# Memorandum

MIAMI-DADE COUNTY

**Date:** April 24, 2007

**To:** Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

**From:** George M. Burgess
County Manager

Agenda Item No. 7(F)

**Subject:** Ordinance relating to the underserved and South Miami-Dade taxicab service areas

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**At the March 14, 2007, Economic Development and Human Services Committee meeting, amendments where made to the ordinance relating to the boundaries of the North Miami-Dade underserved area to further expand the area to include the boundaries for the City of Opa Locka, the City of Miami Gardens, and the Opa Locka Airport. Taxicabs utilizing a properly installed and operating two-way dispatch system as of March 14, 2007, shall maintain the two-way dispatch system twenty four hours a day.**

## RECOMMENDATION

It is recommended that the Board approve the attached ordinance that expands the boundaries of the underserved taxicab service areas, requires taxicabs in these underserved areas to be equipped with a two-way radio dispatch system, and eliminates language that is either obsolete or duplicated in other sections of the Code.

## BACKGROUND

Chapter 31 Article II contains the regulations governing taxicab services. Two special taxicab service areas are provided for in Section 31-93 of this Chapter: the North Miami-Dade underserved taxicab service area that was created in 1999, and the South Miami-Dade taxicab service area that was created in 2004. Among other goals, the purpose of these specially designated areas was to enhance service availability.

The boundaries for the North Miami-Dade underserved taxicab service area are currently N.W. 79 Street on the north, N.W. 7 Street on the south, North Miami Avenue on the east, and N.W. 27 Avenue on the west. There are 43 specially designated taxicabs for this area. The South Miami-Dade underserved taxicab service area is the area of South Miami-Dade County from S.W 136 Street south. There are 21 specially designated taxicabs for this area.

During two taxicab workshops held by Commissioner Dorrin D. Rolle on October 3 and November 1, 2006, and in other meetings, drivers in these areas consistently indicate that they require a larger geographic area to make an adequate living. A Taxicab Study was recently conducted for the County by the Tennessee Transportation & Logistics Foundation (TTLF). TTLF evaluated service levels in various parts of the County and made a variety of recommendations. One of the recommendations was to expand the boundaries of the areas because it will take time to build these markets and to encourage taxicab companies to market their services.

This item recommends a boundary expansion for both areas. The revised North Miami-Dade underserved area boundaries are recommended to be N.W/N.E. 215 Street on the north, N.E. 2 Avenue on the east, N.W. 42 Avenue on the west (excluding Miami international Airport), and

maintaining N.W./N.E. 7 Street on the south. The South Miami-Dade service area boundary is recommended for expansion to S.W. 88 Street.

TTLF also concluded that a two-way radio dispatch system is important to ensuring service throughout the County, especially in areas where there is not a high degree of street hail or walk up work. The present Code allows a taxicab to have either a radio or cellular telephone for two-way dispatch.

This proposed ordinance requires all taxicabs allocated to these two special service areas to be equipped with a 24-hour radio dispatch system, not including a cellular telephone unless it is connected to an electronic dispatching system. The existing taxicabs associated with these areas report that they are associated radio dispatch systems; therefore, this amendment will prospectively ensure continued use and that any new taxicabs issued in the future for these areas will also be so equipped.

The vast majority of these taxicabs are owner-driver medallions. This proposed amendment attempts to balance the needs of the community for service, the goal of ensuring that medallions are held by individual owner-drivers, and the need for those drivers to be successful and make a living. Additional work must be done in developing the taxicab market and delivery infrastructure, but these improvements will take time. Drivers in these areas must have relief on a more immediate basis while CSD continues to work with industry to address the broader issues.

In addition to the above changes, language that is now obsolete or that is duplicated in other sections of the Code is being eliminated as a housekeeping measure.

CSD reviewed these changes with industry representatives and drivers who indicated their support.

**FISCAL IMPACT**

This ordinance has no fiscal impact.

Roger M. Carlton
Assistant County Manager

# MEMORANDUM

**(Revised)**

**TO:** Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

**DATE:** April 24, 2007

**FROM:** Murray A. Greenberg County Attorney

**SUBJECT:** Agenda Item No. 7(F)

**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(F)
04-24-07

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 31, ARTICLE II OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO FOR-HIRE MOTOR VEHICLES; AMENDING SECTION 31-93 RELATING TO THE UNDERSERVED TAXICAB SERVICE AREA AND THE SOUTH MIAMI-DADE TAXICAB SERVICE AREA; 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 II 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

* * *

Section 31-93. Special provisions.

* * *

(c) Underserved taxicab service area.

[1]Words 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.

(1) An underserved taxicab service area is hereby established. For purposes of this subsection, an "underserved taxicab service area" means the economically disadvantaged area in Miami-Dade County that is bounded [[~~on the north by N.W. 79th Street, on the south by N.W. 7th Street, on the east by Miami Avenue and on the west by N.W. 27th Avenue~~]] >> as follows:

1. on the north by a line commencing at N.W. 47th Avenue and N.W. 215th Street running east to N.E. 2nd Avenue;
2. on the east by a line commencing at N.W. 215th Street and running north to south along N.E. 2nd Avenue to N.W. 7th Street;
3. on the south by a line commencing at N.E. 2nd Avenue and running west along 7th Street to N.W. 42nd Avenue; and
4. on the west by a line commencing at N.W. 7th Street and N.W. 42nd Avenue north to N.W. 119th Street, west along N.W. 119th Street to N.W. 47th Avenue, north along 47th Avenue to N.W. 135th Street, west along 135th Street to N.W. 57th Avenue, north along 57th Avenue to N.W. 167th Street, east along N.W. 167th Street to N.W. 47th Avenue, north along 47th Avenue to N.W. 215th Street. <<

For purposes of this subsection, an "underserved area taxicab" means a taxicab where: (a) the for-hire license holder has entered into a passenger service company agreement with a passenger service company that has its principal place of business within the underserved taxicab service area; (b) an average minimum of seventy-five (75) percent of all pickups by the taxicab during each twenty-four hour period originate in the underserved taxicab service area; and (c) the for-hire license holder has applied for and been designated by the Director of CSD as an underserved area taxicab. Any for-hire license holder who seeks to be designated as an underserved area taxicab shall complete and submit a form provided by CSD documenting compliance with the provisions of this subsection for the three-month period preceding submission of the application. Each for-hire license holder authorized to operate as an underserved area taxicab shall on a semiannual basis submit on a form provided by CSD documentation demonstrating continuing compliance with the requirements of this subsection. Failure of the underserved area taxicab

for-hire license holder to comply with any of the provisions of this subsection shall result in the suspension or revocation of authorization to operate as an underserved area taxicab. >>All taxicabs operated pursuant to this subsection that were, as of March 14, 2007, equipped with a properly installed and operating two-way dispatch system shall continue to utilize and maintain the two-way dispatch system which shall be operated twenty-four hours a day.<<

(2) [[~~In each of the calendar years 2004, 2005 and 2006, an additional six (6)~~]] >>Underserved area<< for-hire taxicab licenses shall be issued [[~~annually~~]] through a separate lottery pursuant to Section 31-82(o)(3) to qualified chauffeurs who satisfy the criteria of Section 31-82 (q) and enter into a binding agreement with the County that contains, among others, the following provisions: (i) the chauffeur is restricted to picking up passengers in an underserved taxicab service area only; and (ii) the chauffeur shall enter into a passenger service company agreement with a passenger service company which has its principal place of business in an underserved taxicab service area. Any chauffeur issued a for-hire taxicab license pursuant to this subsection shall not transfer the taxicab license >>during the time periods specified in section 31-82(q) of the Code <<[[~~for a period of five (5) years after the initial issuance of the license~~]]. Any transfer of an underserved taxicab license shall only be made to a qualified chauffeur who meets the requirements of this subsection. The price for an underserved taxicab area for-hire license issued pursuant to a lottery shall be fifteen thousand dollars ($15,000.00). [[~~The County Manager shall perform a study within 120 days from the effective date of this ordinance to evaluate whether the underserved area taxicabs are adequately serving the needs of residents and visitors to the service area during the evening hours.~~]]

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(d) South Miami-Dade taxicab service area. A South Miami-Dade taxicab service area is hereby established. For purposes of this subsection, the South Miami-Dade taxicab service area means the area located south of S.W. [[~~136~~]] >>88<< Street. [[~~In each of the calendar years 2004, 2005 and 2006, seven (7) additional~~]] >>South Miami-Dade taxicab service area<< for-hire taxicab licenses shall be issued [[~~annually~~]] through a separate lottery, pursuant to Section 31-82 (o) (2), to qualified chauffeurs who satisfy the

criteria of Section 31-82 (q) and enter into a binding agreement with the County that the chauffeur is restricted to picking up passengers in the South Miami-Dade taxicab service area only. Any chauffeur issued a for-hire taxicab license pursuant to this subsection shall not transfer the taxicab license >>during the time periods specified in section 31-82(q) of the Code <<[[~~for a period of five (5) years after the initial issuance of the license~~]]. Any transfer of a South Miami-Dade taxicab service area license shall only be made to a qualified chauffeur who meets the requirements of this subsection. The price for a South Miami-Dade taxicab service area for-hire license issued pursuant to a lottery shall be fifteen thousand dollars ($15,000). >>All taxicabs operated pursuant to this subsection that were, as of March 14, 2007, equipped with a properly installed and operating two-way dispatch system shall continue to utilize and maintain the two-way dispatch system which shall be operated twenty-four hours a day.<<

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: GMD

Prepared by: GKS

Gerald K. Sanchez