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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 2, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the Mayor to perform a study regarding low-speed vehicles currently operating in Miami-Dade County and prepare a report within 90 days regarding, among other things, the use of such vehicles on the public streets of Miami-Dade County, the adequacy of current state and federal laws regulating low-speed vehicles and the need, if any, for further regulation by Miami-Dade County

Resolution No. R-129-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.

Abigail Price-Williams for
County Attorney

APW/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 2, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor'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. 11(A)(2)
2-2-16

RESOLUTION NO. R-129-16

RESOLUTION DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO PERFORM A STUDY REGARDING LOW-SPEED VEHICLES CURRENTLY OPERATING IN MIAMI-DADE COUNTY AND PREPARE A REPORT WITHIN 90 DAYS REGARDING, AMONG OTHER THINGS, THE USE OF SUCH VEHICLES ON THE PUBLIC STREETS OF MIAMI-DADE COUNTY, THE ADEQUACY OF CURRENT STATE AND FEDERAL LAWS REGULATING LOW-SPEED VEHICLES AND THE NEED, IF ANY, FOR FURTHER REGULATION BY MIAMI-DADE COUNTY

WHEREAS, in recent years a number of low-speed vehicle operators, commonly referred to as "free-ride" operators, have been operating in Miami-Dade County; and

WHEREAS, these "free-ride" operators generally transport the public short distances in electric vehicles and claim to generate their revenues through advertising; and

WHEREAS, these "free-ride" operators are most visible in downtown Miami and Miami Beach; and

WHEREAS, current state law imposes restrictions on the operation of low-speed vehicles; and

WHEREAS, low-speed vehicles are also subject to federal regulations promulgated by the National Highway Traffic Safety Administration; and

WHEREAS, the Board believes that it is in the best interest of the citizens of Miami-Dade County for the Mayor or the Mayor's designee to perform a study of low-speed vehicles operating in the County and prepare a report regarding among other things, the need, if any, for further regulation by the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board directs the Mayor or the Mayor's designee to perform a study regarding, among other things: (1) the use of low-speed vehicles on the public streets in Miami-Dade County; (2) the number of low-speed vehicles currently transporting members of the public; (3) the type of low-speed vehicles offering transportation to members of the public; (4) the compensation, if any, paid by passengers of low-speed vehicles; (5) the locations in Miami-Dade County where low-speed vehicles frequent; (6) a description of low-speed vehicles operating on the public streets in Miami-Dade County including, but not limited to, the maximum speed of such vehicles; (7) an analysis of current state and federal laws regulating low-speed vehicles; (8) an assessment of the adequacy of current state and federal laws regulating low-speed vehicles; and (9) the need, if any, for further regulation by Miami-Dade County. The Mayor or the Mayor's designee shall prepare a report within 90 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Vice Chairman Esteban L. Bovo, Jr. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of February, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez