

COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, STATE OF IDAHO

AN ORDINANCE REGULATING THE LICENSING, INSPECTION AND OPERATION OF NON-EMERGENCY AMBULANCES; DEFINING TERMS; PROMOTING THE MAINTANCES AND OPERATION OF A NON-EMERGENCY AMBULANCE WITHOUT THE APPROPRIATE LICENSE; PROVIDING FOR THE APPLICATION. STANDARDS AND FEES FOR THE LICENSING OF NON-EMERGENCY AMBULANCES, NON-EMERGENCY AMBULANCE DRIVERS; PROVIDING DUTIES FOR THE INSPECTION AND ISSUANCE OF LICENSES; REQUIRING COMPLIANCE WITH ALL LAWS, ORDINANCES AND REGULATIONS; PROVIDING FOR RENEWAL AND REVOCATION OF LICENSES; PROVIDING PENALTIES; PROVIDING SEPARABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE

NO. 130-83

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, BONNEVILLE COUNTY, IDAHO:

SECTION 1. DEFINITIONS. The following words shall, for the purpose of this ordinance, unless otherwise specified, having the meaning respectively ascribed to them:

(a) Non-emergency Ambulance: Any privately or publicly owned motor vehicle that is designed or constructed, and equipped and is intended to be used for and is maintained or operated, for the transportation of non-emergency injured or sick patients, operating within the boundaries of basic life support unit not normally involved in first run transporation in an emergency situation, which otherwise comply with the provisions of this Ordinance.

(b) Non-emergency Ambulance Operator or Non-emergency Ambulance Business: Anyone engaging in the business of transporting ill, sick or injured persons, for hire, or who, by advertising, representation or otherwise, holds himself out as engaging in such business.

(c) Attendant: A trained and/or qualified individual responsible for the operation of a non-emergency ambulance and the cure of the patients, whether or not the attendant also serves as a driver.

(d) Attendant-Driver: An individual who is qualified as an attendant and a driver.

(e) Driver: An individual who drives a non-emergency ambulance.

(f) Patient: An individual who is sick, injured or wounded or otherwise incapacitated or helpless.

(g) Person: An individual, firm, partnership, association, corporation, company, or group of individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States.

(h) Appointed Committee: A committee appointed annually by the Board of County Commissioners and consisting of at least the following members:

(1) A licensed physician who is a resident of the County.

(2) A representative of an agency performing emergency services. This representative shall be: The Chief of the fire or police department in the largest city in the County, or the Chief of the largest rural district fire department in the County, or the County Sheriff.

(3) A citizen who is a resident of the County. This citizen shall possess current certification in first aid, at least through the Advanced level of the American Red Cross of the equivalent.

SECTION 2. LICENSE REQUIRED.

(a) It shall be unlawful for any person, either as owner, agent or otherwise, to furnish, operate, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of patients within Bonneville County, unless he holds a current license for a non-emergency ambulance issued pursuant to this Ordinance.

(b) It shall be unlawful for a non-emergency ambulance to be operated, within Bonneville County, unless the non-emergency ambulance shall be under the immediate supervision and direction of a person who is holding a current, valid license as a driver, attendant, or attendant-driver.

(c) Provided, however, that no license shall be required for a non-emergency ambulance, or the driver, attendant or attendant-driver of a non-emergency ambulance which:

(1) Is operated by the State of Idaho, County of Bonneville, or governmental agency.

(2) Is operated from a location or headquarters outside of, and transports patients within who are picked up beyond the limits of Bonneville County.

(3) Is operated from a location or headquarters outside the limits of Bonneville County and either (a) picks up patients beyond the limits of Bonneville County, to be transported to locations within the County or (b) picks up patients within

Bonneville County to be transported to locations beyond the limits of Bonneville County.

However, no such outside ambulance shall be used to pick up patients within Bonneville County for transportation to locations within Bonneville County, unless the driver, attendant and attendant-driver and the ambulance operator hold current, valid licenses issued pursuant to this Ordinance.

SECTION 3. APPLICATION FOR NON-EMERGENCY AMBULANCE LICENSE.

Application for non-emergency ambulance licenses shall be made upon forms prepared or prescribed by the Board of Commissioners and shall contain:

(a) The name and address of the applicant and the owner of the non-emergency ambulance.

(b) The trade or other fictitious name, if any, under which the applicant does business and proposes to do business.

(c) The training and experience of the applicant in the transportaion and care of patients.

(d) A description of each non-emergency ambulance, including the make, model, year of manufacture, motor and chassis number, current State license number, the length of time the non-emergency ambulance has been in use; patient compartment dimensions of the non-emergency ambulance, cot and stretcher capacity, list of equipment carried in the non-emergency ambulance, design and color scheme of each non-emergency ambulance.

(e) The location and description of the place or places from which it is intended to operate.

(f) Such other information as the Board of Commissioners shall deem necessary.

SECTION 4. STANDARDS FOR NON-EMERGENCY AMBULANCE LICENSE LIABILITY INSURANCE.

(a) A non-emergency ambulance operator shall at all times indemnify and save harmless the County from and for any and all losses, claims, actions or judgements for damages or injury to persons or property and losses and expenses caused or incurred by the non-emergency ambulance operator and its drivers, attendants, and attendant-drivers. No non-emergency ambulance license shall be issued under this Ordinance, nor shall license be valid after license after insurance, nor shall any non-emergency ambulance be operated within Bonneville County unless there is at all times in force and effect insurance coverage issued by an insurance company licensed to do business in the State of Idaho for each and every ambulance owned and/or operated by or for the applicant of licensee, providing the

following minimum limits of liability insurance, in which the County shall be named as a named insured:

- (1) \$100,000.00 for property damage to any one person;
 - (2) \$200,000.00 for property damage in any one occurrence;
 - (3) \$250,000.00 for personal injury to any one person;
- and
- (4) \$500,000.00 for personal injuries in any one occurrence.

The limits of insurance provided above shall not be deemed the limitaion of the applicant's or licensee's covenant to indemnify and save and hold harmless the County, and if the County becomes liable for an amount in excess of the insurance limits herein provided, the applicant or licensee covenants and or any of its agents upon whom duties may be imposed by the Ordinance, agrees to indemnify and save and hold harmless the County from any and all such losses, claims actions, judgements or expenses for damages or injury to person or property.

SECTION 5. STANDARDS FOR NON-EMERGENCY AMBULANCE EQUIPMENT.

(a) The required equipment regularly carried in each non-emergency ambulance shall be those required under Section 39-144, Idaho Code and EMS 2-3300 ambulance standards as promogated by the Idaho Board of Health and Welfare.

(b) The Appointed Committee, prior to the issuance of a non-emergency ambulance license, or the renewal thereof, shall inspect each ambulance to determine the adequacy of equipment carried in each non-emergency ambulance along with equipment required by the Idaho Motor Vehicle Code (Siren, red lights, etc.) and that each non-emergency ambulance is in safe and sound mechanical and operating condition including compliance with State Vehicle Inspecton Laws. In determining the adequacy of first aid-patient handling equipment, the Appointed Committee shall take into consideration, in addition to the list of equipment specified by this Ordinance, the list of minimal equipment currently published by the American College of Surgeons or its authorized Committee on Trauma. In addition to the inspections required prior to insurance of a non-emergency ambulance license, or the renewal thereof, the Appointed Committee is authorized to conduct inspections at other reasonable times. A report of all inspections by the Appointed Committee must be property submitted to the Board of County Commissioners following each inspection.

SECTION 6. APPLICATION FOR DRIVER'S, ATTENDANT'S AND ATTENDANT-DRIVER'S LICENSE. Application for driver's, attendant's and attendant-driver's licenses hereunder shall be

made upon forms prepared or prescribed by the Board of Commissioners. No person shall drive or serve as a driver, attendant, or attendant-driver with a non-emergency ambulance licensed hereunder without first procuring the applicable license from the County. Each license application shall contain at least the following:

(a) The applicant's full name, current residence and length of time he has resided in Bonneville County;

(b) The applicant's age, marital statutes and other physical attributes;

(c) Whether he has ever been convicted of a felony or a misdemeanor, and, if so, when and for what cause;

(d) The applicant's training and experience in the transportation and care of patients, whether he has previously been licensed as a driver, chauffeur, attendant or attendant-driver, and, if so, when, where and whether his license has ever been revoked or suspended in any jurisdiction and for what cause;

(e) Affidavits of good character from two (2) reputable citizens;

(f) Fingerprints and photograph to be taken by the Bonneville County Sheriff's Department;

(g) Such other information as the Board of Commissioners shall deem necessary to make a determination of compliance with this Ordinance.

SECTION 7. STANDARDS FOR DRIVER'S, ATTENDANT'S AND ATTENDANT-DRIVER'S LICENSE.

(a) The Board of Commissioners shall, within a reasonable time after receiving an application as provided for herein, cause such investigation as he deems necessary to be made of the applicant for a driver's attendant's or attendant-driver's license.

(b) The Board of Commissioners shall issue a license to a driver, attendant or attendant-driver hereunder, valid for a period of one (1) year, unless earlier suspended, revoked or terminated, when he finds that:

(1) The applicant is not addicted to the use of intoxicating liquors or narcotics;

(2) The applicant is able to speak, read and write the English language;

(3) The applicant has been found by a duly licensed physician, upon examination attested to on a form provided by the Board of Commissioners, to be of sound physique, possessing good eyesight (at least correctable to 20-30 vision in the worst eye and also having good peripheral vision, depth perception, and acceptable dark adaptation recovery for night driving) and free of physical defects or disease which might impair the ability to drive or attend an ambulance; and

(4) The applicant for a driver, attendant or attendant-driver license has:

a. A currently valid certificate evidencing successful completion of American Red Cross first aid training at least through the Advanced Level.

b. Certification of successful completion of a course on rescue-extrication taught by the Idaho Falls Fire Department.

c. Certification of successful completion of a course on cardiopulmonary resuscitation taught by an instructor specified by the Appointed Committee.

(5) The applicant for a driver, or attendant-driver license has, in addition to the above requirements, successfully completed courses on defensive driving and emergency vehicle driving taught by instructors specified by the Appointed Committee, and also holds a currently valid driver's license from the State of Idaho.

(6) A license of a driver, attendant or attendant-driver issued hereunder shall not be assignable or transferable.

SECTION 8. OPERATIONAL STANDARDS FOR AMBULANCE SERVICE.

No non-emergency ambulance license shall be issued, renewed, or continued in force unless the ambulance operator shall:

(a) Equip each ambulance to conform with the minimal standards, requirements, and regulations provided for herein.

(b) Maintain each ambulance in mechanically safe, sound condition and sanitary condition at all times.

(c) Have a minimum of one licensed driver, and one licensed attendant, or two licensed attendant-drivers or an acceptable combination thereof, on the non-emergency ambulance service staff at all times.

(d) Have at least one ambulance crew available for prompt response at all times. Each such crew shall consist of two appropriately licensed personnel.

(e) Maintain records, on forms specified by the Board of Commissioners, as follows:

- (1) Monthly call report
- (2) Detailed individual call report
- (3) Annual Non-Emergency Ambulance Service Report
- (4) Daily Equipment Checkoff List
- (5) Vehicle Maintenance Log
- (6) Patient Collection/Non-Collection Report
- (7) Other records and reports as may be required.

SECTION 9. DUTIES OF THE BOARD OF COUNTY COMMISSIONERS

(a) The Board of Commissioners shall, within a reasonable time after receiving an application for non-emergency ambulance license as provided for herein, cause such investigation as he deems necessary to be made of the applicant and his proposed operation.

(b) The Board of Commissioners shall issue a license hereunder for a specified non-emergency ambulance to be valide for a period of one (1) years, unless earlier suspended, revoked or terminated, when they found that:

(1) The Appointed Committee has caused the non-emergency ambulance licensed hereunder to be inspected and found such non-emergency ambulance vehicle so licensed to be in proper condition as precribed by the applicable provisions of this Ordinance;

(2) The Appointed Committee has certified that the non-emergency ambulance equipment meets the minimal requirements prescribed by this Ordinance and by which to comply with all applicable laws, ordinances and regulation relating to health, sanitation and safety;

(3) The applicant is a responsible and proper person to conduct and operate a non-emergency ambulance business;

(4) A sufficient number of duly licensed drivers, attendants, and/or attendant-drivers are employed in such capacities by the non-emergency ambulance operator; and

(5) All the requirements of this Ordinance and all other applicable laws and ordinances have been met.

(6) Prior to the issuance of any non-emergency ambulance license hereunder, the Board of Commissioners shall cause to be inspected the vehicles, equipment and premises designated in each application hereunder to determine compliance with the standards by this Ordinance, and no license shall be issued by the County Clerk unless the Appointed Committee of Bonneville County has certified compliance with the requirements and standards of this Ordinance.

(7) Subsequent to the issuance of any non-emergency ambulance license hereunder, the Board of Commissioners shall cause to be inspected each licensed non-emergency ambulance or vehicle and its equipment and premises whenever they deem such inspection to be necessary. The inspection authorized by this subsection shall be in addition to any other safety or motor vehicles under the law or ordinance of the State of Idaho or Bonneville County.

(8) The Board of Commissioners shall determine the need for additional non-emergency ambulance operators and shall issue additional licenses only if the existing non-emergency ambulance operators fail to meet the needs and requirements of Bonneville County.

SECTION 10. LICENSE, FEES, AND DURATION OF LICENSE

All licenses authorized to be issued hereunder shall bear the date of issue and shall expire on the anniversary date next following the date of issue, unless sooner suspended, terminated or revoked. The following fees shall be charged by the Bonneville County Clerk, which fees shall accompany the appropriate application.

(a) Non-emergency ambulance license for each vehicle \$25.00 said license shall be prominently displayed in the vehicle.

(b) Driver's, Attendant's and Attendant-Driver's Licenses \$5.00 said license shall be on the person.

Any license issued pursuant to the provisions of this Ordinance may be renewed at the expiration thereof by filing a property application, paying the fee required for such license and provided that the applicant is the qualified to receive a license, each applicant being required to conform with all the requirements as upon original licensing.

SECTION 11. SUSPENSION AND REVOCATION OF LICENSE

(a) Any licenses who shall:

(1) Neglect or refuse to comply with the provisions of the Ordinance, with the conditions under which any license shall be issued, or

(2) Who shall violate any of the provisions of any Ordinance of this County, or

(3) Who shall violate any provisions of the laws of the State of Idaho.

Shall be subject to have his license suspended or revoked. The County Clerk, upon order by the Board of Commissioners, shall give notice of the suspension or revocation to the holder of any license issued hereunder, which notice shall set forth specifically the facts supporting the charges or grounds for which the license was suspended or revoked, and such notice shall be served on the holder of such license. The notice of suspension or revocation shall designate the time and place that a hearing will be held before the Board of Commissioners. If the Commissioners find that the basis of either the suspension or revocation is substantiated, the license shall be suspended or revoked. If such license is suspended, the license and all evidence thereof shall be surrendered by the holder of such license and shall be held by the County Clerk until the end of the period of suspension; and in the event the license is revoked, the holder shall be ineligible to obtain another license until granted by the Board of Commissioners.

(b) Upon suspension or revocation of a non-emergency ambulance license hereunder, operations shall cease with such non-emergency ambulance; upon suspension or revocation of a driver's, attendant's or attendant-driver's license, such driver, attendant or attendant-driver shall cease to drive or attend a non-emergency ambulance, and no person shall employ or permit such individual to drive or attend a non-emergency ambulance.

SECTION 12. COMPLIANCE

In addition to the provisions of the Ordinance, all licensees hereunder shall comply with all applicable laws, ordinances and regulations now in force or hereafter enacted governing the operation of motor vehicles upon highways, streets, alleys, and other public ways.

SECTION 13. PUNISHMENT

Any person violating the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or imprisonment in the County Jail not exceeding thirty (30) days, or both such fine and imprisonment.

SECTION 14. SEPARABILITY

If any provision of this Ordinance, or application thereof, is held invalid, the validity shall not affect other provisions or applications of this Ordinance which can be given in effect without the invalid provision or application, and to this end the provisions of this Ordinance are separable.

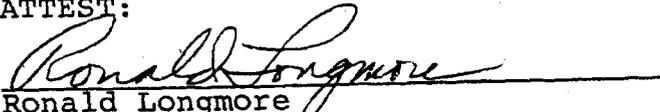
SECTION 15. PUBLICATION AND EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its passage by the County Commissioners of the County of Bonneville and its due publication as required by law.



Thomas F. Loertscher
Acting Chairman of County Commissioners
County of Bonneville

ATTEST:



Ronald Longmore
Clerk of the Board of Commissioners

PUBLISH: May 1, 1983