

Date: December 5, 2013

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Victor Camarillo-Rosales for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Victor Camarillo-Rosales (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, October 31, 2013.
2. An application to renew said license was untimely filed with the Office of the City Clerk on November 6, 2013
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated November 11, 2013. That report could form the basis of non-renewal or suspension of this license.
4. On November 22, 2013, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of a police report that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on December 5, 2013 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice was sent to Victor Camarillo-Rosales at 2201 South 15th Street, Milwaukee, Wisconsin 53215, along with a copy of the police report on November 22, 2013 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The

address of 2201 South 15th Street, Milwaukee, Wisconsin 53215 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.

- B. On January 2, 2012 an officer observed the applicant in taxicab #24 waiting in the taxi-stand at the Intermodal Station (433 West St. Paul Ave.). The officer had knowledge that permit #24 was suspended by the License Division. The officer spoke to the applicant who also had an expired Public Passenger Vehicle License. The applicant stated he was waiting on his licenses to be renewed and he needed to make money to pay his fines. Applicant was issued two citations for Public Passenger Vehicle Permit Required and found guilty on June 18, 2012 and fined \$374.00 and \$204.00.
- C. On March 21, 2012 officers observed the applicant operating a taxicab and pick up a fare at 801 East Mason Street. The officers had previous knowledge the applicant's Public Passenger Vehicle Permit was suspended and his Public Passenger Vehicle License was expired. One of these same officers has stopped the applicant in the past and advised him that he cannot operate as a taxicab. The officers followed the applicant and fare to the airport. The officer spoke with the fare who stated he paid the applicant \$26.00 and \$4.00 for a tip. The fare further stated he and several co-workers regularly use the applicant for transportation.

The applicant initially stated to the officers that he took care of his permit and license. When asked for documentation or receipts, the applicant stated he must have left it at home. The applicant was advised again that he cannot operate as a taxicab. A check with the Department of Transportation reveals his driver's license is still suspended.

Charge	1: Public Passenger Vehicle Permit Required
	2: Public Passenger Vehicle License Required
	3: Operating While Suspended
	Finding 1&3: Guilty, Municipal Court
	Finding 2: Dismissed without prejudice
	Sentence: \$374, \$114 respectively
	Date: 06/01/12

- D. The Wisconsin Department of Transportation suspended the applicant's driver's license for the following:

11/14/11	44 days for failure to pay forfeiture
12/13/11	16 days for failure to pay forfeiture
12/13/11	16 days for failure to pay forfeiture
12/13/11	16 days for failure to pay forfeiture
12/20/11	9 days for failure to pay forfeiture
12/20/11	9 days for failure to pay forfeiture

01/27/12 54 days for failure to pay forfeiture
03/06/12 20 days for failure to pay forfeiture

Items C and D updated with dispositions on November 11, 2013.

- E. On September 9, 2013, an officer observed taxi #24 in the taxi stand at 509 West Wisconsin Avenue. The operator of the taxi was Timothy Wong. Wong had a valid Public Passenger Vehicle license and his paperwork was in order. The officer observed the vehicle registration plate had a March and a 2014 sticker affixed to it. A check with the Department of Transportation revealed the plates expired in March 2013. A check of License Division records revealed that permit #24 was revoked due to an expired meter license. The officer was unable to contact the applicant regarding the violations. The applicant was cited as follows:

Charge 1: Public Passenger Vehicle Permit Required-CITATION
VOIDED***
2: Possess Fraudulently Obtained Registration Sticker
3: Expired Registration Plates
Finding: Pre-trial 12/03/13

- F. On October 4, 2013 while compiling this report Police Officer Mary Sikora had a conversation with Janice Wagner an employee of the License Division regarding this application. During the conversation Officer Sikora learned that the License Division received e-mail notification from the Health Department that the applicant had paid for his meter license in May and that his Public Passenger Vehicle permit should have been reinstated at that time. On October 15, 2013 Officer Sikora contacted our Court Administration Section, to have the citation for Public Passenger Vehicle Permit Required voided.
- G. On September 6, 2013 the Wisconsin Department of Transportation cancelled the applicant's driver's license for a bad or unpaid check. The license remained canceled until October 7, 2013. During the period of cancellation the applicant failed to return his Public Passenger Vehicle license to the City Clerk as required by City Ordinance 100-59-1-b.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Victor Camarillo-Rosales, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license based upon nonappearance and the police report.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Victor Camarillo-Rosales based upon nonappearance and the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends that the Public Passenger Vehicle Driver license of Victor Camarillo-Rosales be denied based upon nonappearance and the police report.

Dated and signed at Milwaukee, Wisconsin this 5th day of December, 2013.

TERRY L. WITKOWSKI
Chairman, Public Safety Committee

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