Department of
Consumer Affairs

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DEPARTMENT OF CONSUMER AFFAIRS,	:	**CONSENT ORDER**
Complainant,	:	
-against-	:	
	:	
JAVIER A. RAMIREZ		:
	:	PEDICAB DRIVER
Respondent	:	

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Javier A. Ramirez ("Respondent") acknowledges receipt of notice from the New York City Department of Consumer Affairs (the "Department") that, from 2011 through 2013, Respondent violated the New York City Administrative Code (the "Code") Sections 20-259(a) and (c) by operating a pedicab on numerous occasions in a public park in violation of the rules of the Parks Department. Pursuant to the Code Section 20-257(f), the Department may refuse to renew a pedicab driver license on this basis. Respondent has applied for the renewal of his pedicab driver license. Respondent consents to this Consent Order ("CO") to resolve the violations.

Renewal of License

1. The Department will renew Respondent's pedicab driver license subject to the conditions set forth in this CO.

Duty to Comply with Law

2. As a pedicab driver, Respondent, shall strictly and promptly comply with Chapter 1 of the Code, beginning at Section 20-101 (known as the License Enforcement Law); Chapter 2, Subchapter 9, Section 20-257 *et seq.* of the Code (known as the Pedicab Driver Licensing Law); Chapter 5, Subchapter 1, Section 20-700 *et seq.* of the Code (known as the Consumer Protection Law); 6 RCNY Section 5-01 *et seq.* (known as the Consumer Protection Law Rules); Chapter 2, Subchapter GG of 6 RCNY (known as the Pedicab License Rules); and this CO.

Department of
Consumer Affairs

New York State Department of Motor Vehicles Driver License

3. Respondent shall obtain a New York State Department of Motor Vehicles Driver's License in order to receive the pedicab driver license.

Probation

4. From the date of signing this CO until the end of the 2014 pedicab driver license term, April 30, 2015, Respondent will be on probation.

5. If Respondent accrues five (5) or more summonses or notices during the 2014 pedicab driver license term, probation will be extended until Respondent has received dispositions for all summonses or notices received during that term.

6. If Respondent is found guilty of the charges alleged in five or more of the summonses or violations received during the probationary period, Respondent's pedicab driver license will be automatically revoked, and Respondent may not apply for a new license for an additional year.

Reporting Requirements

7. If Respondent is arrested, or receives a summons or complaint for a traffic-related offense or other notice of violation of any law or regulation, while operating a pedicab, Respondent shall provide to the Department a copy of such summons, complaint or notice of violation within five (5) business days of receipt.

8. If there is a new hearing date for the summons or complaint or notice of violation Respondent shall provide the new hearing date to the Department within five (5) business days of the granting of a new hearing date.

9. Respondent shall obtain a copy of the disposition of every such arrest, summons, complaint, or notice of violation and provide it to the Department within five (5) business days of receipt of such disposition.

10. When reporting to the Department, Respondent shall submit the Pedicab Driver Reporting Form, which is attached to this agreement as Schedule A.

Department of
Consumer Affairs

11. Respondent shall submit these documents by mail

Licensing Attorney
Licensing Division, 5th Floor
New York City Department of Consumer Affairs
42 Broadway
New York, NY 10004

or fax them to the attention of the Licensing Attorney at (646) 500-5818.

Agreed to for the Respondent by:

[redacted]

Javier A. Ramirez 04/07/2014

Accepted for the Department of Consumer Affairs by:

[redacted]

[redacted]

Licensing Attorney 4/7/2014

Businesses licensed by the Department of Consumer Affairs (DCA) must comply with all relevant local, state and federal laws. Copies of New York City licensing and consumer protection laws are available in person at DCA's Licensing Center, located at 42 Broadway, 5th Floor, New York, NY, by calling 311, New York City's 24 hour Citizen Service Hotline, or by going online at www.nyc.gov/consumers.