TAC
Agenda Item No. 1(E)2
August 28, 2013

Memorandum

MIAMI-DADE COUNTY

Date: August 23, 2013

To: Honorable Commissioner Dennis C. Moss
Chairman, Transportation and Aviation Committee

From: Carlos A. Gimenez
Mayor

Subject: Request for Inclusion of Ambassador Cab Program for Discussion on the Agenda of the August 28, 2013 Meeting of the Transportation and Aviation Committee

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Attached is my proposal for an Ambassador Cabs Program. This ordinance is intended to elevate the level of taxicab service at both Miami International Airport and PortMiami.

I respectfully request that you consider inclusion of this item for discussion on the agenda of the August 28, 2013 meeting of the Transportation and Aviation Committee.

Please do not hesitate to contact me or Deputy Mayor Jack Osterholt should you have any questions about this proposal.

Attachment

c: Jack Osterholt, Deputy Mayor/Director, Regulatory and Economic Resources Department

Memorandum

MIAMI-DADE COUNTY

Date:

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Establishing the Ambassador Cabs Program

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached ordinance establishing the Ambassador Cabs Program aimed at elevating the level of taxicab service at Miami International Airport (MIA) and the Port of Miami.

Scope

The attached proposed ordinance shall apply to designated taxicabs and chauffeurs transporting passengers to and from MIA and the Port of Miami.

Fiscal Impact/Funding Source

Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources (RER) to support regulatory functions. Taxicabs participating in the Ambassador Cabs Program will be inspected to ensure compliance with these new vehicle standards. Vehicle inspection fees are $70 per vehicle for new inspections and $38 per vehicle for re-inspections. Chauffeurs participating in this Program will have to replace their chauffeur registration at a cost of $26.

Track Record/Monitor

For-hire Division Chief Joe Mora, RER, and Miami-Dade Aviation Department's (MDAD) Landside Operations Division Director, Monica Beltran, will be responsible for monitoring ordinance compliance.

Background

A visitor's first impression of Miami Dade County is often through the experience in a taxicab from MIA or the Port of Miami to his or her accommodations. Residents and visitors alike complain about the lack of credit card processing capability and other technologies in taxicabs, as well as driver behavior around short trip refusals, overcharging, and general discourtesy. Such complaints are received on a regular basis by RER and MDAD and have long been a concern of the Greater Miami Convention and Visitors Bureau and the Hospitality industry.

The Ambassador Cabs Program requires taxicabs servicing MIA and the Port of Miami to be equipped with the latest technologies and safety features. Chauffeurs will be required to meet enhanced chauffeur standards. Registered taxicabs and chauffeurs who have obtained the Ambassador Cab designation will be the sole authorized agents to provide service at MIA, to include the Miami Intermodal Center (MIC) and, the Port of Miami.

Further proposed amendments mandate credit card acceptance via a passenger terminal located in the rear seat compartment which affords passengers the ability to pay the fare with the convenience and privacy of the backseat of the taxicab. Chauffeurs will be prohibited from imposing passengers with a credit card handling fee, processing fee, convenience fee, or other additional processing fees. Moreover, the ordinance provides that all Ambassador Cabs must be integrated with a global

positioning dispatch system capable of determining the location of each taxicab utilizing the system twenty-four (24) hours a day, 365 days a year.

The ordinance also mandates technical enhancements that will provide increased protection to both the passenger as well as the taxicab chauffeur. Ambassador Cabs will be required to be equipped with digital security cameras and warning lights which will advise law enforcement personnel of a possible emergency. The proposed technology and safety enhancements were already mandated by the Board for the six (6) taxicab medallions distributed through a public auction last year.

With the purpose of improving the overall condition and appearance of the taxicabs participating in the Program, this amendment proposes an entry vehicle age of three (3) model years of age and a maximum of six (6) model years of age. Wheelchair accessible cabs participating in the Ambassador Cabs Program will be allowed to operate until they turn eight (8) model years of age. A provision of this legislation provides an incentive to taxicab operators using alternative fuel vehicles by granting them priority access to the airport and seaport terminal for passenger pick-up.

Chauffeurs may not have more than two civil citations for violations of Chapter 31 in the preceding year to be eligible for the Ambassador Cabs Program. Chauffeurs will be removed from the Ambassador Cabs Program if they receive more than two (2) civil citations for any violation(s) of Chapter 31 of the Code or if they are found guilty of one citation for overcharging or refusal. A chauffeur that has been removed from the Ambassador Cabs Program will not be allowed to reapply until after a year from removal and upon application to and approval by RER. However, if a chauffeur receives a second violation for overcharging or refusal, he or she will be permanently removed from the Ambassador Cabs Program, ineligible to re-apply in the future, and will not be permitted to pick up passengers from MIA or the Port of Miami.

The proposed ordinance also provides that chauffeurs of Ambassador Cabs shall meet the dress code standards of the Code at all times. Participating chauffeurs will also be required to utilize a Sunpass transponder, open doors for passengers, and load and unload luggage.

Jack Osterholt, Deputy Mayor

Approved _____ Mayor Agenda Item No.

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO FOR-HIRE MOTOR VEHICLES; AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, DESIGNATING TAXICABS THAT TRANSPORT PERSONS AND THEIR BAGGAGE FROM MIAMI INTERNATIONAL AIRPORT AND THE PORT OF MIAMI AS AMBASSADOR CABS; ESTABLISHING SPECIAL REQUIREMENTS FOR AMBASSADOR CABS INCLUDING, BUT NOT LIMITED TO, CREDIT CARD PROCESSING SYSTEMS, GLOBAL POSITIONING DISPATCH SYSTEMS, SUNPASS DEVICES, DIGITAL SECURITY CAMERA SYSTEMS AND WARNING LIGHTS; AMENDING VEHICLE AGE REQUIREMENTS AND STANDARDS; ESTABLISHING ADDITIONAL STANDARDS AND REQUIREMENTS FOR CHAUFFEURS OPERATING AMBASSADOR CABS; ESTABLISHING REQUIREMENTS RELATING TO CREDIT CARD PROCESSING SYSTEMS AND PROVIDERS; EMPOWERING DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES TO APPROVE CREDIT CARD PROCESSING SYSTEMS; PROVIDING PRIORITY ACCESS TO AIRPORT AND SEAPORT TERMINALS FOR ALTERNATIVE FUEL VEHICLES; AMENDING CHAPTER 8CC OF THE CODE TO PROVIDE FOR PENALTIES; 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 Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

CHAPTER 31

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[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.

VEHICLES FOR HIRE

ARTICLE II. LICENSING AND REGULATION OF FOR-HIRE MOTOR VEHICLES

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Sec. 31-93. Special provisions.

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(b) >>Ambassador Cabs.<< Any taxicab licensed pursuant to Section 31-82 of this article and meeting all standards set forth in Section 31-89 of this article [[~~shall be authorized~~]] >>shall seek and receive authorization<< to provide transportation of persons and their baggage from Miami International Airport and from the Port of Miami>>.<< [[~~upon compliance with reasonable and nondiscriminatory terms, conditions and fees as established by the County Manager~~]]. The transportation of persons and baggage from Miami International Airport or from the Port of Miami shall constitute an agreement by the operator that he >>/she/it<< will conform and cause the chauffeur driving such taxicab to conform to such terms, conditions, and fees. >>Notwithstanding any provision to the contrary, any taxicab for-hire license holder who seeks authorization to pick-up passengers at Miami International Airport and the Port of Miami utilizing his/her/its taxicab shall be required to register with the Department of Regulatory and Economic Resources and comply with and abide by the standards set forth below. Taxicabs authorized to provide taxicab service at Miami International Airport and the Port of Miami shall be designated as Ambassador Cabs. For purposes of this Article, the Miami Intermodal Center (MIC) shall be considered part of Miami International Airport, and all taxicabs which provide taxicab service from the MIC shall be subject to all provisions governing taxicab service at Miami International Airport. Twelve (12) months after the effective date of this ordinance, all taxicabs transporting persons and their baggage from Miami International Airport or from the Port of Miami shall be registered as Ambassador Cabs. Ambassador Cabs shall comply with the following requirements:

(1) **Credit Card Processing System**. Each Ambassador Cab shall be equipped with an operable back of seat credit card processing system.

(i) The credit card processing system shall allow the passenger to utilize his or her credit card in the rear compartment of the taxicab without handing the card to the chauffeur. Said equipment shall list tips, fares, tolls and fees separately. The credit card payment display terminal shall be interfaced with the vehicle's taxi meter and shall be programmed to display all authorized meter and flat fare rates. The meter shall be used for all fares, including flat fare trips. A taxicab equipped with a credit card processing system shall not pick up passengers at Miami International Airport or the Port of Miami when the required credit card processing system is not operational. Operational failure of said system shall require the immediate vehicle removal from service at Miami International Airport and the Port of Miami until said equipment is repaired and re-inspected at the Department of Regulatory and Economic Resources Vehicle Inspection Facility.

(ii) No credit card processing fee, convenience fee, equipment rental fee or any other additional fees or charges are to be paid by the passenger when using a credit card to pay the fare. A receipt shall be provided for all trips. All customer receipts shall be generated by a taximeter or other electronic device and shall contain the date and time that the trip starts, the time the trip ends, and total distance traveled. The receipt shall also include the fare charged, the name and telephone number of the passenger service company, the operating permit number, the chauffeur registration number, and the telephone number and e-mail address for filing complaints with the Department of Regulatory and Economic Resources.

Chauffeurs shall be prohibited from refusing to accept payment by a credit card.

(iii) Any and all credit card service providers shall utilize a paycard or direct deposit system and establish an account directly with each chauffeur that provides for electronic payments. Payments for taxicab fares shall be credited to a chauffeur's paycard or bank account within two (2) business days. Only credit card processing systems approved by the Department of Regulatory and Economic Resources may be utilized in taxicabs. The processing of credit card payments shall comply with the Payment Card Industry Data Security Standard;

(2) **Global Positioning Dispatch System**. Ambassador Cabs must be integrated with a global positioning dispatch system capable of determining the location of each taxicab utilizing the system twenty-four (24) hours a day, three hundred and sixty-five (365) days a year. All Ambassador Cabs shall have a mobile two-way radio or electronic dispatch system, installed and operating properly that is connected to and subscribed to by a passenger service company that has a fixed-base call center operated twenty-four (24) hours a day, three hundred and sixty-five (365) days a year;

(3) **SunPass Device**. Ambassador Cabs picking up passengers must have and utilize a SunPass device 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;

(4) **Digital Security Camera System.** Ambassador Cabs shall have an operable digital security camera system in accordance with the requirements stated in Chapter 31, Section 31-82(o)(7)(iii) of the Code of Miami-Dade County;

(5) **Warning Lights.** Ambassador Cabs shall be equipped with operable warning lights, in accordance with the requirements stated in Chapter 31-82(o)(7)(v) of the Code

of Miami-Dade County for the purpose of advising others and law enforcement agents that an emergency situation exists within the vehicle.

(6) **Top Lights**. Ambassador Cabs shall be equipped with a "vacant" light attached to the top of the roof or to the top of the dome light. Such light unit shall be connected to a contact switch attached to the taximeter, and such contact switch shall operate automatically to illuminate the "vacant" light when the taximeter is not in operation, indicating the cab is vacant and for hire, and to extinguish such light when the taximeter is in operation. No person shall drive or operate any taxicab with such a light illuminated when such taxicab is for hire. Such top tail light must utilize equipment with the requisite wattage to ensure that the top tail light is visible to passengers and the public from a reasonable distance.

(7) **Vehicle Decal.** Ambassador Cab shall have a special "Ambassador Cab" decal designated by the Department displayed on the vehicle. Such decal shall be placed in the manner and place as directed by the Department. Ambassador Cabs shall not be permitted to pick up passengers at either Miami International Airport or the Port of Miami without the required decal.

(8) **Vehicle Age Requirements and Standards**. Any Ambassador Cab initially placed into service shall not have been previously used as a taxicab, police vehicle or have a "rebuilt" or "salvage" title, and shall be no greater than three (3) model years of age. Any vehicle over six (6) model years of age shall not operate as a taxicab at either Miami International Airport or the Port of Miami.

(9) **Vehicle Age Requirements and Standards for Wheelchair Accessible Cabs**. Any Wheelchair Accessible Ambassador Cab initially placed into service shall not have been previously used as a Wheelchair Accessible Cab, police vehicle, or have a "rebuilt" or "salvage" title and shall be no greater than three (3) model years of age. Any vehicle over eight (8) model years of age shall not operate as a Wheelchair Accessible Cab at either Miami International Airport or the Port of Miami;

(10) **Compliance with Other Provisions.** Ambassador Cabs shall at all times be in compliance with Chapter 31 of the Code of Miami Dade County.

Any Ambassador Cab that is also an alternative fuel vehicle, as defined in section 403.42(2)(b), Florida Statutes, shall have priority access to the Miami International Airport terminal and the Port of Miami terminal to pick up passengers.

Any Ambassador Cab that has met all the requirements of the Ambassador Cab program and is designated as an Ambassador Cab within 180 days after the effective date of this ordinance shall have priority access to the Miami International Airport terminal and the Port of Miami terminal to pick up passengers until all provisions of this ordinance are mandated.<<

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Sec. 31-304. Chauffeur's registration – Additional Taxicab Requirements.

* * *

>>(6) Notwithstanding any provision to the contrary, twelve (12) months after the effective date of this ordinance, any chauffeur who seeks authorization to pick-up passengers at Miami International Airport and the Port of Miami shall be required to register with the Department of Regulatory and Economic Resources and meet with and abide by the following standards:

(a) Chauffeurs of Ambassador Cabs shall at all times during the performance of their duties be in compliance with Chapter 31 of the Code of Miami-Dade County, Miami-Dade Aviation Operational Directive number 42, Port of Miami Tariff number 10 and the requirements of this section.

(b) A chauffeur seeking authorization to operate an Ambassador Cab shall not be eligible to operate an Ambassador Cab if he or she has during the preceding one (1) year period: (i) been found guilty

of more than two violations of Chapter 31 of the Code by an administrative hearing officer; or (ii) failed to pay or appeal more than two citations for violations of Chapter 31 of the Code within the established time; or (iii) paid more than two (2) fines for violating Chapter 31 of the Code.

(c) Any chauffeur of an Ambassador Cab shall be removed from the Ambassador Cab program and not permitted to pick-up passengers at Miami International Airport and the Port of Miami if he or she has during any one (1) year period as an Ambassador Cab chauffeur: (i) been found guilty of more than two violations of Chapter 31 of the Code by an administrative hearing officer; or (ii) failed to pay or appeal more than two (2) citations for violations of Chapter 31 of the Code within the established time; or (iii) paid more than two (2) fines for violating Chapter 31 of the Code.

(d) Any chauffeur of an Ambassador Cab shall be removed from the Ambassador Cab program and not permitted to pick-up passengers at Miami International Airport and the Port of Miami if he or she has during any one (1) year period as an Ambassador Cab chauffeur: (i) been found guilty of one of the following violations of Chapter 31 of the Code by an administrative hearing officer; or (ii) failed to pay or appeal one of the following citations for violating Chapter 31 of the Code within the established time; or (iii) paid a fine for violating one of the following provisions of Chapter 31 of the Code:

i. Failure to use established rates; or
ii. Refusal to transport a passenger.

(e) Notwithstanding, any provision to the contrary, any chauffeur of an Ambassador Cab shall be permanently removed from and permanently

ineligible to apply for the Ambassador Cabs Program and not permitted to pick-up passengers at Miami International Airport and the Port of Miami if he or she has: (i) been found guilty of a second offense of one of the following violations of Chapter 31 of the Code by an administrative hearing officer; or (ii) for a second time, failed to pay or appeal one of the following citations for violating Chapter 31 of the Code within the established time; or (iii) for a second time, paid a fine for violating one of the following provisions of Chapter 31 of the Code:

i. Failure to use established rates; or
ii. Refusal to transport a passenger.

(f) Chauffeurs removed from operation as an Ambassador Cab chauffeur may not re-apply to pick up passengers at Miami International Airport or the Port of Miami until one (1) year from the date of removal from the program has passed provided that during that period the chauffeur has not: (i) been found guilty of more than two violations of Chapter 31 of the Code by an administrative hearing officer; or (ii) failed to pay or appeal more than two (2) citations for violations of Chapter 31 of the Code within the established time; or (iii) paid more than two (2) fines for violating Chapter 31 of the Code

(g) Chauffeurs of Ambassador Cabs shall have and utilize a SunPass device 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;

(h) Chauffeurs of Ambassador Cabs shall, without exception, wear a collared shirt, dark trousers or skirt and closed shoes.

(i) Chauffeurs of Ambassador Cabs shall open doors for passengers.

(j) Chauffeurs of Ambassador Cabs shall load and unload luggage, unless otherwise instructed by the passenger.

(k) Chauffeurs of Ambassador Cabs shall be prohibited from refusing to accept payment by a credit card.<<

Section 2. Section 8CC-10 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
>>31-93 (b)	Ambassador Cab Vehicle Violation	$250.00
31-304 (6)	Ambassador Cab Chauffeur Violation	$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: _____

Gerald K. Sanchez

Prime Sponsor: