

APPLICATION GUIDELINES AND ADDITIONAL INFORMATION REGARDING THE 2014 LUXURY LIMOUSINE SEDAN LICENSE LOTTERY

Ten (10) licenses to provide luxury limousine sedan services in Miami-Dade County will be allocated. Seven (7) licenses will be reserved for individuals or companies who currently hold for-hire limousine licenses. The remaining three (3) licenses will be available to applicants who are not holders of a current and valid limousine for-hire license. There is a limit of ten (10) entries per applicant

ELIGIBILITY

The lottery is open to holders of a current and valid Miami-Dade County limousine for-hire license and applicants who are not holders of a current and valid limousine for-hire license and who meet the requirements of Sections 31-602 and 603 of the Miami-Dade County Code.

Only one application may be submitted by any eligible applicant.

An applicant may be an individual or a corporation or other entity properly registered or authorized to conduct business in the state of Florida

For the purposes of determining eligibility:

- Individual officers, directors, and shareholders of any entity that holds a valid Miami-Dade County limousine for-hire license are considered to be for-hire license holders and may not apply as individuals in the for hire license holder category.
- Individual officers, directors, and shareholders of any entity that holds a valid Miami-Dade County limousine for-hire license are considered to be for-hire license holders and may not apply as individuals in the non-license holder category.
- Individual officers, directors, and shareholders of any entity that applies under the non-license holder category are considered applicants and may not apply as individuals in the non-license holder category.

LOTTERY FEES

- \$170.00 application processing fee.
- \$100.00 per entry, up to a maximum of ten (10),
- All payments shall be Credit Card (Visa or MasterCard only), Cashier Checks or Money Orders made payable to Miami-Dade County No personal or business checks will be accepted.
- Payment is required at the time of submission, and is non-refundable. Applications submitted without the proper application fee will not be accepted.

The Department of Regulatory and Economic Resources (RER) may require additional information to enforce the provisions of Chapter 31.

The RER shall disqualify applicants who do not meet the requirements of Chapter 31 from participation in the lottery. **The RER Director's decision shall be final.**

Pursuant to Section 31-602(d) and Section 31-603 of the Code, no person shall be issued a for-hire license if he/she/it:

- Has misrepresented or concealed a material fact on his, her, or its application;
- Is an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States;
- Is a user of alcohol or drugs whose current use would constitute a direct threat to property or the safety of others;
- Has pled nolo contendere, pled guilty, been found guilty or convicted of a felony within the last five (5) years, regardless of whether adjudication has been withheld, unless his or her civil or residency rights have been restored;
- Has pled nolo contendere, pled guilty, been found guilty or convicted of any crime wherein a for-hire vehicle was employed whether or not adjudication has been withheld;
- Has pled nolo contendere, pled guilty, been found guilty or convicted of any felony, regardless of whether adjudication has been withheld, involving moral turpitude relating to sex, the use of a deadly weapon, homicide, trafficking in narcotics, violent felony offender under §775.0823, Florida Statutes, or is a habitual violent felon under §775.0824, Florida Statutes;
- Has violated any conditions, limitation, or restriction of a for-hire license imposed by the RER Director or Miami-Dade County Commission where the Director deems the violation to be grounds for denial;
- Was enjoined by a court of competent jurisdiction from engaging in the for-hire business or was enjoined by a court of competent jurisdiction with respect to any of the requirements of Chapter 31;
- Has as a stockholder, officer, director, or partner of a corporation or partnership committed an act or omission which would be cause for denying a for-hire license to the officer, director, stockholder, or partner as an individual;
- Failed to comply with the terms of a cease and desist order, notice to correct a violation or any other lawful order of the RER Director;
- Has any unsatisfied civil penalty or judgment pertaining to for-hire operations;
- Has had a for-hire license issued by Miami-Dade County revoked;
- Has within the last five (5) years pled nolo contendere, pled guilty, been found guilty or been convicted of any misdemeanor (regardless of whether adjudication is withheld) involving moral turpitude relating to sex; or
- Has within the last ten (10) years pled nolo contendere, pled guilty, been found guilty or been convicted (regardless of whether adjudication is withheld) of any offense involving trafficking in narcotics. After said ten (10) year period, such person shall only be eligible if and when his or her civil or residency rights have been restored.

During the three (3) years prior to the lottery an applicant must not have pled nolo contendere, pled guilty or been found guilty of four (4) or more violations for operating without a license, operating without a vehicle permit, or violating the out of county origin provision of the Miami-Dade County code.

OPERATING REQUIREMENTS include, but are not limited to:

Prearrangement: Limousines provide service on a pre-arranged basis **only**. A written or telephone reservation, made at least 15 minutes in advance at the business establishment, is required.

Leasing: Leasing is prohibited. A limousine for-hire holder is prohibited from leasing a for-hire license to another person or entity; or requiring that a chauffeur pay any amount of compensation for the right to operate the vehicle authorized by the for-hire license.

Vehicle Requirements: Only luxury sedan limousines are authorized to operate under this license. A luxury sedan is a luxury, non metered vehicle of a wheelbase size smaller than a stretch limousine, as defined by the Department of Regulatory and Economic Resources (RER). **ONLY THE MAKES AND MODELS ON THE RER DEFINED LIST MAY BE USED.** Vehicles considered luxury sedan limousines include, but are not limited to Lincoln Navigator, Cadillac Deville and Seville, and Mercedes-Benz. Vehicles must be black, white, silver or navy blue in color. In addition, luxury sedan vehicles initially placed into service shall not be older than two (2) model years of age and must be removed from service after five (5) model years. Vehicles must be owned or leased by the license holder.

Rates: Luxury sedan operators must abide by the minimum rates established by Miami-Dade County. Currently, the rates for luxury sedan operations are: \$40.00/hr per vehicle, with a 2-hour minimum reservation; \$70.00 for a one-way, continuous trip to any location; \$70.00 for any one-way continuous trip to Miami International Airport or Port of Miami, if the pickup originates North of SW 248 Street, and any stop during the trip shall be \$40.00 /hr. or fraction of an hour; or \$90.00 for any one-way continuous trip to Miami International Airport or Port of Miami, if the pickup originates South of SW 248 Street, and any stop during the trip shall be \$40.00 per hour or fraction of an hour. (Resolution R-633-05)

ADDITIONAL INFORMATION

Applicants selected as winners of sedan licenses will be required to establish a limousine business and will be responsible for the operation of the license(s) as prescribed by the Miami-Dade County Code, Chapter 31, Article VI. Small business financing may be available through the Small Business Administration or any other program available for someone who is trying to start up a business.

Before the luxury sedan license is issued, license winners will be required to submit a limousine management plan in accordance with Sections 31-602(c)(10) of the Code, which shall include:

1. Maintenance facilities and maintenance program for the upkeep of vehicles operating under the for-hire license.
2. A system for handling complaints, accidents and property left by the passenger in the for-hire motor vehicle.
3. A central place of business, with a properly listed telephone for receiving calls relating to for-hire vehicle service and where the operator will maintain the business records and daily manifests as set forth in Article VI of the Miami-Dade County Code (Code). Place of business means the specific Miami-Dade, Broward, or Palm Beach County address where management of the for-hire operations is provided and which is zoned for the appropriate business usage and matches the address on a current valid occupational license.
4. A driver-training program, which the applicant will utilize to ensure quality service.
5. A proposal for submission of appropriate insurance coverage as required by Section 31-608 of the Code.

Winners with three (3) or less luxury sedan licenses may contract with an existing for-hire limousine license holder or passenger service company, as provided for in Section 31-602(k)(21) of the Code for these services. The license holder is ultimately responsible for the operation of the license(s).

RER will review the limousine management plan to make sure that it is in compliance with the requirements of the Code before any license is issued.

Winners must satisfy all requirements of the Code within 45 days of being notified that they have won.

If selected as a lottery winner, an initial annual license fee of six hundred and twenty-five dollars (\$625.00) will be required. This fee will be prorated according to the number of months remaining between the month of date of license issuance and the month of annual renewal which occurs in the month of April of each year.

Licenses shall not be issued until the applicant has satisfied all of the provisions of Chapter 31, Article VI.

The information provided above is a summary of key provisions required by Code. Before you submit an application for the Luxury Sedan Limousine Lottery it is your responsibility to be familiar with all of the necessary operational requirements and that you can meet the provisions of Sections 31-602 and 603. If awarded a license, it will be your responsibility to know and understand all applicable Code provisions.

For a complete and thorough description of Licensing and Regulation of For-Hire Limousines, please review the Miami-Dade County Code, Chapter 31, Article VI, visit <http://www.miamidade.gov/licenses/limousine.asp>. Copies of the Code are available at 140 West Flagler Street, #904 and can also be viewed online at the following website: www.municode.com and following the instructions to link to the Miami-Dade County Ordinances.