Memorandum

MIAMI-DADE COUNTY

(Public Hearing 11-3-09)

Date: September 15, 2009

Agenda Item No. 5(F)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Amendment to visitor information map acknowledgement and waiver provisions

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Recommendation

It is recommended that the Board approve the attached amendment to Section 8A-1.1 of the Code that requires rental car companies to provide a visitor information map. The amendment allows a sign to be posted indicating the availability of the maps in lieu of obtaining a signed acknowledgement or waiver from each renter.

Scope

The proposed amendments apply countywide.

Fiscal Impact/Funding Source

The fiscal impact will be minimal. The cost for industry notification is estimated to be $500.

Track Record/Monitor

The Consumer Services Department administers this section of the Code.

Background

On June 1, 1993, the Board adopted Ordinance 93-57 that required rental car companies to make a County-approved visitor information map available to people renting cars. This ordinance was the result of crimes that had taken place involving visitors to Miami-Dade County. The visitor information map consists of a main map of the entire County featuring major roadways and points of interest; insets depicting the airport area, Downtown Miami, and the Beaches; and Safety Tips. The intent is to show persons renting cars how to safely reach their destinations. It is not intended to be comprehensive in nature. Currently, the ordinance requires rental car companies to obtain a signed acknowledgment that a visitor information map was either received by a visitor renter or was waived.

During a meeting with representatives of the rental car and visitor industries, rental car companies expressed concern that the acknowledgement and waiver requirements were cumbersome. The proposed amendment allows for the posting of a sign as an alternative to obtaining the signed/initialed acknowledgement or waiver. The sign must be at least two (2) feet in width by three (3) feet in length, be posted in a clear and conspicuous area for customers to view, and include the following statement in English, Spanish, French, German, Portuguese and Italian: "You have the right to obtain a Visitor Information Map upon request." The Implementing Order that sets forth the standards for the Map are also being recommended for updating under a separate agenda item.

Attachment

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: November 3, 2009

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

SUBJECT: Agenda Item No. 5(F)

Please note any items checked.

_____ **"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**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(F)
11-3-09

ORDINANCE NO. _____

ORDINANCE RELATING TO GENERAL PROVISIONS OF CHAPTER 8A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTION 8A-1.1; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY; 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 8A-1.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 8A-1.1 Requiring rental car companies to make County approved Visitor Information Maps available to visitors renting cars.

* * *

(b) [[~~Unless waived as provided below, any~~]]>>Any<< rental car company that rents cars in Miami-Dade County shall make available to each visitor renter at its locations in Miami-Dade County a Visitor Information Map approved by the Director indicating the major thoroughfares to and from the airport to major destinations, hotel areas, and attractions. Except for rental car companies that choose to offer Visitor Information Maps to all their

[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.

renters regardless of whether they are visitors, rental car companies shall ascertain the place of principal residence for all persons renting cars in Miami-Dade County and provide such information on all rental contracts.

* * *

>>(e) Rental car companies may satisfy the requirements of subsection (b) utilizing one or more of the following methods:<<

[[~~(e)~~]] >>1)<< Each rental car company shall obtain from the visitor renting the car a signed or initialed acknowledgment that a County approved Visitor Information Map was received when executing the rental contract or a signed or initialed acknowledgment of waiving the right to receive such map. Rental car companies which do not ascertain the renter's principal place of residence shall obtain the above acknowledgment from all persons renting cars, whether said person resides inside or outside Miami-Dade County. The acknowledgment and waiver form shall be a part of or attached to the rental contract. Rental contracts and acknowledgments and waivers shall be retained by rental car companies for a period of no less than one (1) year. Upon request of the Director, each rental car company shall make available to the County all rental contracts together with the acknowledgments and waivers collected by that company during the period specified in the request[[.]] >>; or<<

>>2) Each rental car company shall post a clear and conspicuous sign in plain view to all potential visitors or visitor renters at each business

premise location stating the following in the languages of English, Spanish, French, German, Portuguese and Italian: "You have the right to obtain a Visitor Information Map upon request" and upon request provides the visitor renter with a Visitor Information Map. The sign shall not measure less than two (2) feet in width and three (3) feet in length.<<

Section 2. Chapter 8CC of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Code Section	Description of Violation	Civil Penalty
8A-1.1 (e)	Failure to obtain signed or initialed acknowledgment >>or to post sign<<	$250.00

Section 3. 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 4. 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 5. 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:

Prepared by:

Thomas Goldstein