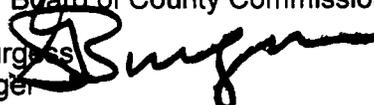


Memorandum



Date: June 3, 2010

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

From: George M. Burgess
County Manager 

Subject: Ordinance relating to Sunpass use in taxicabs

Agenda Item No. 7(F)

This ordinance was amended at the May 11, 2010 Government Operations Committee to clarify that the chauffeur must obtain the SunPass, that the requirement to utilize the SunPass lanes applies where there is a fixed toll and that where the toll is not fixed the chauffeur shall determine whether the passenger desires to use the SunPass lane and comply with the wishes of the passenger.

RECOMMENDATION

It is recommended that the Board approve the attached ordinance that requires taxicabs to utilize SunPass lanes when transporting passengers.

SCOPE

This ordinance applies countywide.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County.

TRACK RECORD/MONITOR

The Consumer Services Department (CSD) is responsible for administering for-hire regulations.

BACKGROUND

Chapter 31 sets forth the regulations that govern for-hire transportation. Section 31-304 establishes various requirements that apply to chauffeurs providing taxicab services.

The proposed amendment provides that SunPass lanes must be utilized when the taxicab is transporting a passenger. Utilizing the SunPass lane ensures that passengers are afforded the fastest and most economical route to their destination, frees up the taxicab for the next trip more quickly, reduces traffic congestion, and conserves fuel that would otherwise be consumed waiting in toll lanes. Chauffeurs have been required to utilize SunPass under the taxicab fare structure that has been in effect since 2005. This ordinance clarifies the requirement. Chauffeurs collect the toll from the passenger, at the SunPass rate, in addition to the metered fare.

CSD's taxicab industry advisory group indicated support for this ordinance at its meeting of February 16, 2010.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: June 3, 2010

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

SUBJECT: Agenda Item No. 7(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

Agenda Item No. 7(F)

Veto _____

6-3-10

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO FOR-HIRE MOTOR VEHICLES; AMENDING SECTION 31-304 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REQUIRING CHAUFFEUR TO UTILIZE SUNPASS LANE WHEN TRANSPORTING PASSENGERS; AMENDING CHAPTER 8CC OF THE CODE TO PROVIDE FOR A CIVIL PENALTY; AND 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 of the Miami-Dade County Code is hereby amended to read as follows:¹

CHAPTER 31

VEHICLES FOR HIRE

* * *

ARTICLE V. GENERAL REQUIREMENTS

* * *

Sec. 31-304. Chauffeur's registration-Additional taxicab requirements.

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.

Each chauffeur shall:

* * *

>>(6)<< >>Obtain a SunPass and² ~~[[U]]~~
 >>utilize the "SunPass Only" or "SunPass Express" lane, if available, when the route to a trip destination includes a SunPass toll road and/or bridge~~<< >>~~where the toll is fixed. Where the "SunPass Only" or "SunPass Express" toll is not fixed, the chauffeur shall determine whether the passenger desires to use the "SunPass Only" or "SunPass Express" Lane and comply with the wishes of the passenger.~~<< >>~~For purposes of this section, "SunPass Only" or "SunPass Express" lane shall be defined as lanes that are not equipped with toll attendants or coin-operated toll baskets and installed exclusively for persons using the SunPass device.<<

* * *

Section 2. Chapter 8CC of the Code of Miami-Dade County, Florida, is

hereby amended to read as follows:

* * *

Sec. 8CC-10. Schedule of civil penalties.

* * *

Code Section	Description of Violation	Civil Penalty
>> <u>31-304(6)</u>	<u>Failure to utilize the SunPass lane when transporting passengers</u>	<u>50.00</u> <<

Section 3. If any section, subsection, sentence, clause or provision of

² Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted. Words double underlined and/or >>double arrowed<< constitute the amendment proposed.

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:

DAC
GKS

Prepared by:

Gerald K. Sanchez

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