trauma of the American College of Surgeons and also the Louisiana Department of Health and Human Resources, Department of Family Security.~~

Sec. 31-54. - Standards for advanced life support ambulance equipment.

Each Advanced Life Support ambulance is to be certified, equipped, and licensed to operate as such by State of Louisiana Bureau of Emergency Medical Services

- ~~(a) The equipment required in the ambulance necessary to provide advanced life support shall include, at all times when the ambulance is in use as such, equipment adequate in the judgment of the city council or its authorized designee, for dressing wounds, splinting fractures, controlling hemorrhages and providing oxygen, and providing advanced life support care.~~
- ~~(b) No ambulance shall be operated unless it has the following equipment on board:

 - ~~(1) *Oxygen inhalation equipment.* Two (2) oxygen supplies, one (1) of which is portable and other installed in the ambulance.~~
 - ~~(2) *Suction equipment for the aspiration of secretions.* One (1) suction unit which is portable and one (1) suction unit installed in the ambulance.~~
 - ~~(3) *Airway.* Esophagus obturator airway, oral pharyngeal airways, endotracheal airways, laryngoscope and blades, and air adult bag-mask resuscitator.~~
 - ~~(4) Wound dressings.~~
 - ~~(5) Splints for upper and lower extremities, scoop stretcher, long spine board, short spine board (also known as a "Kansas"), Kendrick extrication device (KED) or medical extrication device (MED), head immobilizer and a traction splint.~~
 - ~~(6) Emergency childbirth kit.~~
 - ~~(7) Military antishock trousers (MAST), snake bite kits, disaster bags and intravenous fluids necessary to replace blood loss or as a lifeline for medications.~~~~

- ~~(8) Pillows, blankets, sheets, pillow cases, emesis basins, urinals, bedpans, aneroid blood pressure manometer and stethoscopes, cervical collars, sterile foil, and burn sheets.~~
- ~~(9) Two-way radios for direct voice dispatching routing, notification of emergency departments and direction and assistance from and liaison with fire, police and civil defense authorities and other ambulance units. Regardless of the location of the basic radio equipment, it must be adaptable for use by both the driver and the medical technician in the patient area. Portable radios shall be provided for communication between personnel working at a distance from the vehicle.~~
- ~~(10) Cardiac monitor and defibrillator capable of producing hard copy EKG records, delivering three hundred (300) watt per second electrical defibrillation, and transmitting a patient's EKG electronically to a hospital.~~
- ~~(11) Advanced life support medications necessary to provide advanced life support care as outlined by current American Heart Association Advanced Cardiac Life Support Care Standards.~~

Sec. 31-55. - Unauthorized response by ambulances.

No ambulance shall make any emergency run based solely on information intercepted by use of a radio communication scanner or similar device unless that ambulance has been specifically requested to respond to such emergency. Nothing in this section shall be construed to prohibit service to a subscriber of a commercial ambulance service. No person shall operate an ambulance in violation of this provision.

Sec. 31-56. - Penalty.

Any person violating any of the provisions of this article shall upon conviction be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both, for each offense.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on _____, 2023 of the Hammond City Council and discussed at a public meeting held on _____, 2023; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by _____ and Second by _____ the foregoing ordinance was hereby declared adopted on _____, 2023 by the following roll call vote:

Votes: Kip Andrews () Carlee White Gonzales () Devon Wells () Sam DiVittorio () Steve Leon ()

WHEREFORE the above and foregoing ordinance was declared duly adopted on this ____ day of _____, 2023 at Hammond, Tangipahoa Parish, Louisiana.

Kip Andrews
President, Hammond City Council

Honorable Pete Panepinto
Mayor, City of Hammond

Lisa Cockerham
Clerk, Hammond City Council