

MEMORANDUM

Agenda Item No. 7(J)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

(Second Reading 11-28-06)
DATE: June 20, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending Section
31-82(Q)(5) of the Code
relating to vehicles for-hire

The accompanying ordinance was prepared and placed on the agenda at the request of Senator Javier D. Souto.

for: 

Murray A. Greenberg
County Attorney

MAG/bw

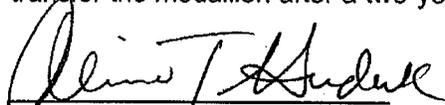
Memorandum

MIAMI-DADE
COUNTY

Date: November 28, 2006
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
From: George M. Burgess
County Manager
Subject: Ordinance Relating to Vehicles For-Hire

The ordinance amending Section 31-82 (Q)(5) of the Code of Miami-Dade County relating to vehicles for-hire will not have a fiscal impact to Miami-Dade County.

The proposed ordinance allows lottery winners awarded a medallion and who are at least 62 years of age, to transfer the medallion after a three year holding period under the 20-year lottery category and to transfer the medallion after a two-year holding period under the 25-year lottery category.


Assistant County Manager

Fiscal00306



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(J)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(J)
11-28-06

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 31-82 (Q) (5) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO VEHICLES FOR-HIRE; REDUCING THE TIME PERIOD WITHIN WHICH NEW TAXICAB LICENSES MAY BE TRANSFERRED BY TWENTY AND TWENTY-FIVE YEAR DRIVERS WHO ARE AT LEAST 62 YEARS OF AGE AT THE TIME OF ISSUANCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS
OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Chapter 31, Article III of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

**CHAPTER 31
VEHICLES FOR HIRE**

* * *

**Art. II. Licensing and Regulation of For-Hire
Motor Vehicles**

* * *

Sec. 31-82 For-Hire Licenses.

* * *

(q) All additional for-hire licenses to operate a taxicab

¹Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

which are authorized pursuant to this section shall be issued by the CSD in accordance with the following procedures:

* * *

- (5) *Condition of all new taxicab licenses.* It shall be a condition of all for-hire taxicab licenses distributed through the random selection process which are issued after the effective date of this ordinance that the taxicab operated under authority of such license shall be driven by the license holder one (1) out of two (2) shifts per day an average of five (5) days per week. Licenses issued pursuant to this section shall be issued in the chauffeur's individual name only. No new for-hire taxicab license shall be assigned, sold or transferred during the five-year period following the issuance of said license. Notwithstanding the foregoing, a new taxicab for-hire license may be transferred during the five-year period following issuance where the license is transferred involuntarily pursuant to Section 31-82 (r) or due to the death or incompetency of the for-hire license holder, including an irreversible medical condition rendering the chauffeur unable to perform the duties of a chauffeur, such a loss of sight, paralysis or a terminal illness. >>Notwithstanding the foregoing, a new taxicab for-hire license issued to a driver pursuant to the lottery reserved for twenty-year drivers may be transferred, as provided in Chapter 31, three (3) years after the date of issuance if the driver was, at the time of issuance, at least sixty-two (62) years of age, and a new taxicab for-hire license issued to a driver pursuant to the lottery reserved for twenty-five year drivers may be transferred, as provided in Chapter 31, two (2) years after the date of issuance if the driver was, at the time of issuance, at least sixty-two (62) years of age.<< Where a new for-hire license is revoked during the

>>aforementioned<< five-year >>, three-year, or two-year<< period immediately after the issuance of the license, the proceeds from the sale of such license, after deducting the expenses of the sale, shall be paid, first, to the lienholder or lienholders in the order of date of filing and the balance, if any, shall be paid to Miami-Dade County.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



JAC/jm
GKS

Prepared by:

Gerald K. Sanchez

Senator Javier D. Souto