

## MEMORANDUM

Agenda Item No. 2(F)

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

**DATE:** July 19, 2007

**FROM:** R.A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution creating "Child  
Safety Awareness Week"  
and directing County  
Manager to coordinate  
activities associated  
therewith

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The accompanying resolution was prepared and placed on the agenda at the request of  
Commissioner Carlos A. Gimenez.

  
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R.A. Cuevas, Jr.  
County Attorney

RAC/bw



# MEMORANDUM

(Revised)

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

DATE: September 4, 2007

FROM:   
R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No.

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

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION \_\_\_\_\_

RESOLUTION CREATING "CHILD SAFETY AWARENESS WEEK" AND DIRECTING THE COUNTY MANAGER TO COORDINATE ACTIVITIES ASSOCIATED THEREWITH AND PREPARE BOTH A BROCHURE DETAILING CURRENT LAW AND SAFE PRACTICES AND A REPORT REGARDING WHETHER MIAMI-DADE COUNTY SHOULD OPT OUT UNDER PROVISIONS OF SECTION 316.2123, FLORIDA STATUTES

**WHEREAS**, many children and adults in this community and around the nation have been injured or killed while riding in cars when not wearing their seat belts, not being in child car seats, or when placed in car seats improperly; and

**WHEREAS**, many children and adults in this community and around the nation have been injured or killed while driving, riding upon or being struck by all terrain vehicles, dirt bikes, scooters, "toy" vehicles and other motorized products of a similar nature; and

**WHEREAS**, according to the Centers for Disease Control and Injury Prevention (CDC), there were more than 1,450 deaths of children in the United States in 2005 from motor vehicle crashes, nearly half of whom were not wearing any type of restraint; and

**WHEREAS**, in Florida, there were approximately 257 reported deaths from 1982-2004 and approximately 68 reported deaths of children under the age of 16 from 1982-2004 on all terrain vehicles alone; and

**WHEREAS**, a multifaceted campaign consisting of awareness, education and enforcement components will serve to educate the community with respect to current law and safe practices and thereby reduce the number and severity of such accidents; and

**WHEREAS**, Section 316.2123(1), Florida Statutes, makes it legal for licensed drivers and minors under the supervision of a licensed driver to operate all terrain vehicles during the daytime on unpaved roads where the posted speed limit is less than thirty-five miles per hour; and

**WHEREAS**, Section 316.2123(2), Florida Statutes, authorizes Counties to opt out of Florida Statute 316.2123 by majority vote after a public hearing,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Directs the County Manager to designate at least one calendar week each year as “Child Safety Awareness Week.”

**Section 2.** Directs the County Manager to coordinate awareness, education and enforcement components of “Child Safety Awareness Week.”

**Section 3.** Directs the County Manager to invite other law enforcement agencies operating in Miami-Dade County to participate in “Child Safety Awareness Week.”

**Section 4.** Directs the County Manager to prepare a brochure detailing current law and safe practices with respect to child car seats, auto safety belts, all terrain vehicles, dirt bikes, scooters, “toy” vehicles and other motorized products of a similar nature, and to encourage vendors of said products to provide said brochures to purchasers of said products, and to encourage the purchasers of said products to affirm by their signature their acknowledgement that they have received said brochure from the vendor.

**Section 5.** Directs the County Manager to study whether Miami-Dade County should opt out under provisions of Section 316.2123, Florida Statutes, which makes it legal for licensed drivers and minors under the supervision of a licensed driver to operate all terrain vehicles

4

during the daytime on unpaved roads where the posted speed limit is less than thirty-five miles per hour, but provides counties an opt out process.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of September, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

SAC for RJB

Ronald J. Bernstein