

## Agenda : Item 3

Disciplinary Case: Taxi Commission v. Driss Ellassali (Ellassali II)  
[ACTION]

- Consideration of Summary Suspension of P-44 Driver's Permit # 52819 for Violations of California Vehicle Code §§ 12500(a), 14601.1(a), MPC §§ 1089(a), and Rules 6.A.1, 6.A.2, 6.A.4, and 6.B.5



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2  
3 **SAN FRANCISCO TAXI COMMISSION**  
4 **CITY AND COUNTY OF SAN FRANCISCO**

5  
6 **COMPLAINT ON SUMMARY SUSPENSION**

7 1. Complaint is hereby made against Driss "Kiki" Ellassali, Taxi Driver ("A-card") Permit #  
8 52819, that said Permit Holder has conducted his business in a disorderly manner and violated  
9 provisions of the *Taxicab and Ramped Taxi Rules & Regulations* and the Municipal Police Code as  
10 described below.

11  
12 2. Mr. Ellassali has been a P-44 Taxi Driver Permit ("A-card") holder with the City and County  
13 of San Francisco since 2000. He does not hold any other type of permit with the City and County  
14 of San Francisco. Officially, he claims to be driving for United Cab at present time. (See Exhibit A,  
15 screenprint from Treasurer/Tax Collector's records.)

16  
17 3. Mr. Ellassali first came to the attention of the Taxi Commission in Summer 2007 when the  
18 office began to receive numerous complaints about illegal "brokering" or "managing" of medallions  
19 in the taxicab industry. Investigation revealed severe problems perpetuated by Mr. Ellassali and  
20 others who are also brokering medallions. A complaint was filed as a result, and went to a hearing  
21 officer. In addition to alleging the series of violations of various rules, the complaint asked for  
22 revocation of Mr. Ellassali's A-card on the basis of two theories: (1) that Mr. Ellassali was violating  
23 the so-called "three-layer lease rule" described at Rule 6.A.11, and/or (2) that Mr. Ellassali was  
24 operating a color scheme (taxicab company) without a permit. The hearing officer's  
25 recommendation appears on the November 25, 2008 calendar for the Commission's review.

26 4. On August 22, 2008, while the recommendation was still pending from the hearing officer,  
27 the Taxi Commission and the Taxi Detail summarily suspended Mr. Ellassali's A-card when it was  
28 discovered by the Police Department that he does not hold a valid California driver's license as

1 required by the Municipal Police Code and the Taxicab/Ramped Taxi Rules & Regulations.

2  
3 5. Royal Taxi also reported that Mr. Ellassali owned a Ford Taurus vehicle no longer associated  
4 with Royal Taxi after the medallion holder left the company. Mr. Ellassali allegedly rented the  
5 vehicle out to drivers even though it was no longer associated with Royal or any other taxicab  
6 company, and he retained possession of not only the 2-way radio, but the decals and transponders,  
7 which are actually City property, in an effort to make the vehicle look like a legitimate taxicab and  
8 evade enforcement action upon the vehicle's operation in the City and at the Airport. (See Exhibit  
9 B, SFPD Incident Report # 080914374.)

10 6. While he was suspended, Mr. Ellassali committed further violations. Specifically, he  
11 operated Luxor Vehicle # 675, held by Scott Van Leuven, despite having no California driver's  
12 license and no A-card. On August 31, 2008, while travelling on Geary Blvd, Mr. Ellassali came  
13 upon a DUI checkpoint. The officer discovered that Mr. Ellassali did not have a company ID, a valid  
14 A-card, or a valid California driver's license. The officer asked Mr. Ellassali where his driver's  
15 license was, and Mr. Ellassali said he owned the vehicle and that his license was at home. In fact,  
16 this was a false statement in violation of MPC § 1110 and Rule 6.A.4, because as of August 31,  
17 2008, Mr. Ellassali knew that his A-card was suspended and that his California driver's license was  
18 suspended. Additionally, Mr. Ellassali did not own that vehicle – it was owned by Luxor Cab and  
19 Scott van Leuven (registration to be provided at hearing.) Despite this knowledge, he made false  
20 statements to a San Francisco Police Department officer. The officer issued Mr. Ellassali a Citation #  
21 000774686 (Exhibit C).

22  
23 7. Since the filing of the original complaint on March 25, 2008, and continuing through to the  
24 present time, the Taxi Commission and the Taxi Detail have continued to receive reports that Mr.  
25 Ellassali is brokering medallions, driving taxicab vehicles in violation of his suspension, and most  
26 recently, illegally operating a white limousine in the City and County of San Francisco without a  
27 permit. Mr. Ellassali told an Airport employee and a fellow taxi driver, Gerson Garcia, that he was  
28 operating a Town Car vehicle and "didn't care" about the Taxi Commission's actions against him.

1 See Exhibit D, Declaration of Gerson Garcia. A check with the California Public Utilities  
2 Commission reveals that Mr. Ellassali does not hold a permit to operate a limousine in California.

3 See Exhibit E, Declaration of Robert Degroot.

4  
5 8. California Vehicle Code § 12500 (a) states:

6 A person may not drive a motor vehicle upon a highway, unless the person then  
7 holds a valid driver's license issued under this code, except those persons who are  
8 expressly exempted under this code.

9 California Vehicle Code § 14601.1 (a) states:

10 No person shall drive a motor vehicle when his or her driving privilege is suspended  
11 or revoked for any reason other than those listed in Section 14601, 14601.2 or  
12 14601.5, if the person so driving has knowledge of the suspension or revocation.  
13 Knowledge shall be conclusively presumed if mailed notice has been given by the  
14 department to the person pursuant to section 13106. the presumption established by  
15 this subdivisions a presumption affecting the burden of proof.

16 Municipal Police Code § 1089 (a) states:

17 (a) Permit Required. It shall be unlawful for any person to act as a driver of any  
18 motor vehicle for hire licensed pursuant to this Article unless that person holds a  
19 driver's permit from the Police Department issued pursuant to this section.

20 Municipal Police Code § 1090(a) provides as follows:

- 21 (a) Revocation for Cause. Any permit issued under this Article may be suspended or  
22 revoked by the [Taxi Commission] for good cause after a noticed hearing. "Good  
23 cause" hereunder shall include but shall not be limited to, the following...
- 24 (iv) The permittee or an agent of the permittee knowingly made false statements to  
25 or concealed information from the Taxi Commission, the Executive Director, or the  
26 Police Department...
  - 27 (viii) The permittee violated the Traffic Code of the City and County of San  
28 Francisco or the Vehicle Code or related laws of the State of California.
  - 29 (ix) The permittee violated any applicable statute, ordinance, rule or regulation  
30 pertaining to the operation or licensing of the vehicles and services regulated by this  
31 Article...
- 32 Upon a showing of good cause, the [Taxi Commission] shall have discretion to  
33 suspend or revoke a permit as set forth above, except that a suspension and/or  
34 revocation shall be mandatory in the circumstances described in subparts (i) through  
35 (iv) above.

36 9. Mr. Ellassali is a blight upon the San Francisco taxicab industry with his illegal  
37 activities and poor business judgment and practices. Mr. Ellassali's P-44 driver's permit is subject to  
38

1 revocation for good cause, including but not limited to the circumstances described above. Mr.  
2 Ellassail has repeatedly flouted the law and repeatedly demonstrated he has a lack of respect for the  
3 Taxi Commission and the San Francisco Police Department. He has violated Vehicle Code §§  
4 12500(a) and 14601.1(a); MPC §§ 1089(a) and 1110; Rules 6.A.1, 6.A.2, 6.A.4, and 6.B.5.  
5 Pursuant to MPC § 1090(a)(iii), (iv), and (ix), his P-44 driver's permit must be revoked.  
6

7 10. This Complaint shall constitute the Executive Director's Notice pursuant to MPC § 1188.  
8 Pursuant to agreement with Mr. Ellassali's counsel, this complaint shall be heard on shortened  
9 notice. A list of witnesses shall be provided to Mr. Ellassali at least five days prior to the hearing.  
10 The hearing shall occur on December 9, 2008 at 6:30 pm in Room 400 of San Francisco City  
11 Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.  
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CITY AND COUNTY OF  
SAN FRANCISCO

TAXI COMMISSION  
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 534-7197

PAUL OLLESPIE, PRESIDENT, ext. 3  
PATRICIA BRSSLIN, VICE PRESIDENT  
RICHARD BENJAMIN, COMMISSIONER, ext. 1  
TOM ONETO, COMMISSIONER, ext. 6  
MIN PAEK, COMMISSIONER, ext. 7  
R. JAMES SLAUGHTER, COMMISSIONER, ext. 4  
SUSAN SUVAL, COMMISSIONER, ext. 5  
JORDANNA THIGPEN, EXECUTIVE DIRECTOR

RECEIVED

AUG 22 2008

SAN FRANCISCO  
TAXI COMMISSION

August 22, 2008

Mr. Driss Ellassali  
VIA PERSONAL SERVICE  
San Francisco, CA 94102

Subject: Summary Suspension of P-44 Permit # 52819

Dear Mr. Ellassali:

Pursuant to Municipal Police Code § 1090(c), **NOTICE IS HEREBY GIVEN** that as of August 22, 2008, the San Francisco Taxi Commission and the San Francisco Police Department Taxi Detail have summarily suspended your **DRIVER FOR PUBLIC VEHICLE FOR HIRE PERMIT # 52819**.

You do not have a valid California driver's license as required by the Municipal Police Code and the Taxicab/Ramped Taxi Rules and Regulations. In addition, you are in possession of a taxicab vehicle, which property which been declared lost property by Royal Taxi pursuant to Case # 08-16153, including transponder #187972, a 2-way taxicab radio, and a 2005 red/gold Ford Taurus, and the airport decal SFLA # 5993. Royal Taxi reports you refused to return this property to them upon request and that you have been operating the vehicle as a taxicab vehicle and renting it out to drivers, even though that vehicle is no longer associated with any taxicab company. Such conduct constitutes operating without a permit and illegal brokering/leading of a taxicab vehicle.

You have the right to appeal this suspension to the Taxicab Commission. Written notice of appeal must be filed with the Director of the San Francisco Taxi Commission at 35 Van Ness Avenue, Rm 420, San Francisco, CA 94102, within 10 days after receipt of this letter. You are entitled to a hearing within thirty (30) days after the filing of the notice of appeal. You are strongly advised to hire an attorney to represent you and have the right to be represented by an attorney at the proceedings.

**YOU ARE HEREBY ORDERED** to immediately surrender your badge, "A-card," Taxicab Photo Identification, and the city property which you are in now in possession of to the Taxicab Detail upon receipt of this notice.

If you have questions or need further information, please contact the Taxi Commission at (415) 503-2180.

Sincerely,

Jordanna Thigpen  
Executive Director

Ron Reynolds  
Officer-in-Charge, SFPD Taxi Detail

Jeanne Schlotz  
Lieutenant, SFPD



8/21/08

TLA2 ACCT. NO: P44 052819 TAX ID	-	CENSUS	OLD#
DBA UNITED CAB	CERTIF NBR	DATE STARTED 05-26-00	
SITUS 0000 VARIOUS LOCATIONS	0000	DATE INACTIVATED 10-20-08	
OWNER ELASSALI, DRISS	CARE OF		
ADDRESS 520 SAN ANTONIO AVE #7	SAN BRUNO, CA	94066	
CONDOMINIUM DISTRICT CODE	NON-MATCHING ADDRESS	UNIT COUNT	
PERMIT NO. 094557 SUB-CLASS	DESC. DRIVER-PUB.PASS.VEH.	ACCOUNT TYPE A	
COMMENT: LICENSE SUSPENDED PER TC/TAXI DETAIL			
EXPIRE DTE	- - - -	12-31-08	12-31-07 12-31-06
DATE PAID	- - - -	02-20-08	01-16-07 04-19-06
BATCH NO		0067	0155 0874
ISSUE DT	00-00-00 00-00-00	02-22-08	01-19-07 04-21-06
DUE: FEE		53.00	52.00 51.00
SURCHRG		3.00	3.00 9.00
MISC.			
PENALTY		4.80	
TOTAL		60.80	55.00 71.50
PAID: FEE		53.00	52.00 51.00
SURCHRG		3.00	3.00 9.00
MISC.			
PENALTY		4.80	
TOTAL		60.80	55.00 71.50
BALANCE		0.00	0.00 0.00
P44 052819 RECORD RETRIEVED - ENTER CLASS-ACCOUNT FOR NEXT RECORD			



**San Francisco Police Department  
INCIDENT REPORT**

**080914374**

Report Type: **Initial**

**080914374**

Incident Number <b>080-914-374</b>	Occurrence from Date/Time <b>08/13/08 10:00</b>	Occurrence to Date/Time	Reported Date/Time <b>08/29/08 17:30</b>	CAD Number <b>082422953</b>
Type of Incident <b>Stolen Property, Possession with Knowledge, Receiving -11010A, Permit Violation, Police (general) -30000</b>				
Location of Occurrence <b>Buchanan St Golden Gate Ave Street, (Not Sidewalk)</b>				
Confidential Report? <input type="checkbox"/>	Arrest Made? <input type="checkbox"/>	Suspect Known? <input checked="" type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>
Domestic Violence? <input type="checkbox"/> (Type of Weapon Used)				Reporting Unit <b>2E100</b>
Location Sent <b>same</b>				
How Cleared?	Reported to Bureau	Name	Star	Date/ Time
			Elder Victim <input type="checkbox"/>	Gang Related? <input type="checkbox"/>
			Juvenile Subject? <input type="checkbox"/>	Prejudice Based? <input type="checkbox"/>

<b>OFFICIAL CERTIFICATION</b>	I declare under penalty of perjury, this report of <u>5</u> pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.				
	<b>PROP 115 CERTIFIED</b>		Signature: <i>[Signature]</i>		
	Reporting Officer <b>Reynolds, Ronald E</b>	Star <b>137</b>	Station <b>Taxi</b>	Watch <b>0800-1800</b>	Date <b>09/02/08 11:39:09</b>
	Reviewing Officer	STAR	Station	Watch	Date
	OIC <i>[Signature]</i>	STAR	Station <i>[Signature]</i>	Watch <i>[Signature]</i>	Date <b>9/2/08</b>
Related Case	Related Case	Re-Assigned to	Assigned to <b>5E200</b>	Assigned by	
		Copies to <b>5E200 2G200</b>	Add'l Copies		

<b>REPORTEE</b>	Code R	Name (Last, First Middle) <b>SFPD 239,</b>	Alias		
	Day Phone <b>(415) 614-3400</b>	Type <b>Work</b>	Home Address	City	State Zip Code
	Night Phone	Type	Work Address <b>1125 Fillmore</b>	City <b>San Francisco</b>	State CA Zip Code <b>94115-</b>
	DOB / Age	DOB Unk. <input type="checkbox"/>	or age between: and	Race	Sex
	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>	Star	Follow-up Form YES <input type="checkbox"/>
	School (if Juvenile)		Injury/Treatment	Other Information/If Interpreter Needed Specify Language	

<b>SUSPECT</b>	Code S	Name (Last, First Middle) <b>Elassali, Driss</b>	ALIAS		
	Day Phone <b>(415) 756-0478</b>	Type <b>Cell</b>	Home Address <b>500 San Antonio St. #7</b>	City <b>San Bruno</b>	State CA Zip Code <b>94066-</b>
	Night Phone	Type	Work Address <b>Unk</b>	City	State Zip Code
	DOB Unknown <input type="checkbox"/>	Date of Birth <b>11/12/65</b>	Age <b>42</b>	or age between: and	Race <b>U</b>
	Sex <b>M</b>	Height <b>5'07</b>	Weight <b>170</b>	Hair Color <b>BRO</b>	Eye Color <b>BRO</b>
	SFNO <b>543971</b>	J/D# (if Juvi.)	ID Type/Jurisdiction/Number <b>DL CA B9597617</b>	ID Type/Jurisdiction/Number <b>CII CA 20075593</b>	ID Type/Jurisdiction/Number
	Book Section #1	Book Section #2	Book Section #3	Book Section #4	Book Section #5
	Warrant #	Court #	Action #	Dept	Enroute to
	Warrant Violation(s)		Bail	Mirandized <input type="checkbox"/>	Star
	Citation #	Violation(s) <b>1089(a) MPC</b>	Appear Date/Time	Location of Appearance	
	Book/Cite Approval	Star	Mass Arrest Code	M X-Rays <input type="checkbox"/>	School (if Juvenile)
	Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos				<input type="checkbox"/> CA Form Booked Copy Attached

080914374

San Francisco Police Department  
PROPERTY LISTINGS

S / R	Code/No SAR	Item Description transponder				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star) 137	From Where taxicab 899						
	Additional Description/Identifying Numbers							
S / R	Code/No SAR	Item Description Airport Decals				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star) 137	From Where taxicab 899						
	Additional Description/Identifying Numbers							
S / R	Code/No SAR	Item Description Taxi Bubble Light				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star) 137	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							

Printed by K. COLUCCI on Nov 14, 2008 at 11:04AM

ADDITIONAL RECORDS

San Francisco Police Department

080914374

VEHICLE INFORMATION

VEHICLE CODES: B - BOOSTED; D - DAMAGED; F - USED FELONY; T - TOWED; U - USED OTHER; V - VANDALIZED; X - STRIPPED

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.
	T	8K43962	CA	2009	CO	4T1BB46K88U037882
	Veh Year	Make	Model			
	2005	Ford	Taur			
	Style	Color			Plates/VIN Match?	Plates Missing?
	Sedan, 4 door	Red			<input checked="" type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>
Condition (Check all that apply)				Damage	Point of Entry	
APPARENTLY DRIVABLE <input checked="" type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/>						
Crime Scene Tech. Notified? <input type="checkbox"/>	387 Form Given to Owner? <input type="checkbox"/>	Tow Approved By (Name) Star		Towed to (Name/Address)		Tow Check (Name) Star
		Reynolds 137		Police impound		
Hold For		Other Information				
STOP Program		Hold for Taxi to retrieve transponder, Airport decals, Dome light				
OWNER	Registered Owner Business Name/Last Name, First Name				Residence Phone	
	Elssail Driss				(415) 756-0478	
Residence Address			City	State	Zip	Business Phone
500 San Antonio #7			San Bruno	CA	94066-	

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.	
	Veh Year	Make	Model				
	Style	Color			Plates/VIN Match?	Plates Missing?	
					<input type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>	
	Condition (Check all that apply)				Damage	Point of Entry	
	APPARENTLY DRIVABLE <input type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/>						
Crime Scene Tech. Notified? <input type="checkbox"/>	387 Form Given to Owner? <input type="checkbox"/>	Tow Approved By (Name) Star		Towed to (Name/Address)		Tow Check (Name) Star	
Hold For		Other Information					
OWNER	Registered Owner Business Name/Last Name, First Name				Residence Phone		
Residence Address			City	State	Zip	Business Phone	

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.	
	Veh Yr	Make	Model				
	Style	Color			Plates/VIN Match?	Plates Missing?	
					<input type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>	
	Condition (Check all that apply)				Damage	Point of Entry	
	APPARENTLY DRIVABLE <input type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/>						
Crime Scene Tech. Notified? <input type="checkbox"/>	387 Form Given to Owner? <input type="checkbox"/>	Tow Approved By (Name) Star		Towed to (Name/Address)		Tow Check (Name) Star	
Hold For		Other Information					
		Hold for Taxi to retrieve transponder, Airport decals, Dome light					
OWNER	Registered Owner Business Name/Last Name, First Name				Residence Phone		
Residence Address			City	State	Zip	Business Phone	

Printed by KCOLOMAN on Nov 18, 2008 at 11:13 AM

## Narrative:

On 08/20/2008 I received a report from Capt. A. Casciato # 239 documenting a decommissioned San Francisco Taxicab (T) Ca. plate 8K43962 parked on the corner of Buchanan & Golden Gate Ave. The Taxicab photographs revealed that the Airport decals were still displayed, the transponder was still on top of the vehicle and the "TAXI" bubble light was still on top of the vehicle. When a legitimate San Francisco taxicab is decommissioned the above listed items have to be removed and turned into the (GTU) Airport Ground Transportation Unit by law.

I immediately contacted Dan Borg of the GTU and he stated the following:

Taxicab # 899 was a former Royal taxicab that was decommissioned for another vehicle. Every taxicab medallion has one vehicle assigned to it. When an old taxicab is replaced with a new vehicle, the old vehicle has to turn in the Airport decals and transponder to the GTU. The decals and transponder is the property of the San Francisco Airport. GTU contacted (S) Ellassali/Driss who was the registered owner of taxicab # 899 (T) Ca. plate 8K43962 and requested the decals and transponder be returned. Ellassali refused to comply with GTU's request. On 06/09/2008 the GTU filed a San Francisco Police Airport Bureau incident report 08-16153 reporting the transponder and decal as lost or stolen.

A computer check revealed that Ellassali's drivers license had been suspend or revoked. The reason for Ellassali's DL suspension was failure to appear, notice mailed 06/19/08. A check of Taxi Detail records showed that Ellassali had an active Driver for Public Vehicle for Hire permit # 52819. The Municipal Police Code requires all Drivers for Public Vehicle for Hire permits (A-card) to have a valid California's Drivers License. I contacted Ellassali by telephone and requested that he come to the Taxi Detail to be interviewed regarding his drivers license and the status of taxicab # 899. Ellassali stated he would come to the unit. I then contacted the Taxi Commission and discussed suspending Ellassali's Driver for Public Vehicle for Hire permit. The Taxi Commission agreed on the suspension.

On 08/22/08 at 1400 hrs. Ellassali arrived at the Taxi Detail. I brought Ellassali into the Taxi Detail and read him his Beheler Admonition. I requested to see his drivers license and his A Card. Ellassali presented a valid A-Card and stated he had forgotten his drivers license at home. I confronted Ellassali about his suspended drivers license. He stated he moved and didn't know the license was suspended. I informed him his license was suspended and he could not operate any vehicle until he took care of several court appearances that he failed to appear on. He stated he understood. I also served him with suspension papers for his Driver for Public Vehicle for Hire permit. I explained he could not operate a taxicab in San Francisco until he had his drivers license renewed. Ellassali stated he understood. I then seized his Driver for Public Vehicle for Hire permit. I advised Ellassali that he was in possession of lost or stolen property from the San Francisco Airport and a police file had been filed. I asked Ellassali where the property was. He advised me that the taxicab was parked on Golden Gate between Webster and Buchahan. I immediately sent a marked police vehicle to that location to tow the taxicab. I then advised Ellassali he needed to present me with a valid California Drivers License on Tuesday and I would return his Driver of Public Vehicle for Hire permit. I would allow him to remove the "Taxi" bubble light, transponder and Airport Decal from taxicab # 899. After I received these lost/stolen items I would return taxicab # 899 to him. He stated he understood. I then asked Ellassali why he didn't open up his own taxicab company with the medallions he was brokering? He told me he was smart and if he followed the rules and opened his own taxicab company he wouldn't make any money. I told Ellassali if he continued this behavior, he would continue to be cited, have his vehicles towed ,have his A-Card revoked and face arrest.

Elassali just smiled and didn't respond to my statement.

On 08/26/08 at 1415 hrs. Elassali returned with a California Drivers License in his possession. I conducted a computer check and discovered that Elassali's drivers license was still expired, I refused to return his A-Card or vehicle to him.

On 09/02/08 at 0815 hrs. I was had a phone message from Luxor Cab company stating that (S) Elassali had been driving Luxor Taxicab # 675 Ca. plate # 8G23102 on 08/31/2008. On 08/31/2008 at 2015 hrs. Elassali got stopped at a DUI Check point at Geary and 10th Ave in San Francisco, California. Sgt Ed Callejas # 219 stopped Elassali and discovered he had no license in his possession. A computer check revealed that Elassali drivers license was suspended. Elassali stated, "I left my license at home and I own this cab." Officer Meyer 1538 issued Elassali a citation for 14601.1a CVC and towed taxicab 675.

A large, stylized handwritten signature or scribble, possibly reading 'W W', is written in black ink across the center of the page.

# 14601 CVC REPORT

## TRAFFIC VIOLATION CITATION

INCIDENT NO.

08109222810

CAD NO.

--	--	--	--	--	--	--	--

INCIDENT CODE 65016	ASSIGNED TO 4A200
HOW CLEARED 7	COPIES FOR TRAFFIC 2, D.A. 2

SAN FRANCISCO POLICE DEPARTMENT SUS D. 07-19-08  
 CITY AND COUNTY OF SAN FRANCISCO  
**NOTICE TO APPEAR 000774686**

Traffic  Infraction  Misdemeanor **13365 A**  
 Nontraffic  Felony (Juvenile, PIER 626(c) w/1)

DATE OF VIOLATION <b>08 13 08</b>		TIME <b>2030</b>		DAY OF WEEK <b>0 M T W T F S</b>		INCIDENT NO. <b>080922286</b>	
NAME (First, Middle, Last) <b>DRISS GLASSALI</b>							
MAILING ADDRESS <b>520 SAN ANTONIO ST</b>						PHONE NO. <b>( ) ( ) ( ) ( ) ( ) ( )</b>	
CITY <b>SAN BRUNO</b>		STATE <b>CAL</b>		ZIP CODE <b>94066</b>			
DRIVER LICENSE NO. <b>B9592017</b>		STATE <b>CAL</b>		CLASS <b>42</b>		BIRTH DATE <b>11/12/65</b>	
SEX <b>M</b>	RACE <b>BLK</b>	EYES <b>BUN</b>	HAIR <b>BRN</b>	HEIGHT <b>57</b>	WEIGHT <b>170</b>	S.F. NO. or X NO. <b>W</b>	
VEH. LIC. NO./PL <b>BN23102</b>		STATE <b>CAL</b>		R. NO. <b>89</b>		YR <b>68</b>	
YR. of VEH. <b>1998</b>		MAKE <b>Mercedes</b>		MODEL <b>SLR</b>		COLOR <b>Black</b>	
EVIDENCE OF FINANCIAL RESPONSIBILITY						<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))	
REGISTERED OWNER OR LESSEE						<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)	
ADDRESS							
CITY STATE ZIP CODE							
CORRECT VIOLATION (Veh. Code, § 40610) <input type="checkbox"/> BOOKING REQUIRED MISDEMEANOR OR INFRACTION (check)							
YES NO CODE AND SECTION DESCRIPTION							
<input checked="" type="checkbox"/> <b>CAL 14601.2 SUS DL</b> <input type="checkbox"/> <b>M I</b>							
<input type="checkbox"/> <b>M I</b>							
<input type="checkbox"/> <b>M I</b>							
SPEED APPROX.		P.F./MAX SPEED		VEH. LMT.		<input type="checkbox"/> CONTINUATION FORM ISSUED	
LOCATION OF VIOLATION(S) <b>ON SAN ANTONIO BLVD AT 10TH AVE</b>							
M.A.C.		JUV. NO.		SCHOOL			
<input type="checkbox"/> VIOLATION(S) NOT COMMITTED IN MY PRESENCE, DECLARED ON INFORMATION AND BELIEF.							
I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.							
ARRESTING OFFICING OFFICER <b>1538 YUN</b>		ISSUING AGENCY IF NOT SFPD		STAR		ISSUING UNIT	
DATE		NAME OF ARRESTING OFFICER IF DIFFERENT FROM CITING OFFICER		STAR		ISSUING UNIT	
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT TIME AND PLACE INDICATED BELOW.							
X SIGNATURE <b>[Signature]</b>							
WHEN: <input type="checkbox"/> ON OR BEFORE <b>108</b>							
DAY: <b>WED</b>		DATE: <b>10/15/08</b>		TIME: <b>0800</b>			
WHAT TO DO: Follow the instructions on the reverse.							
WHERE: <input type="checkbox"/> Traffic/Nontraffic - Infraction Division - 850 Bryant St., Room 101, San Francisco, CA 94103 (415) 553-9400 <input checked="" type="checkbox"/> Criminal Division - SF Superior Court - 850 Bryant St., Room 475, San Francisco, CA 94103 (415) 553-9394 <input type="checkbox"/> Informal Juvenile & Traffic Court - 575 Polk St. Dept. #3, San Francisco, CA 94102 (415) 551-3634 <input type="checkbox"/> Youth Guidance Center - 375 Woodside Ave., San Francisco, CA 94127 (415) 753-7800 <input type="checkbox"/> TO BE NOTIFIED							
<b>COURT COPY</b>							
Notice To Appear Form approved by the Judicial Council of California. SEE REVERSE Rev. 9/21/04 (Veh. Code §§ 40500(b), 40513(b), 40522, 40600; Pen. § Code 653.9) 13-139							

### SUSPENSIONS

EFF. DATE	AUTHORITY	SERVICE CODE
1.		
2.		
3.		
4.		
5.		

DMV 310 FORM COMPLETED YES  NO

LICENSE ATTACHED YES  NO

EXPLAIN IF NOT ATTACHED

SUP. REVIEWED/STAR #

SUSPECT'S DRIVERS LICENSE OR ID NO.

NO LICENSE ISSUED

ROADWAY CONDITIONS

OFFICER LOCATION AT TIME OF VIOLATION

VEHICLE DISPOSITION TOWED YES  NO

CITY TOW  OTHER

REASON FOR TOW

22651(p) CVC  OTHER

SFPD 387 ISSUED YES  NO

TOW APPROVED BY:

DRIVER'S STATEMENT:

NARRATIVE: I HEREBY CERTIFY THAT I AM THE OFFICER WHO ISSUED THE ATTACHED CITATION AND PERSONALLY OBSERVED THE DEFENDANT DRIVING.

DOI CHAL... Point - 08-04-05-13365 M



REPORTING OFFICER (PRINT AND SIGNATURE) / STAR

O.I.C. APPROVAL (PRINT AND SIGNATURE) / STAR

DECLARATION OF GERSON GARCIA

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2  
3 1. I am over the age of 18 and not a party to this action, and I am a citizen of the United  
4 States.

5  
6 2. My name is Gerson Garcia, and my business address is the San Francisco International  
7 Airport. I am employed as Shift Manager. I am responsible for overseeing the taxi dispatchers  
8 and taxi operations, lots, and curbside program at the Airport involving taxicabs.  
9 In that capacity, and as part of my regular duties, I have the opportunity to meet many taxi  
10 drivers and become familiar with them. I also hold A-card # 44391 issued by the City and  
11 County of San Francisco.

12 3. I have been familiar with Mr. Driss "Kiki" Ellassali for many years, at least five years,  
13 because I have seen him around the taxi lots.

14  
15 4. On November 5, 2008 I was walking through Terminal 1 in the performance of my official  
16 duties when I saw Mr. Ellassali waiting with a friend outside the security area. His friend was about  
17 to board an airplane leaving from Terminal 1. I went over to Mr. Ellassali to inquire about the fact  
18 that the Taxi Commission and the Taxi Detail were looking for him. At first we spoke about the taxi  
19 industry. He complained about the business and also about the Commission's action against him.  
20 He said "the lady over there is going after me, but not going after the big corruption in the  
21 industry." He continued to complain about the action against him and said "it's simple. They don't  
22 know what they are doing." I advised him not to come to the Airport and not to make any trouble.  
23 He said "I don't care about the case, because I drive a Town Car now." He told me "everything has  
24 been taken care of with the Police Department." I didn't understand what he meant by that. We

25 //

26 //

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28 //

1 spoke in total for about ten or fifteen minutes.

2  
3 6. I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 Signed:

Date: 11-20-2008

6  
7   
Gerson Garcia

8 Executed in San Francisco, California

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## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



FILE: None

## DECLARATION OF ROBERT E. DEGROOT

I, Robert E. DeGroot, declare as follows:

1. I am a Senior Transportation Representative with the California Public Utilities Commission (CPUC) and am a supervisor in its License Section. I have personal knowledge of the facts set forth herein and, if called to do so, I could and would competently testify to the facts set forth herein and to my beliefs based thereon under oath.
2. The License Section is responsible for licensing household goods carriers and "for-hire" highway carriers of passengers operating within the State of California and for assigning and issuing file numbers (often referred to as "T" numbers and "PSG" numbers, respectively) to them. The License Section is also responsible for registering private (not-for-hire) carriers of passengers and interstate motor carriers of passengers which operate in California.
3. Under the License Section's records disposal program, the files of expired, cancelled, or revoked carriers are kept for a period of three years from the date of expiration, cancellation, or revocation.
4. I have made a diligent search of our License Section records to ascertain the license status of DRISS ELASSALI. Our records fail to indicate that this individual has ever held or applied for operating authority as a charter-party passenger carrier from the Commission.

I declare under penalty of perjury that the foregoing information is true and correct.

Dated at San Francisco, California, this 7<sup>th</sup> day of November 2008.

A handwritten signature in black ink, appearing to read "Robert E. DeGroot".

Robert E. DeGroot, Senior Transportation Representative  
License Section  
Consumer Protection and Safety Division