



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

May 3, 2016

9:30 A.M.

Commission Chamber

Research Division

Charles Anderson, CPA
Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

**Board of County Commissioners
May 3, 2016 Meeting
Research Notes**

Item No.	Research Notes														
4A 160876	ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING PROVISIONS RELATING TO SPONSORSHIP AND OTHER PROCEDURES GOVERNING QUASI-JUDICIAL MATTERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE														
Notes	The proposed ordinance, relating to the Rules of Procedure of the BCC, amends Section 2-1 of the Miami-Dade County Code and revises provisions relating to sponsorship and other procedures governing quasi-judicial matters.														
	<table><tr><th colspan="3">Code Comparison Chart</th></tr><tr><th colspan="3">Sec. 2-1. Rules of Procedure of County Commission. PART 5. CONDUCT OF MEETINGS; AGENDA</th></tr><tr><th>Rule</th><th>Current</th><th>Proposed</th></tr><tr><td>Rule 5.05 Agenda</td><td> (b) Authority to sponsor or present items on agenda. (1) Anything to the contrary notwithstanding matters may only be presented or sponsored by a county commissioner, a commission committee, the county attorney and the clerk of the commission, except that the Mayor shall be able to present or sponsor: (1) reports which do not amend any policy established by the County Commission; (2) mayoral appointments; (3) solicitations for the purchase of goods and services, leases, construction contracts and debt obligations; (4) contracts for the purchase of goods and services and amendments thereto; (5) grant applications, grants and sub-grants; (6) leases of non-County-owned property and amendments thereto; (7) debt obligations and amendments thereto; (8) construction contracts and amendments thereto; (9) labor agreements and amendments thereto; (10) special taxing districts initiated by petition; (11) certificates of public convenience and necessity; (12) certificates of transportation; (13) other matters where the presentation or sponsorship by the Mayor is required by the Home Rule Charter or state or federal law; and (15) leases and licenses of County-owned property and amendments thereto if the Mayor first provides written notification to the Commissioner of the District wherein the County-owned property that is to be leased or licensed is located of the matter and the District Commissioner does not agree to present or sponsor such lease or license or amendment thereto within ten (10) days of the written notification. Any Commissioner or commission committee may present or sponsor any item which the Mayor is authorized to present or sponsor pursuant to the preceding sentence, except as provided otherwise in the Home Rule Charter, or state or federal law. Additionally, the committee chairperson of jurisdiction may, upon the written request of the Mayor or his or her designee, submit an item for placement on a committee or Commission agenda. Such an item shall, if requested by the committee chairperson of jurisdiction, be placed on the appropriate agenda, in accordance with the applicable rules of procedure, as an item sponsored by the committee of jurisdiction. Anything to the contrary notwithstanding, private applications for amendment, modification, addition, or change to the Comprehensive Development Master Plan ("CDMP") shall be placed on the appropriate CDMP agenda after the Department of Sustainability Planning and Economic Enhancement or successor department has completed its review of the application as provided in section 2-116.1 of the Code and all required fees </td><td> (b) Authority to sponsor or present items on agenda. 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		have been paid (hereinafter "completed private CDMP application"). Each completed private CDMP application and the accompanying ordinance and any related resolution shall: (i) be forwarded to the Office of the Agenda Coordinator for placement on the appropriate CDMP agenda; and (ii) be accompanied by a recommendation from the Mayor or his or her designee.	modification, addition, or change to the shall be placed on the appropriate CDMP agenda after the Department of Regulatory and Economic Resources or successor department has completed its review of the application as provided in section 2-116.1 of the Code and all required fees have been paid (hereinafter "completed private CDMP application"). Each completed private CDMP application and the accompanying ordinance and any related resolution shall: (i) be forwarded to the Office of the Agenda Coordinator for placement on the appropriate CDMP agenda; and (ii) be accompanied by a recommendation from the Mayor or his or her designee.
	Rule 5.06 Ordinances, resolutions, motions, contracts.	(d) Exception. The provisions of this Rule 5.06 shall not be applicable to zoning resolutions which shall be governed exclusively by chapter 33 of the Code.	(d) Exception. The provisions of this Rule 5.06 shall not be applicable to zoning applications , which shall be governed exclusively by chapter 33 of the Code, or to historic preservation appeals, which shall be governed by chapter 16A. In addition, all quasi-judicial matters shall be exempt from subsection (c) of this Rule.
	Rule 5.07 Limitation on agenda items.	(b) An agenda item shall be deemed withdrawn upon its third deferral. The provisions of this subsection shall not apply to zoning applications or to applications to amend the Comprehensive Development Master Plan.	(b) An agenda item shall be deemed withdrawn upon its third deferral. The provisions of this subsection shall not apply to the certification of any election, quasi-judicial matters , zoning applications, or applications to amend the Comprehensive Development Master Plan.
	Rule 7.01 Rules of debate.	(h) Tie votes. Whenever action cannot be taken because the vote of the commissioners has resulted in a tie, and no other available motion on an item is made and approved before the next item is called for consideration or before a recess or adjournment is called, whichever occurs first, the item shall be removed from the agenda and shall be reintroduced only in accordance with the renewal provisions of Rule 7.01(1). Notwithstanding any rule of procedure to the contrary, in zoning and other quasi-judicial matters when action on a resolution results in a tie vote, and no other available motion on the resolution is made and approved before the next matter is called for consideration or before a recess or adjournment is called, whichever occurs first, such resolution shall be carried over to the next regularly scheduled meeting for the consideration of such quasi-judicial matters unless the commission designates a different time for such reconsideration.	(h) Tie votes. Whenever action cannot be taken because the vote of the commissioners has resulted in a tie, and no other available motion on an item is made and approved before the next item is called for consideration or before a recess or adjournment is called, whichever occurs first, the item shall be removed from the agenda and shall be reintroduced only in accordance with the renewal provisions of Rule 7.01(1). Notwithstanding any rule of procedure to the contrary, for zoning applications and other quasi-judicial matters, when a motion to take action on the matter results in a tie vote, and no other available motion is made and approved before the next matter is called for consideration or before a recess or adjournment is called, whichever occurs first, such matter shall be carried over to the next regularly scheduled meeting for the consideration of such zoning applications or other quasi-judicial matters, unless the commission designates a different time for such consideration .
5A 160010	ORDINANCE RELATING TO VEHICLES FOR HIRE; AMENDING CHAPTER 31, ARTICLE I, SECTION 31-77 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA, TO PROHIBIT THE OPERATION OF VEHICLES TRANSPORTING PASSENGERS FOR COMPENSATION WITHOUT AUTHORIZATION; CREATING CHAPTER 31, ARTICLE VII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGULATING TRANSPORTATION NETWORK ENTITIES, TRANSPORTATION NETWORK ENTITY DRIVERS AND TRANSPORTATION NETWORK ENTITY VEHICLES OPERATING IN THE INCORPORATED AND UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING FOR DEFINITIONS; PROHIBITING TRANSFER OF TRANSPORTATION NETWORK ENTITY LICENSES; PROVIDING THAT THERE SHALL BE NO LIMITATION ON THE NUMBER OF TRANSPORTATION NETWORK ENTITY LICENSES THAT MAY BE ISSUED; REQUIRING THAT TRANSPORTATION NETWORK ENTITIES OBTAIN A TRANSPORTATION NETWORK ENTITY LICENSE; REQUIRING THAT TRANSPORTATION NETWORK ENTITIES COMPLY WITH SPECIFIED RULES OF OPERATION; PROVIDING THAT THERE SHALL BE NO LIMIT TO THE NUMBER OF TRANSPORTATION NETWORK ENTITY VEHICLES AUTHORIZED TO OPERATE UNDER A TRANSPORTATION NETWORK ENTITY LICENSE; PROVIDING THAT TRANSPORTATION NETWORK ENTITIES MAY AUTHORIZE A PERSON TO OPERATE A TRANSPORTATION NETWORK ENTITY VEHICLE UNDER CERTAIN CIRCUMSTANCES; REGULATING TRANSPORTATION NETWORK ENTITY DRIVERS; MANDATING THAT TRANSPORTATION NETWORK ENTITY DRIVERS COMPLY WITH SPECIFIED REQUIREMENTS; ESTABLISHING		

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5A SUB 160959	DUTIES OF THE MIAMI DADE COUNTY REGULATORY AND ECONOMIC RESOURCES DEPARTMENT OR SUCCESSOR DEPARTMENT; PROVIDING FOR ADDITIONAL RULES OF OPERATION; AUTHORIZING TRANSPORTATION NETWORK ENTITIES TO ESTABLISH FARES AND RATES WITH CERTAIN EXCEPTIONS; AMENDING PROVISIONS RELATING TO VEHICLE STANDARDS; ESTABLISHING INSURANCE REQUIREMENTS; AUTHORIZING THE COUNTY COMMISSION TO ESTABLISH FEES; PROVIDING THAT TRANSPORTATION NETWORK ENTITIES MAY AUTHORIZE A VEHICLE TO BE OPERATED AS A TRANSPORTATION NETWORK ENTITY VEHICLE UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR REGULATION OF TRANSPORTATION NETWORK ENTITY VEHICLES; REQUIRING THAT ADVERTISEMENTS FOR SERVICES CONTAIN CERTAIN INFORMATION; PROVIDING FOR ENFORCEMENT, PENALTIES, SUSPENSION, AND REVOCATION; AMENDING SECTION 8CC-10 OF THE CODE TO PROVIDE FOR CIVIL PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE ORDINANCE RELATING TO VEHICLES FOR HIRE; AMENDING CHAPTER 31, ARTICLE I, SECTION 31-77 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA, TO PROHIBIT THE OPERATION OF VEHICLES TRANSPORTING PASSENGERS FOR COMPENSATION WITHOUT AUTHORIZATION; CREATING CHAPTER 31, ARTICLE VII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGULATING TRANSPORTATION NETWORK ENTITIES, TRANSPORTATION NETWORK ENTITY DRIVERS AND TRANSPORTATION NETWORK ENTITY VEHICLES OPERATING IN THE INCORPORATED AND UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING FOR DEFINITIONS; PROHIBITING TRANSFER OF TRANSPORTATION NETWORK ENTITY LICENSES; PROVIDING THAT THERE SHALL BE NO LIMITATION ON THE NUMBER OF TRANSPORTATION NETWORK ENTITY LICENSES THAT MAY BE ISSUED; REQUIRING THAT TRANSPORTATION NETWORK ENTITIES OBTAIN A TRANSPORTATION NETWORK ENTITY LICENSE; REQUIRING THAT TRANSPORTATION NETWORK ENTITIES COMPLY WITH SPECIFIED RULES OF OPERATION; PROVIDING THAT THERE SHALL BE NO LIMIT TO THE NUMBER OF TRANSPORTATION NETWORK ENTITY VEHICLES AUTHORIZED TO OPERATE UNDER A TRANSPORTATION NETWORK ENTITY LICENSE; PROVIDING THAT TRANSPORTATION NETWORK ENTITIES MAY AUTHORIZE A PERSON TO OPERATE A TRANSPORTATION NETWORK ENTITY VEHICLE UNDER CERTAIN CIRCUMSTANCES; REGULATING TRANSPORTATION NETWORK ENTITY DRIVERS; MANDATING THAT TRANSPORTATION NETWORK ENTITY DRIVERS COMPLY WITH SPECIFIED REQUIREMENTS; ESTABLISHING DUTIES OF THE MIAMI DADE COUNTY REGULATORY AND ECONOMIC RESOURCES DEPARTMENT OR SUCCESSOR DEPARTMENT; PROVIDING FOR ADDITIONAL RULES OF OPERATION; AUTHORIZING TRANSPORTATION NETWORK ENTITIES TO ESTABLISH FARES AND RATES WITH CERTAIN EXCEPTIONS; AMENDING PROVISIONS RELATING TO VEHICLE STANDARDS; ESTABLISHING INSURANCE REQUIREMENTS; AUTHORIZING THE COUNTY COMMISSION TO ESTABLISH FEES; PROVIDING THAT TRANSPORTATION NETWORK ENTITIES MAY AUTHORIZE A VEHICLE TO BE OPERATED AS A TRANSPORTATION NETWORK ENTITY VEHICLE UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR REGULATION OF TRANSPORTATION NETWORK ENTITY VEHICLES; REQUIRING THAT ADVERTISEMENTS FOR SERVICES CONTAIN CERTAIN INFORMATION; PROVIDING FOR ENFORCEMENT, PENALTIES, SUSPENSION, AND REVOCATION; AMENDING SECTION 8CC-10 OF THE CODE TO PROVIDE FOR CIVIL PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 160010]
Notes	The proposed ordinance relating to vehicles for hire amends Chapter 31, Article I, Section 31-77 of the Miami-Dade County Code (Code) prohibiting the operation of vehicles transporting passengers for compensation without authorization and creates Chapter 31, Article VII of the Code regulating Transportation Network Entity (TNE) and TNE drivers and vehicles. The ordinance provide no limitation on the number of TNE licenses issued, requires TNE to comply with specific rules of operation for drivers and vehicles, provide no limitation to the number of vehicles operating under a TNE license, and provides that TNE's will certify their own chauffeurs, and inspect the vehicles operated by its chauffeurs. The ordinance provides for a fee for a transportation network license to be determined by an implementing order approved by a resolution by the BCC. At this time, the Department of Transportation and Public Works (DTPW) does not have enough information to determine the licensing fee required to recover the cost to enforce the rules and regulations established by this ordinance. If this ordinance is approved, DTPW will evaluate the resources required based on the number of licenses submitted and the number of vehicles operated by each licensee. In the short term, DTPW plan on collecting the outstanding fines levied on various transportation network entities for violations of the current ordinance and use those funds to ensure that its enforcement activities are properly resourced. In the long term, as part of the annual budget process, it will reevaluate the fees it charges to this industry. <u>Fiscal Impact Statement:</u> DTPW will enforce this section of the code, and enforcement activities established in this ordinance will be funded entirely by fees charged to companies in this industry. It is anticipated that implementation of this ordinance will have a neutral fiscal impact to the County. The proposed ordinance creates various new fines in the civil penalties section of the Code, with may have a positive impact. <u>Social Equity Statement:</u> The proposed ordinance establishes a regulatory framework for the authorization of transportation network entities to provide alternative transportation services in Miami-Dade County and create job opportunities. <i>The substitute item differs from the original in that it:</i> • Adds ten "Whereas" clauses and incorporates them into the ordinance as true and correct; • Defines the phrases "digital platform" and "personal vehicle" in Section 21-701; • Clarifies the definition of "transportation network entity vehicle" in Section 31-701(u) and Section 31-702(1)(24); • Amends Section 31-702(1)(15) to require that each transportation network entity provide for a system for driver feedback which will, at a minimum, include a driver rating system; • Amends Section 31-702(q) regarding background checks; • Creates Section 31-702(r) to provide for a preliminary transportation network entity license;

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	- Amends Section 31-706 by deleting the language which authorizes the BCC to establish rates for transportation network entity services originating from Miami International Airport or the Port Miami; - Amends the insurance requirements found in Section 31-707; - Amends Section 31-708(f) to provide that each transportation network entity driver will present and submit on demand a copy of the completed vehicle inspection form which will be in his or her vehicle; and - Amends Section 31-712(b) to provide that each transportation network entity driver, who is operating pursuant to a preliminary transportation network entity license, and who picks up or drops off a passenger at Miami International Airport, any General Aviation Airport or the Port of Miami, will comply with applicable requirements and pay the fee established for taxicabs until the BCC adopts a superseding implementing order establishing fees to be paid by transportation network entities.		
		Item 5A – File No. 160010	Item 5A Substitute – File No. 160959 <i>In addition to language proposed in 5A, the following is being added by the substitute.</i>
	License	Each TNE must obtain a County issued license. There is no limit on the number of licenses issued to TNE's and no limit on the number of vehicles per license. Chauffeurs are NOT required to obtain a chauffeur's registration from the County. No TNE license may be sold, leased, assigned, mortgaged or otherwise transferred by a holder of a transportation network entity license.	Vehicles are authorized to operate under a TNE license or preliminary TNE license. Each preliminary license will expire within thirty (30) days from the date of issuance unless extended by the Director for good cause shown.
	License Fee	Fee will be established by Implementing Order.	The preliminary license application fee will be \$350.00 and the license fee will be \$26.00 for each TNE vehicle operated.
	Background Check and Drug Testing	The TNE is to conduct background checks by using a third-party background check provider and certifies to the County that the drivers are in compliance with Code requirements. Specifically, the TNE is to conduct a local, state and national criminal background check through a Department approved agency accredited by the National Association of Background Screeners that includes: - A social security trace; - A review of all criminal records in all Florida counties in which the background check reveals that the individual has ever committed a crime as well as any county where the individual has resided in the last seven (7) years; - Federal court records through the Public Access to Court Electronic Records system, NATCRIM, or similar multistate and multijurisdictional criminal databases; - State and national sex offenders databases; and - Driving history research reports. The TNE will implement a zero tolerance policy on the use of drugs or alcohol while a driver provides TNE services.	The TNE drivers must complete and pass a Level II background check¹ process, OR the TNE must conduct a local, state, and national criminal background check through a Department approved company or agency accredited by the National Association of Professional Background Screeners or a comparable accreditation entity approved by the Department that includes - A social security trace, or similar identification check that is designed to identify relevant information about the individual, including known addresses, aliases, and alternative spellings of the individual's name; - A review of all criminal records in all Florida counties in which the background check reveals that the individual has ever committed a crime as well as any county where the individual has resided in the last seven (7) years; - Federal court records through the Public Access to Court Electronic Records system, NATCRIM or similar multistate and multijurisdictional criminal databases; - State and national sex offender databases; and - Driving history research reports.

¹ http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0435/0435.html

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			<i>Level II background check includes, but is not limited to, fingerprinting for statewide criminal history records checks through the Department of Law Enforcement, and national criminal history records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.</i> The TNE will implement a zero tolerance policy on the use of drugs or alcohol while a driver provides TNE services.
	Vehicle Inspection & Standards	All vehicles must be inspected by an American Advanced Technicians Institute (AATI) or National Institute for Automotive Service Excellence (ASE) certified master mechanic, or certified automobile technician at a licensed or state-registered auto repair shop. 19 vehicle standards must be demonstrated to be functional. Vehicles must be kept clean and orderly during times of active service. Drivers must use the air conditioner when the ambient temperature exceeds seventy-five degrees Fahrenheit unless otherwise requested by the passenger.	Same
	Vehicle Age Limitation	Vehicles up to ten (10) model years.	Same
	Service Charges and Fare Rates	TNEs may establish and charge fares for transportation services based on distance traveled and/or time elapsed during service, a flat prearranged rate or a suggested donation. The BCC may by resolution establish rates for TNE services originating from MIA and Seaport.	TNEs may establish and charge fares for transportation services based on distance traveled and/or time elapsed during service, a flat prearranged rate or a suggested donation. A TNE driver who picks up or drops off a passenger at MIA, any General Aviation Airport or the Seaport will comply with applicable requirements including, but not limited to, operational directive and the Port of Miami Tariff, and pay the fee established for taxicabs until the BCC adopts a superseding implementing order establishing fees.
	Accessibility	TNEs will provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNE cannot arrange wheelchair-accessible services, it will direct the passenger to an alternate provider of wheelchair-accessible services. All licensees and drivers must comply with all applicable requirements of the Americans with Disabilities Act of 1990 and must accept, without extra charge, riders with service animals.	Same
	Insurance Requirements	No transportation network entity vehicle will be permitted to operate without the TNE or driver having first obtained and filed with the department a certificate of insurance demonstrating compliance with Florida insurance laws². Florida Auto Insurance Requirements Florida is a no-fault insurance state. If you are injured in an accident, your car insurance will pay your medical costs up to your policy's limits, regardless of who caused the accident. The minimum limits for Florida car insurance coverage are:	All TNE's and drivers will comply with all applicable insurance provisions of state laws. Additionally, TNE's will provide supplemental insurance for each TNE driver and TNE vehicle as follows: - The insurance limits that apply after a ride is prearranged until the last requesting rider exits the vehicle will be at least: \$125,000 per person for death or bodily injury;

² <http://www.dmv.org/fl-florida/car-insurance.php>

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		• \$10,000 of no-fault or personal injury protection (PIP) insurance. • \$10,000 of property damage liability (PDL) insurance. Personal Injury Protection In addition to covering your part of any medical expenses and income loss that result from a car accident, your Personal Injury Protection, or PIP, insurance will also cover: • Your child and other members of your household. • Your child (when he or she is riding on a school bus). • You (when you are a pedestrian or bicyclist involved in a car accident.) • Passengers in your car who do not have their own PIP insurance and do not own a car. Anyone in your car who has PIP car insurance will be covered by his or her own policy if you get in a car accident. Likewise, your PIP car insurance will cover you while you are a passenger in someone else's car. Property Damage Liability Property Damage Liability (PDL) auto insurance in Florida will cover you for damages you cause in a car accident to someone else's property, such as homes or buildings. Violation Penalties and Fines The Florida Department of Highway Safety and Motor Vehicles (DHSMV) requires your insurance company to electronically notify them if there is a cancellation of your insurance policy. If the DHSMV has no record of your current car insurance policy, you will be notified by mail. The notification will give you a date of suspension. If you are not able to provide the DHSMV a proof of insurance before the suspension date, your driver's license, plates, and registration will all be suspended. To reinstate these, you will have to provide proof of Florida insurance and pay a fee of: • \$150 for your first offense. • \$250 for your second offense. • \$500 for each offense after. If you are able to provide proof of insurance to the DHSMV before the date of suspension, you will not face any penalties.	- o \$250,000 per incident for death or bodily injury; and - o \$50,000 per incident for property damage; or A combined single limit of \$300,000 per incident for death or bodily injury and property damage.
	Operating Requirements	Driver must have a valid permanent driver's license issued by the State of Florida. Driver must be able to communicate in the English language. Drivers may only secure passengers through the TNP digital platform, may not solicit passengers or accept passengers by street hail. TNE drivers will use the air conditioner when the ambient temperature exceeds 75 degrees Fahrenheit. TNE vehicles must not utilize designated taxicab stands. TNE vehicles must not display the word(s) "taxicab", "taxi", or "cab" on the exterior. TNEs will adopt a policy of nondiscrimination.	Same
	Signage	TNE drivers must display consistent trade marking that is large and color contrasted as to be readable during daylight hours at a distance of at least 50 feet.	Same

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	Violation, Penalty & Enforcement	Enforcement by authorized County personnel and police. Use of deficiency/warning system for minor violations. In addition to other penalties provided by law, violations will be processed through Section 8CC-10. Additional redress through legal action, including injunctive relief.	Same
5B 160015	ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF TAXICABS; AMENDING REQUIREMENTS RELATING TO LICENSING AND REGULATION OF TAXICABS; AMENDING DEFINITIONS; DELETING REQUIREMENT PROVIDING FOR CHAUFFEUR AGREEMENTS AND PASSENGER SERVICE AGREEMENTS; ELIMINATING PROVISIONS REQUIRING TRANSFERS TO TAXICAB CHAUFFEURS; ELIMINATING CHAUFFEUR TRAINING AND OTHER SPECIFIED REQUIREMENTS; AMENDING DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES; AMENDING PROVISIONS RELATING TO TAXICAB RATES; ALLOWING PASSENGER SERVICE COMPANIES OR FOR-HIRE LICENSE HOLDERS TO CERTIFY THAT DRIVERS AND VEHICLES SATISFY THE REQUIREMENTS OF THE CODE; AMENDING PROVISIONS RELATING TO VEHICLE STANDARDS INCLUDING VEHICLE AGE REQUIREMENTS AND VEHICLE INSPECTIONS; AMENDING PROVISIONS REGARDING INSURANCE REQUIREMENTS; PROVIDING THAT UNDERSERVED AREA TAXICABS AND SOUTH MIAMI DADE AREA TAXICABS MAY OPERATE COUNTYWIDE; AMENDING CHAPTER 8CC OF THE CODE PROVIDING CIVIL PENALTIES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE		
Notes	The proposed ordinance amends Chapter 31, Article II of the Miami-Dade County Code (Code) relating to the regulation of taxicabs by amending requirements relating to licensing and regulations of taxicabs. Amendments to the Code include, among other things, changes to the chauffeur licensing and training requirements, vehicle age requirements, frequency of vehicle inspections, the elimination of the underserved and South Miami-Dade service areas and changes to the rate regulations. Specifically, the proposed ordinance provides for the following: • Amends Chapter 31 of the Miami-Dade County Code relating to regulation of taxicabs; • Amends requirements relating to licensing and regulation of taxicabs; - o Taxicabs must obtain a County issued license; - o If the BCC decides to issue new medallions, they are to be issued through lottery/auction; and - o One vehicle per license. • Deletes requirements providing for chauffeur agreements and passenger service agreements; • Defines E-Request as a pre-arranged request for service through a software program or application approved by RER residing on a smartphone or other electronic device which performs one or more of the following functions: - o Allows a passenger to identify the location(s) of available taxicabs in a given area and allows a taxicab to identify the location of a passenger who is currently ready to travel; - o Allows a passenger to request a taxicab via the electronic device; - o Allows a taxicab to receive a request from a passenger if the application provides for connecting a passenger to a taxicab; and - o Allows a passenger to pay for taxicab fares through the application. • Eliminates provisions requiring transfers to taxicab chauffeurs; • Eliminates chauffeur training and other specified requirements; • Provides the option to allow taxicab and limousine license holders to certify that drivers are in compliance with the Code after conducting a background check using a third-party provider in lieu of obtaining a chauffeur registration; • Amends duties and responsibilities of the Department of Regulatory and Economic Resources (RER); • Amends provisions relating to taxicab rates; - o Specifically, mandates a maximum rate which must be approved by the BCC; - o The maximum rate must be used from trips originated at Miami International Airport and Seaport; and - o Operators are able to charge rates lower than the maximum anywhere else. • Allows passenger service companies or for-hire license holders to certify that drivers and vehicles satisfy the requirements of the Code; • Amends provisions relating to vehicle standards including vehicle age requirements and vehicle inspections; - o Specifically, vehicles age limits will be up to ten (10) model years old; and - o Provides the option to taxicab license holders/passenger service companies to certify that vehicles are in compliance with the vehicle standards provisions of the Code upon inspection of the vehicles by a certified master mechanic or automobile technician. • Amends provisions regarding insurance requirements; - o Specifically, the vehicle owner or lessee is required to obtain and submit a certificate of insurance for each vehicle; and - o Automobile liability insurance policy with limits of liability no less than those required pursuant to applicable state law. • Provides that underserved area taxicabs and South Miami-Dade area taxicabs may operate countywide; and • Amends Chapter 8CC of the Miami-Dade County Code to provide additional civil penalties. - o County personnel and police will enforce Code; - o Deficiency reports and citations will be issued for minor violations, all other violations will be processed through Section 8CC; and - o Additional redress through legal action including injunctive relief may be taken.		

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	<u>Fiscal Impact Statement:</u> The Department of Transportation and Public Works (DTPW) will experience a revenue loss of \$240,250. This loss is associated with the elimination of the chauffeur training program is estimated to generate a revenue loss of \$20,250, and the reduction of the number of for-hire vehicle inspections from the current system of up to four inspections a year based on the age of the vehicle to annual inspections only \$220,000. Additionally, if all the taxicab companies in this industry opt to certify their own drivers, and vehicles, then it is estimated that the DTPW will lose \$253,000 in Driver Certification fees, and \$80,000 in Vehicle Inspection fees. In the short term, the DTPW will reallocate staff to enforcement efforts, and as part of the annual budget process, it will reevaluate the fees charged to this industry. Finally, the proposed ordinance makes various adjustments to the civil penalties section of the code, whose fiscal impact cannot be determined at this time. <u>Social Equity Statement:</u> Changes to the vehicle age requirements in conjunction with a decrease in the frequency of vehicle inspections will reduce expenses paid by the taxi driver, thereby allowing them to retain more of their income. The elimination of the underserved and south Miami-Dade service areas will allow those drivers the opportunity to provide service countywide, thereby increasing their income. Allowing drivers to charge a lower rate will allow them to be more competitive in the new transportation environment created by the introduction of technology based transportation alternatives. The potential for a lower rate will also benefit the community that relies on taxicab service as a primary source of transportation. <table border="1"> <thead> <tr> <th colspan="2">Highlights of Proposed Ordinance</th></tr> </thead> <tbody> <tr> <td>License</td><td>Taxis must obtain a County issued medallion (currently the number is 2,121). If the BCC decides to issue new medallions they are to be issued through lottery/auction. No formula for the issuance of new medallions. Keeps the one vehicle per license provision.</td></tr> <tr> <td>License Fee</td><td>Licenses will be issued upon payment of twenty-five thousand dollars (\$25,000) within one hundred and twenty (120) days.</td></tr> <tr> <td>Background Check and Drug Testing</td><td> Provides the option to taxicab and limousine license holders to certify that drivers are in compliance with the Code after conducting background check using a third-party provider in lieu of obtaining a chauffeur registration. However, chauffeurs can still obtain a chauffeur's registration from the County if company's self-certification not available. County conducts background checks (FDLE and MDPD). Medallion holder pays for background check Deletes requirement that applicants be fingerprinted. Deletes current training and physical examination requirements. </td></tr> <tr> <td>Vehicle Inspection & Standards</td><td> Provides the option to taxicab/limousine license holders/passenger service companies to certify that vehicles are in compliance with the vehicle standards provisions of the Code upon inspection of the vehicles by a certified master mechanic or automobile technician. These vehicles will not have to pass the required vehicle inspection at the County's inspection facility. Or if the taxicab/limousine license holder does not wish to certify the vehicles, they can be inspected at County's inspection facility. Vehicle standards contain specific criteria for the evaluation of the vehicle, including brakes, tires, windows, lights, A/C system, and provides specific criteria for which these components must meet. </td></tr> <tr> <td>Vehicle Age Limitation</td><td>Vehicles up to ten (10) model years.</td></tr> <tr> <td>Service Charges and Fare Rates</td><td>Mandates a maximum rate which must be approved by the BCC. This maximum rate must be used from trips originated at MIA and Seaport. Operators are able to charge rates lower than the maximum anywhere else.</td></tr> <tr> <td>Accessibility</td><td> Keeps the current requirement that 3% of the total number of taxicab medallions to be operated as wheelchair accessible vehicles. License holders who operate an accessible vehicle will ensure that requests for service from wheelchair passengers receive priority over all other service requests. Must accept, without extra charge, riders with service animals. </td></tr> <tr> <td>Insurance Requirements</td><td>Vehicle owner or lessee required to obtain and submit certificate of insurance for each vehicle.</td></tr> </tbody> </table>	Highlights of Proposed Ordinance		License	Taxis must obtain a County issued medallion (currently the number is 2,121). If the BCC decides to issue new medallions they are to be issued through lottery/auction. No formula for the issuance of new medallions. Keeps the one vehicle per license provision.	License Fee	Licenses will be issued upon payment of twenty-five thousand dollars (\$25,000) within one hundred and twenty (120) days.	Background Check and Drug Testing	Provides the option to taxicab and limousine license holders to certify that drivers are in compliance with the Code after conducting background check using a third-party provider in lieu of obtaining a chauffeur registration. 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		Limits of liability as required by state law Provides for 24-hour coverage regardless of whether operated for-hire. Chapter 324.032 of the Florida Statutes provides that a person who is either the owner or a lessee required to maintain insurance under s. 627.733(1)(b) and who operates one or more taxicabs, limousines, jitneys, or any other for-hire passenger transportation vehicles may prove financial responsibility by furnishing satisfactory evidence of holding a motor vehicle liability policy, but with minimum limits of Bodily Injury Liability (BIL) coverage of \$125,000 per person, \$250,000 per occurrence and \$50,000 for property damage liability (PDL) coverage. Insurance issued by a member of FIGA.									
	Operating Requirements	All taxicab licenses will have a mobile two-way radio or electronic dispatch system, installed and operating properly, that is connected to a fixed-based call center operated twenty-four (24) hours a day, 365 days a year. Vehicles must be equipped with an operable digital security camera system. Must be equipped with an operable credit card processing system. Must be equipped with operable warning lights for emergency situations.									
	Violation, Penalty & Enforcement	Enforcement by authorized County personnel and police. Use of deficiency/warning system for minor violations. All other violations to be processed through the 8CC Code Enforcement process administered by the Clerk of Courts. Additional redress through legal action, including injunctive relief.									
	5C 160016	ORDINANCE AMENDING CHAPTER 31, ARTICLE VI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF LIMOUSINES; AMENDING REQUIREMENTS RELATING TO LICENSING AND REGULATION OF LIMOUSINES; AMENDING DEFINITIONS; AMENDING REQUIREMENTS RELATED TO INSURANCE; AMENDING PREARRANGEMENT REQUIREMENTS; DELETING REQUIREMENT FOR A LIMOUSINE SERVICE PLAN; AMENDING PROVISIONS RELATING TO LIMOUSINE RATES; ALLOWING LIMOUSINE LICENSE HOLDERS TO CERTIFY THAT DRIVERS AND VEHICLES SATISFY THE REQUIREMENTS OF THE CODE; AMENDING PROVISIONS RELATING TO VEHICLE STANDARDS INCLUDING VEHICLE AGE AND VEHICLE INSPECTIONS; AMENDING RESPONSIBILITIES OF LIMOUSINE LICENSE HOLDERS; AMENDING DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES; AMENDING CHAPTER 8CC OF THE CODE PROVIDING CIVIL PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE									
Notes	The proposed ordinance amends Chapter 31, Article VI of the Miami-Dade County Code (Code) relating to the regulation of limousines. Amendments to the Code include, among other things, changes to the chauffeur licensing and training requirements, frequency of vehicle inspections, the elimination of the prearrangement requirements and changes to the rate regulation. <u>Fiscal Impact Statement:</u> The Department of Transportation and Public Works (DTPW) will experience a revenue loss of \$40,750. This loss is associated with the elimination of the chauffeur training program (\$8,750), and the reduction of the number of for-hire vehicle inspections from the current system of up to four inspections a year based on the age of the vehicle inspections on \$32,000. Additionally, if all the limousine companies in this industry opt to certify their own drivers and vehicles, then it is estimated that DTPW will lose \$71,500 in Driver Certification fees, and \$27,000 in Vehicle Inspection fees. In the short term, DTPW will reallocate staff to enforcement efforts, and as part of the annual budget process, it will reevaluate the fees it charges to this industry. DTPW will enforce this section of the code, and enforcement activities amended by this ordinance will be funded by fees charged to companies in this industry. It is anticipated that implementation of this ordinance will have a neutral fiscal impact to the County. Finally, the proposed ordinance creates various new fines in the civil penalties section of the code, which may have a positive impact. <u>Social Equity Statement:</u> Changes to the vehicle age requirements, in conjunction with a decrease in the frequency of vehicle inspections, will reduce expenses paid by limousine operators. Allowing operators to charge a lower rate will allow them to be more competitive in the new transportation environment created by the introduction of technology based transportation alternatives. <table><tr><th colspan="3">Highlights of Proposed Amendments to Current Code Chapter 31, Article VI of the Code Licensing and Regulation of For-Hire Limousines</th></tr><tr><th>Section of Code</th><th>Current</th><th>Proposed <i>Bold refers to proposed amendments.</i></th></tr><tr><td>Sec. 31-601(b) Definitions – Applicant</td><td>Applicant means an individual, partnership or corporation which applies for a for-hire license, permit, or chauffeur’s registration, pursuant to the provisions of this article. “Applicant” shall also mean</td><td>Applicant means an individual, partnership or corporation which applies for a for-hire license, permit, or chauffeur’s registration, pursuant to the provisions of this article. “Applicant” shall also mean</td></tr></table>		Highlights of Proposed Amendments to Current Code Chapter 31, Article VI of the Code Licensing and Regulation of For-Hire Limousines			Section of Code	Current	Proposed <i>Bold refers to proposed amendments.</i>	Sec. 31-601(b) Definitions – Applicant	Applicant means an individual, partnership or corporation which applies for a for-hire license, permit, or chauffeur’s registration, pursuant to the provisions of this article. “Applicant” shall also mean	Applicant means an individual, partnership or corporation which applies for a for-hire license, permit, or chauffeur’s registration, pursuant to the provisions of this article. “Applicant” shall also mean
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		an individual, partnership or corporation which makes application, where applicable, to renew or transfer a for-hire license, permit or chauffeur’s registration pursuant to the provisions of this article. In the case of partnerships and corporations, “applicant” shall also mean each individual with a partnership interest, each shareholder of the corporation as well as the corporate officers and directors.	an individual, partnership, corporation, or limited liability company which makes application, where applicable, to renew or transfer a for-hire license, permit or chauffeur’s registration pursuant to the provisions of this article. In the case of partnerships and corporations, “applicant” shall also mean each individual with a partnership interest, each shareholder of a privately-held corporation as well as the corporate officers and directors.
	Sec. 31-601(u) Definitions – Limousine	<i>Limousine</i> means a "luxury limousine sedan," a "stretch limousine," a "super-stretch limousine," an "ancient limousine," an "antique limousine," or a "collectible limousine" and which provides service on a pre-arranged basis only, which is dispatched by its central business location.	N/A
	Sec. 31-601(v) Definitions – Luxury Limousine Sedan or Luxury Sedan	<i>Luxury limousine sedan or luxury sedan</i> means a luxury, non-metered vehicle of a wheelbase size smaller than a stretch limousine, as defined by CSD .	N/A
	Sec. 31-601(bb) Definitions – Pre-arranged or Pre-arrange	<i>Pre-arranged or pre-arrange</i> means a written, electronic or telephone reservation made at least fifteen minutes in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time .	N/A
	Sec. 31-601(mm) Definitions – For-Hire Limousine Referral Service Provider	N/A	N/A
	Sec. 31-602(a) For-Hire Limousine Licenses – Prohibition against unauthorized operations	<i>Prohibition against unauthorized operations. It</i> shall be unlawful for any person to use, drive, or operate or to advertise in any newspaper, airwaves transmission, telephone directory, or other medium accessible to the public that it offers for-hire limousine services or to cause or permit any other person to use, drive, or operate any for-hire limousine vehicle upon the streets of Miami-Dade County without first obtaining a Miami-Dade County for-hire license and maintaining it current and valid pursuant to the provisions of this article.	N/A
	Sec. 31-602(b) For-Hire Limousine Licenses – Out-of-County origin exception.	<i>Out-of-County origin exception.</i> Nothing in this article shall be construed to prohibit discharge within Miami-Dade County of any passenger lawfully picked up in another County and lawfully transported into Miami-Dade County. Notwithstanding any provision to the contrary, (1) Any passenger lawfully picked up in another county, transported to, and discharged at any location within Miami-Dade County, may be picked up at the discharge location and returned to the county of origin as long as the transportation is part of a pre-arranged, round-trip fare pursuant to a written contract, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision; and (2) A limousine from another county may pick up a passenger at either the Miami International Airport (MIA) or the Miami-Dade Seaport (Seaport) and transport said passenger directly to the limousine's county of	<i>Out-of-County origin exception.</i> Nothing in this article shall be construed to prohibit discharge within Miami-Dade County of any passenger lawfully picked up in another County and lawfully transported into Miami-Dade County. Notwithstanding any provision to the contrary, (1) Any passenger lawfully picked up in another county, transported to, and discharged at any location within Miami-Dade County, may be picked up at the discharge location and returned to the county of origin as long as the transportation is part of a pre-arranged, round-trip fare pursuant to a written contract, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision; and (2) A limousine from another county may pick up a passenger at either the Miami International Airport (MIA) or the Miami-Dade Seaport (Seaport) and transport said passenger directly to the limousine's county of origin as long as the transportation is part of a pre-arranged one-way

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		origin as long as the transportation is part of a pre-arranged one-way continuous fare pursuant to a written contract, the passenger arrived at either the MIA or the Seaport, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision. Pre-arranged means a written, electronic or telephone reservation made at least fifteen minutes in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time. Any limousine that picks up or discharges passengers at either the MIA or the Seaport shall meet the MIA and the Seaport limousine requirements. A copy of the contract shall be in the possession of the chauffeur at all times and shall be made available to enforcement personnel upon request.	continuous fare pursuant to a written contract, the passenger arrived at either the MIA or the Seaport, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision. For purposes of this section, references to MIA shall include the Miami Intermodal Center. Pre-arranged means a written, electronic or telephone reservation made at least fifteen minutes in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time. Any limousine that picks up or discharges passengers at either the MIA or the Seaport shall meet the MIA and the Seaport limousine requirements. A copy of the contract shall be in the possession of the chauffeur at all times and shall be made available to enforcement personnel upon request.
	<i>Sec. 31-602(c)(7)</i>	A record of all crimes to which the applicant has pled nolo contendere, pled guilty, or of which the applicant has been found guilty or been convicted, whether or not adjudication has been withheld within the five (5) years preceding the date of the application. The applicant shall have his or her fingerprints and photograph taken by the Miami-Dade Police Department. In the case of a corporate or partnership applicant, this information shall be obtained from all corporate officers and directors or partners, as the case may be. In the case of corporations, the above information shall be obtained from stockholders who own, hold or control five (5) percent or more of the corporation's issued and outstanding stock.	A record of all crimes to which the applicant has pled nolo contendere, pled guilty, or of which the applicant has been found guilty or been convicted, whether or not adjudication has been withheld within the ten (10) years preceding the date of the application. In the case of a corporate or partnership applicant, this information shall be obtained from all corporate officers and directors or partners, as the case may be.
	<i>Sec. 31-602(d)(7)(8)</i>	Has any unsatisfied civil penalty or judgment pertaining to for-hire operation; Has had a for-hire license issued by Miami-Dade County revoked;	Has any unsatisfied civil penalty or judgment in Miami-Dade County pertaining to for-hire operation unless either is being challenged by the applicant in a legal proceeding pertaining to that applicant's operations; Has had a for-hire license issued by Miami-Dade County revoked within the last five (5) years, provided that, the Director, for good cause shown, may shorten this period;
	<i>Sec. 31-602(f)</i> For-Hire Limousine Licenses	<i>Vehicles authorized to operate under a for-hire license.</i>	N/A
	<i>Sec. 31-602(h)</i>	Expiration of and renewal process for for-hire license. For hire licenses may be issued for such periods as specified in the Administrative Order establishing the fees.	Expiration of and renewal process for for-hire license. For hire licenses may be issued for such periods as specified in the Implementing Order establishing the fees but in no case for a period of less than one (1) year.
	<i>Sec. 31-602(k)(16)</i>	Register and have inspected by CSD all vehicles to be placed into service and all vehicles taken out of service;	Register all vehicles to be placed into service and all vehicles taken out of service and have inspected by RER or provide on a RER-approved form proof of inspection pursuant to Section 31-613(f);
	<i>Sec. 31-602(l)</i>	Responsibility for violations of chapter. The holder of a for hire license shall be held responsible for any applicable violation of this article arising from the operation of the for-hire vehicle authorized under the holder's for-hire license and shall be subject to the penalties provided in this chapter for any such	Responsibility for violations of chapter. The holder of a for hire license shall be held responsible for any applicable violation of this article arising from the operation of the for-hire vehicle authorized under the holder's for-hire license and shall be subject to the penalties provided in this chapter for any such

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		violation. In addition, his, her, or its license shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related violations shall not relieve the for-hire license holder of responsibility under this article.	violation where the license holder knowingly permitted or allowed the violation. In addition, his, her, or its license shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related violations shall not relieve the for-hire license holder of responsibility under this article.
	<i>Sec. 31-602(n)</i> For-Hire Limousine Licenses	No for-hire limousine luxury sedan license shall be assigned, sold, (either outright or under a conditional sales contract) or transferred without prior County approval. Any change in the ownership structure of a corporation or partnership where at least five (5) percent of the shares of said corporation or at least five (5) percent of the partnership interest is assigned, sold or transferred to another shall be deemed a sale for the purposes of this section. The Director is authorized to approve assignments, sales, or transfers when requested by submission of an application (which discloses the information specified in and is signed and sworn to in accordance with the requirements of subsections (c) and (d) of this section) and payment of a transfer investigative and processing fee and after an investigation and determination, based on the criteria set forth in this section. An assignee, buyer, or transferee shall not begin operating the limousine luxury sedan license during the pendency of the application approval process. If the County approves an application to assign, sell, or transfer a limousine luxury sedan license, the assignor's, seller's, or transferor's limousine luxury sedan license shall be suspended until the County reissues the limousine luxury sedan licenses to the assignee, buyer, or transferee. Provided, however, that the County shall reissue the limousine luxury sedan licenses to the assignee, buyer, or transferee at a cost not to exceed the annual, limousine luxury sedan license renewal fee. Any limousine luxury sedan license issued pursuant to Section 31-603(c)(ii)-(v) shall not be assigned, sold or transferred for a period of five (5) years from the date of issuance, except upon: (1) the sale of the luxury sedan license holder's business within the five-year period; (2) the sale of shares or the corporation or partnership as provided in this subsection; or (3) the transfer of all for-hire luxury sedan licenses by an individual to a person as defined in Section 31-601. No transfer shall be approved that results in a license holder holding or controlling more than thirty (30) percent of the total number of luxury limousine sedan licenses issued by the County. Appeals of the Director's decision shall be made pursuant to the requirements of this Chapter.	N/A
	<i>Sec. 31-602(r)</i> For-Hire Limousine Licenses	N/A	N/A
	<i>Sec. 31-603(a)(i)</i> Luxury Limousine Sedan For-Hire Limousine	Upon the effective date of this <i>article</i>, the director shall be authorized to issue the number of luxury limousine sedan for-hire licenses pursuant to subsections (c)(i), (ii), (iii) and (iv). In 2006, 2007 and 2008, the director shall be authorized to issue forty-	Upon the effective date of this <i>article</i>, the Director shall be authorized to issue the number of luxury limousine sedan for-hire licenses pursuant to subsections (c)(i), (ii), (iii) and (iv). In 2006, 2007 and 2008, the Director shall be authorized to issue forty-

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	<i>Licenses – Rules governing the distribution of luxury limousine sedan for-hire licenses.</i>	two (42) luxury limousine sedan licenses each calendar year. The CSD director shall administratively issue such licenses pursuant to the provisions of <i>this section</i> .	two (42) luxury limousine sedan licenses each calendar year. The Director shall administratively issue such licenses pursuant to the provisions of this section.
	Sec. 31-603(b)(v) <i>Luxury Limousine Sedan For-Hire Limousine Licenses – Method for distribution of new limousine sedan for-hire licenses.</i>	N/A	N/A
	Sec. 31-603(b)(vi) <i>Luxury Limousine Sedan For-Hire Limousine Licenses – Method for distribution of new limousine sedan for-hire licenses.</i>	N/A	N/A
	Sec. 31-603(c)(v) <i>Luxury Limousine Sedan For-Hire Limousine Licenses – Conditions for initial issuance of luxury limousine sedan licenses:</i>	<i>If, in the future, additional luxury limousine sedan for-hire licenses are to be issued, all applicants must meet the requirements of Section 31-602 and Section 603 and, shall be distributed as follows:</i> 1) <i>Two-thirds (2/3) to holders of a current and valid limousine for-hire license; and</i> 2) <i>One-third (1/3) to applicants who are not holders of current and valid limousine for-hire license.</i>	N/A
	Sec. 31-603(c)(vi) <i>Luxury Limousine Sedan For-Hire Limousine Licenses – Conditions for initial issuance of luxury limousine sedan licenses:</i>	<i>No lottery applicant may apply for more than ten (10) luxury limousine sedan licenses.</i>	N/A
	Sec. 31-604 <i>Establishing Limousine Rates.</i>	Except as otherwise provided herein, the Commission shall establish minimum rates for luxury limousine sedan, stretch limousine, super-stretch limousines, antique limousines, ancient limousines and collectible limousines operating in Miami-Dade County. Such rates shall be established, altered, amended, revised, increased, or decreased in accordance with the following procedures: 1) The CSD, at two-year intervals or upon request of the Commission or the County Manager, shall investigate and prepare a report concerning the existing rates for luxury sedans, ancient limousines, antique limousines, collectible limousines, stretch, and super stretch limousines. Said investigation shall specify the relative changes in the consumer price index over the preceding two-year period and shall quantify what the rates	<i>Limousine license holders may establish and charge fares for transportation services based on distance traveled and/or time elapsed during service, a flat prearranged rate or a suggested donation, except that the Board of County Commissioners may by resolution establish rates for trips originating from Miami International Airport, defined to include the Miami Intermodal Center, or the Port of Miami. It shall be unlawful for any limousine license holder or chauffeur to charge, demand, request or accept any fare different from the rates established pursuant to this article.</i>

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		would be if the currently approved minimum limousine rates were adjusted for such change. Such investigation may also consider the financial records of the industry to determine revenues or expenses when requested by the Commission or County Manager. 2) The CSD's report shall be forwarded to the County Manager who shall prepare a recommendation to the Board of County Commissioners. 3) A public hearing concerning rates shall be scheduled at which time all interested parties shall have an opportunity to be heard. The Commission shall consider the CSD's report, the County Manager's recommendation, and all evidence produced at the hearing and, by resolution, shall determine and set the appropriate rates as may be in the public interest; provided, however, limousine minimum rates shall be no less than three and one-third (31/3) times the hourly rate of taxicabs.	
	<i>Sec. 31-605</i> <i>Chauffeur's registration.</i>	It shall be unlawful for any person to drive a limousine over any street in Miami Dade County without first having obtained a chauffeur's registration from the CSD pursuant to Chapter 31 of this Code. No later than January 1, 2002, initial limousine chauffeurs shall be required to complete an apprentice program as prescribed by the CSD.	Except as provided elsewhere in this article, it shall be unlawful for any person to drive a limousine over any street in Miami Dade County without first having obtained a chauffeur's registration from the RER pursuant to Chapter 31 of this Code. Such applicants shall not be required to take specified courses, and oral, written, and physical examinations otherwise required.
	<i>Sec. 31-608(a)</i> <i>Insurance Requirements.</i>	No for-hire motor vehicle shall be permitted to operate without the license holder having first obtained and filed with the CSD a certificate of insurance on forms provided by the CSD for each for-hire motor vehicle showing the federal vehicle identification number, a vehicle description, and the for-hire license number, and shall list the for-hire license holder, each chauffeur the license holder allows to operate the vehicle, and the owner of the vehicle as insureds under an automobile liability insurance policy with limits of liability no less than one hundred thousand dollars (\$100,000.00) per person, and three hundred thousand dollars (\$300,000.00) per occurrence for bodily injury, and fifty thousand dollars (\$50,000.00) per occurrence for property damage. Additionally, the certificate of insurance shall specify coverage for complete 24-hour vehicle operations for all drivers who have a Miami-Dade County chauffeur's registration, regardless of where operated or whether engaged in for-hire operations, and shall state the limits of automobile liability and property damage coverage. Failure to provide current certificates of insurance or to maintain appropriate insurance coverage for each for-hire vehicle shall be grounds for revocation of the for-hire license.	a) No for-hire motor vehicle shall be permitted to operate without the license holder having first obtained and filed with the RER a certificate of insurance on forms provided by the RER for each for-hire motor vehicle showing the federal vehicle identification number, a vehicle description, and the for-hire license number, and shall list the for-hire license holder, each chauffeur the license holder allows to operate the vehicle, and the owner of the vehicle as insureds under an automobile liability insurance policy with limits of liability no less than those required by applicable State law. Additionally, the certificate of insurance shall specify coverage for complete 24-hour vehicle operations for all drivers regardless of where operated or whether engaged in for-hire operations, and shall state the limits of automobile liability and property damage coverage. Failure to provide current certificates of insurance or to maintain appropriate insurance coverage for each for-hire vehicle shall be grounds for revocation of the for-hire license.
	<i>Sec. 31-609(b)</i> <i>Vehicle Standards.</i>	(1) Luxury limousine sedans. No luxury limousine sedan initially placed into service shall be older than two (2) model years of age. No luxury limousine sedan that exceeds five (5) model years of age shall be inspected or operated.	(1)Luxury limousine sedans. No luxury limousine sedan, stretch limousine, or super-stretch limousine in service shall be older than ten (10) model years of age.

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		(4) The limousine vehicle age requirements will be effective one year after adoption of this article. Notwithstanding the vehicle age limits required by Section 31-609(b) (1), (2) and (3) of the Code, no luxury limousine sedan, stretch limousine or super-stretch limousine initially placed into service during 2011 or 2012 shall be older than three (3) model years of age.	
	<i>Sec. 31-612(a)</i> Violations; penalties.	In addition to any other penalties provided by law, including, but not limited, to those provided in this article, a violation of any applicable provision of this article by a for-hire license holder or registered chauffeur shall constitute a civil offense punishable by the applicable civil penalty as provided in the schedule of civil penalties in Section 8CC-10 of this Code. Failure of a person to pay a civil penalty within sixty (60) days of the due date for paying such fine as specified on the civil violation notice or within sixty (60) days of the date of the final outcome of any timely filed appeal of such violation notice, whichever is later, shall result in automatic suspension of such person's for-hire license, operating permit, and chauffeur registration, and all for-hire operations shall cease until such fine is paid in full. If a person commits five (5) violations of the same section of this chapter during any twelve (12) month period, such person's for-hire license, operating permit, or chauffeur's registration shall be automatically revoked. If a person commits five (5) violations of this chapter during any twelve (12) month period, such person's for-hire license, operating permit, or chauffeur's registration may be suspended for a period of up to six (6) months or revoked.	In addition to any other penalties provided by law, including, but not limited, to those provided in this article, a violation of any applicable provision of this article by a for-hire license holder driver certified by a for-hire license holder as provided elsewhere in this article or registered chauffeur shall constitute a civil offense punishable by the applicable civil penalty as provided in the schedule of civil penalties in Section 8CC-10 of this Code. Failure of a person to pay a civil penalty within sixty (60) days of the due date for paying such fine as specified on the civil violation notice or within sixty (60) days of the date of the final outcome of any timely filed appeal of such violation notice, whichever is later, shall result in automatic suspension of such person's for-hire license, operating permit, driver certification as provided elsewhere in this article, vehicle certification as provided elsewhere in this article, and chauffeur registration, and all for-hire operations shall cease until such fine is paid in full. If a person commits five (5) violations of the same section of this chapter during any twelve (12) month period, such person's for-hire license, operating permit, driver certification, vehicle certification or chauffeur's registration shall be automatically revoked. If a person commits five (5) violations of this chapter during any twelve (12) month period, such person's for-hire license, operating permit, driver certification, vehicle certification or chauffeur's registration shall be suspended for a period of no less than six (6) months or revoked. Notwithstanding any provision to the contrary: (i) if a person commits one (1) violation of Section 31-602(k)(19), 31-303(i)(4) or 31 304(10), such person's chauffeur's registration or driver certification shall automatically be suspended for a period of thirty (30) days; (ii) if a person commits a second violation of Section 31-602(k)(19), 31-303(i)(4) or 31 304(10) or any combination thereof, such person's chauffeur's registration or driver certification shall automatically be suspended for a period of sixty (60) days; and (iii) if a person commits a third violation of Section 31 602(k)(19), 31-303(i)(4) or 31-304(10) or any combination thereof, such person's chauffeur's registration or driver certification shall automatically be suspended for a period of five (5) years. Notwithstanding any provision to the contrary, if a person commits two (2) violations of Section 31-303(i)(23), such person's chauffeur's registration or driver certification shall be suspended for a period of no less than six (6) months or revoked.
	<i>Sec. 31-612(g)</i> Violations; penalties.	N/A	A for-hire license holder who suspends or revokes a driver certification pursuant to this section shall notify the Department utilizing a form provided by the Department. The Department shall notify each for-hire license holder upon receipt of the above-referenced form.

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	<i>Sec. 31-613(e)(f)(g)(h)</i> <i>Special Provisions.</i>	N/A	Driver Certification. In lieu of obtaining a chauffeur's registration pursuant to Article VI of this Chapter, a limousine license holder shall have the option to authorize a person to operate a limousine upon the streets of Miami Dade County only upon certification by the limousine license holder that the individual has met the requirements of this Chapter, with the exception of specified courses, and oral, written, and physical examinations otherwise required and after the limousine license holder has conducted or caused to be conducted a local, state, and national criminal background check through a Department-approved agency. The background check shall include a social security trace, a review of all criminal records in all Florida counties in which the background check conducted in accordance with this Chapter reveals that the individual has ever committed a crime, as well as a review of all criminal records in any county where the individual has resided in the last seven (7) years. Any search conducted pursuant to this section shall include a review of federal court records through the Public Access to Court Electronic Records ("PACER") system, NATCRIM or similar multistate and multijurisdictional criminal databases, state and national sex offender databases, and driving history research report. (1) In order to be authorized as a certified driver, an individual shall submit an application to the limousine license holder that includes, at minimum, information regarding his or her address, age, driver's license and driving history. (2) In addition to screening a prospective driver in accordance with the criteria set forth in Article V, a limousine license holder may not authorize an individual to operate if the background check required under this section reveals that the individual has been convicted, within the last three (3) years, of more than three (3) moving violations or driving on a suspended, revoked, or invalid license. (3) Prior to authorizing any individual to operate pursuant to this provision, a limousine license holder shall issue to that individual a credential, which provides the name of the certified driver, the date the credential was issued, the date that the credential will expire and a photograph of the certified driver. (4) A driver certification credential issued pursuant to this section shall be valid for no more than one (1) year. (5) At all times when operating a limousine, a certified driver shall display in such vehicle the driver certification credential issued by the limousine license holder and make this credential available for inspection by RER or any code enforcement officer at all times while operating a limousine. (6) Upon receipt of information that an individual no longer meets the requirements of this Chapter, the limousine license holder shall immediately revoke

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			the credential issued to the driver and notify the individual that he or she is no longer authorized to operate a limousine. (7) It shall be unlawful for a limousine license holder to authorize a person to drive on the streets of Miami-Dade County or issue a credential to any individual who does not meet the requirements of this section. (8) A limousine license holder may not authorize any individual pursuant to this article who was denied a chauffeur's registration by the Department within one (1) year of the date of denial. (9) A certified driver shall comply with all requirements applicable to chauffeurs and shall be subject to all of the penalties provided for in this article and in Section 8CC-10. (10) A limousine license holder that certifies its drivers pursuant to this section shall notify RER promptly if it begins using a multistate or multijurisdictional database that is different than the database it utilized when it obtained a license. If RER determines that the new database does not comply with this article the for-hire limousine license holder shall, upon notice, immediately cease using that database to authorize drivers and may only resume authorizing drivers if it utilizes the database that it used when it obtained a license or obtains the RER's approval to use a new database. (f) Vehicle Certification. In lieu of obtaining a vehicle inspection decal issued by RER after passing the required vehicle inspection at RER's inspection facility, a limousine license holder shall have the option to certify that such vehicles comply with the requirements of this article. Before any vehicle may be operated under the authority of such limousine license and issued a vehicle operating permit by RER, the limousine license holder shall ensure that each such vehicle has a safety inspection conducted by an American Advanced Technicians Institute ("AATI") or National Institute for Automotive Service Excellence ("ASE") certified master mechanic or automobile technician at a licensed or state-registered auto repair shop and that proof of inspection for each such vehicle, in the form required by RER, has been submitted to the limousine license holder and is available for inspection with the limousine license holder and in the vehicle. (1) The limousine license holder or passenger service company shall maintain records of all vehicle inspections for at least three years and provide proof of such inspections upon request by RER or any code enforcement officer. (2) Upon request by RER or any other person authorized by the Director, a chauffeur or certified driver shall provide documentation demonstrating that the taxicab has been inspected pursuant to Section 31-609.

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			(3) It shall be unlawful for a limousine license holder to permit or to allow a vehicle to operate on the streets of Miami-Dade County which has not been certified in accordance with the provisions of this article. (4) Any mechanic or technician who provides false information on an inspection form required pursuant to this section shall not be allowed to certify additional limousines, taxicabs, or other for-hire vehicles to be operated in Miami-Dade County. A limousine license holder, where applicable, that fails or does not follow the requirements of this section is subject to revocation or suspension of its license pursuant to Section 31-611. RER shall periodically distribute its list of prohibited mechanics to all passenger service companies and limousine license holders. Any inspection conducted by a prohibited mechanic shall be deemed invalid. (g) If a limousine license holder elects to self-certify vehicles or drivers, the limousine license holder shall notify RER in writing prior to certifying vehicles or drivers. (h) Notwithstanding anything to the contrary in Article V, Section 31-307, a chauffeur shall not be required to pick up passengers through a person located at the limousine license holder's place of business.
	<i>Sec. 31-615(a)</i> Advertisement of for-hire services.	No person may knowingly place or publish an advertisement in any publication which is primarily circulated, displayed, distributed, or marketed within Miami-Dade County, Florida, which advertisement identifies for-hire transportation regulated by this article, unless the advertisement includes the for-hire license number <i>of the limousine company</i>.	N/A
	<i>Sec. 31-615(c)</i> Advertisement of for-hire services.	No person shall advertise a rate or fare other than the rate or fare approved pursuant to Section 31-604.	No person shall advertise a rate or fare inconsistent with the rate or fare approved pursuant to Section 31-604.
	<i>Sec. 31-616</i> For-hire limousine referral service provider licenses.	N/A	N/A
	<i>Sec. 8CC-10.</i> Schedule of civil penalties.	N/A	<i>The proposed ordinance provides for various categories of penalties ranging from \$25 to \$2,000. See handwritten pages 69-74 of the proposed item.</i>
7A 142157	ORDINANCE AMENDING CHAPTER 31, ARTICLE III OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF PASSENGER MOTOR CARRIERS; AMENDING DEFINITIONS AND APPLICATION PROCEDURES; AMENDING CLASSES OF TRANSPORTATION; PROVIDING FOR ADMINISTRATIVE APPROVAL OR DENIAL OF APPLICATIONS FOR CERTIFICATES OF TRANSPORTATION; AMENDING PROVISIONS RELATING TO TRANSFER OF PASSENGER MOTOR CARRIER CERTIFICATES; REQUIRING THAT ADVERTISEMENTS FOR PASSENGER MOTOR CARRIER SERVICE CONTAIN CERTAIN INFORMATION; AMENDING DUTIES AND RESPONSIBILITIES OF THE MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES; AMENDING PROVISIONS RELATING TO INSURANCE REQUIREMENTS AND ENFORCEMENT; AMENDING VEHICLE STANDARDS AND RULES OF OPERATION; PROVIDING PROCEDURES FOR THE CONVERSION OF EXISTING CERTIFICATES OF TRANSPORTATION FOR SPECIAL OPERATIONS AND CHARTER SERVICES; PROVIDING PROCEDURES FOR APPLICATIONS BY EXISTING LESSEES OF CERTIFICATES; PROVIDING PROCEDURES FOR ISSUANCE OF NEW CERTIFICATES; PROVIDING PROCEDURES FOR SUSPENSION AND REVOCATION PROCEEDINGS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMENDING CHAUFFEUR REQUIREMENTS; AMENDING CHAPTER 8CC OF THE CODE PROVIDING CIVIL PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 141303]		
	This Item was amended at the September 3, 2014, Transportation and Aviation Committee meeting by:		

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	- Deleting the phrase "or September 1, 2012, whichever comes first" on typewritten page 62; - Amending Section "31-102(jj)" on typewritten page 62 to read "31-102(kk)"; and - Amending Section "31-103(q)" on typewritten page 62 to read "31-103(k)". <u>Additional Information - Transportation and Aviation Committee Meeting Discussion:</u> During the Transportation and Aviation Committee meeting on September 2, 2014, the following was discussed: - The Committee noted there were two amendments to the foregoing proposed ordinance and requested that the Assistant County Attorney read said amendments into the record. - The Assistant County Attorney read the following staff recommended amendments into the record: - Deletion of the phrase "or September 1, 2012, whichever comes first." found on typed page 62, Section 31-115 "Special Provisions" (a); - Correction of the following scrivener's errors on page 62, Section 31-115 "Special Provisions" (a); "31-102(jj)" should read "31-105(kk)"; and "31-103 (q)" should read "31-103 (k)" - The Division Director of Department of Regulatory and Economic Resources (RER), Passenger Transportation Regulatory Division, appeared before the Committee members and presented a brief summary of the item. He informed the Committee members that the foregoing proposed ordinance was the result of a collective effort at workshops conducted between 2009 and 2010 where various entities such as TAG, LAG and PMC met and provided input and suggestions for much needed change in the PMC transportation industry. - The Division Director pointed out that the foregoing proposed ordinance sought to create standards for PMCs similar to those already established for the taxi-cab and limousine industry and noted the existing PMC ordinance was created in the 1980s and the proposed amendment would establish vehicle standards, as well as penalties and included a growth mechanism. - The Division Director pointed out that the foregoing proposed ordinance was identical to the existing ordinance found in Chapter 31 of Miami-Dade County Code of Ordinances. - Pursuant to questions regarding how the foregoing proposed ordinance would address staging issues, the Division Director explained that staging would be limited to twenty minutes. He noted solicitation was a violation of the existing code and would be enforced consistent with the code. - The Division Director clarified that the foregoing proposed ordinance did not call for the revocation of licenses, but would in fact accomplish just the opposite. He noted individuals would be afforded the opportunity to purchase new PMC licenses. - The Division Director spoke about the moratorium and explained how the foregoing proposed ordinance would provide added opportunities for new business owners. He added that the amended ordinance required all PMC license holders to own their own vehicle. - The Committee spoke about the PMC moratorium noting nothing had been done since 1998 to address PMC issues. - The Committee asked for written input from the industry detailing any concerns, issues or amendments they wished to address with the Committee and added that the Committee would then "vet" the suggested amendments before moving forward. - The Committee addressed concerns regarding Super Shuttle's contract with MIA and noted that amending the agreement or contract to require Super Shuttle and/or similar companies wishing to do business with MIA to acquire PMC licenses would limit the number of companies able to engage in the competitive bid process. - The proposed ordinance was amended and deferred to the next TAC meeting scheduled for October 15, 2014.
11A1 160879	RESOLUTION CONDEMNING THE LEGISLATION RECENTLY ENACTED BY THE MISSISSIPPI STATE LEGISLATURE AND THE NORTH CAROLINA GENERAL ASSEMBLY, AND ANY OTHER SIMILAR LEGISLATION THAT DISCRIMINATES AGAINST THE LESBIAN, GAY, BISEXUAL, OR TRANSGENDER COMMUNITY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, IN COORDINATION WITH THE BEACON COUNCIL AND THE GREATER MIAMI CONVENTION AND VISITORS BUREAU, TO DEVELOP A PLAN TO RECRUIT BUSINESSES AND INDIVIDUALS THAT HAVE BOYCOTTED DOING BUSINESS IN, OR TRAVELING TO, STATES THAT HAVE ADOPTED SUCH DISCRIMINATORY LAWS; URGING THE BEACON COUNCIL AND THE GREATER MIAMI CONVENTION AND VISITORS BUREAU TO COORDINATE WITH THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXAMINE THE FEASIBILITY AND ADVISABILITY OF INSTITUTING A BAN ON COUNTY AND PUBLIC HEALTH TRUST ("PHT") EMPLOYEE TRAVEL FOR OFFICIAL COUNTY OR PHT BUSINESS TO MISSISSIPPI OR NORTH CAROLINA; AND FURTHER DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PLACE A REPORT REGARDING THE PLAN AND FEASIBILITY STUDY ON AN AGENDA OF THE BOARD
Notes	The proposed resolution: - Condemns the Protecting Freedom of Conscience From Government Discrimination Act enacted by the Mississippi State Legislature, the Public Facilities Privacy and Security Act enacted by the North Carolina General Assembly, and any other similar legislation that discriminates against the lesbian, gay, bisexual, or transgender community; - Directs the County Mayor or County Mayor's designee, in coordination with The Beacon Council and the Greater Miami Convention and Visitors Bureau, to develop a plan to attract and recruit to our county businesses, individuals, organizations, and tourists that have denounced or boycotted doing business in, or traveling to, states that have adopted such discriminatory laws. The recruitment initiative should showcase the County as a diverse, economically vibrant, and inclusive place to visit and do business; - Urges The Beacon Council and the Greater Miami Convention and Visitors Bureau to coordinate with the County Mayor or County Mayor's designee to accomplish the initiatives described; - Directs the County Mayor or County Mayor's designee to examine the feasibility and advisability of instituting a ban on County and Public Health Trust (PHT) employee travel for official County or PHT business to Mississippi or North Carolina; - The report will identify the number of times that County or PHT employees have traveled to Mississippi or North Carolina in the last two years on official County or PHT business and will describe the purpose of the travel.

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	• Directs the County Mayor or County Mayor's designee to provide a report containing the plan identified and the findings and recommendations resulting from the study identified to the BCC within 90 days of the effective date of this resolution, and to place the completed report on an agenda of the BCC pursuant to Ordinance No. 14-65; and • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Chair of The Beacon Council and the President of the Greater Miami Convention and Visitors Bureau. Background: The Miami-Dade Human Rights Ordinance, codified at Chapter 11A of the County Code, currently prohibits discrimination in employment, family leave, public accommodations, credit and financing practices, and housing accommodations on the basis of, among other things, a person's sexual orientation and gender identity or expression. 84 percent of the nation's largest companies, many of which do business in Florida, have adopted comprehensive anti-discrimination policies that offer protections to persons who are lesbian, gay, bisexual, or transgender (LGBT) and recently, some state legislatures have passed legislation that weakens the civil rights of the LGBT community. In March of 2016, the North Carolina General Assembly passed House Bill 2, the Public Facilities Privacy and Security Act (HB 2), (1) barring transgender individuals from restrooms and locker rooms that do not match the gender on their birth certificates, (2) preempting municipalities from enacting local antidiscrimination policies, (3) preempting local governments from raising minimum wage levels above the state level, and (4) preempting local governments from imposing antidiscrimination policies or additional labor requirements on their contractors. HB 2 was signed into law by North Carolina Governor Pat McCrory the same day it was passed by the General Assembly. Three North Carolina residents, the American Civil Liberties Union (ACLU), the ACLU of North Carolina, Lambda Legal, and Equality North Carolina have filed a lawsuit challenging HB 2 as unconstitutional. In April of 2016, Mississippi Governor Phil Bryant signed into law House Bill 1523, the Protecting Freedom of Conscience From Government Discrimination Act (HB 1523), that allows religious organizations and private businesses with religious objections to discriminate against LGBT individuals in the realms of employment, housing, child adoption services, foster care, psychological counseling, fertility services, marriage and wedding-related services, student dress codes, and access to restrooms. This year, Georgia Governor Nathan Deal vetoed House Bill 757 (HB 757) which would have given faith-based organizations in Georgia the option to deny services and jobs to gay, lesbian, bisexual, or transgender people. In 2015, the Florida Legislature considered, but did not pass, Senate Bill 1464 (SB 1464) and House Bill 583 (HB 583), that would have made it illegal for any transgender person to use a single-sex restroom that does not match the gender on the person's birth certificates. HB 583 would have preempted the County's ordinance that bans discrimination based on gender identity and expression in public restrooms throughout the county. Other states, such as South Carolina, are considering similar legislation that would discriminate against and disenfranchise the LGBT community.
11A2 160899	RESOLUTION SUPPORTING CONGRESSWOMAN FREDERICA WILSON IN THE #BRINGBACKOURGIRLS MOVEMENT TO RESCUE THE OVER 200 NIGERIAN SCHOOLGIRLS KIDNAPPED AND HELD CAPTIVE BY THE TERRORIST GROUP, BOKO HARAM
Notes	The proposed resolution: • Supports Congresswoman Frederica Wilson in the #BringBackOurGirls movement to rescue the over 200 Nigerian schoolgirls kidnapped and held captive by the terrorist group, Boko Haram; • Directs the Clerk of the Board to transmit a certified copy of this resolution to Congresswoman Frederica Wilson and the remaining members of the Miami-Dade County Congressional Delegation; and • Directs the County's federal lobbyists to advocate for the action and authorizes and directs the Office of Intergovernmental Affairs to add this item to the 2016 and 2017 Federal Legislative Packages when they are presented to the BCC. Background: In April 2014, nearly 300 Nigerian schoolgirls were taken from their school in Chibok, Nigeria by the terrorist group, Boko Haram. Some girls have escaped since then, but almost 220 remain in captivity. Congresswoman Frederica Wilson has been advocating for the girls' release and has become one of the most vocal and visible advocates in the United States on this issue. Congresswoman Wilson helped pass two Congressional resolutions condemning the actions of Boko Haram and a Congressional bill funding intelligence to identify the leaders of the terrorist group. Congresswoman Wilson tweets regularly using the phrases "#BringBackOurGirls" and "#JoinRepWilson", and has helped to organize Democratic and Republican colleagues in Congress to wear red on Wednesdays to bring attention to the issue. The Congresswoman has traveled to Nigeria multiple times to meet with the country's leaders about the rescue of the schoolgirls and to maintain international awareness about the issue.

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
License	Drivers and vehicles must be licensed by the City. There are two license classes based on the company's per week average transportation network service operations: Class A and Class B		No limit on the number of transportation network company licenses that may be issued. Provisional licenses may be issued to applicants who are not in compliance with state law but meet all other requirements.	There can only be one valid license issued for any one vehicle. Before a license will be issued, applicants must provide a bond in the amount of \$5,000 with one or more sureties. Upon approval of an applicant for a new license, the Commission will issue a probationary license valid for one year. A new license will be issued after 1 year upon approval. Drivers must obtain a chauffeur's registration.	Requires a TNC permit which has a term of one year. Permits are specific to the permittee to whom it is issued and may not be transferred or otherwise assigned. Each permit is nonexclusive, and no limits or restrictions exist on the number of transportation network vehicles that may be operated, provided that each must be operated pursuant to a permit.
	Class A	Class B	Preliminary licenses may be issued to applicants who have satisfied requirements, have paid all outstanding fees for operations with at Ft. Lauderdale-Hollywood Airport, and has entered into an agreement with the County for operations at the airport for 30 days. Drivers must obtain a chauffeur's registration from the Division.		
	Class A – for companies whose drivers drive less than 20 hours per week. Class A affiliated drivers do not need a City of Chicago Public Chauffeur License.	Class B – for companies whose drivers driver more than 20 hours per week. Class B affiliated drivers must have City of Chicago Public Chauffeur Restricted Livery License.			
License Fee	Annual license fee of \$10,000 and an	Annual license fee of \$25,000 and an	The fee for a transportation network company license will be determined by a resolution adopted by the Commission.	Vehicle license - \$275 annually Drivers' license - \$25	TNC permit fee – equal to two percent of the annual gross receipts for the operation of each transportation network

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	administrative fee of \$0.02 per trip.	administrative fee of \$0.02 per trip.		<i>Late, replacement and renewal fees may apply</i>	vehicle operated by the permittee. The fee is to be paid to the department of administration and regulatory affairs on a quarterly basis.
Background Check and Drug Testing	The TNP Company performs background checks by means of City of Chicago approved process.	The City of Chicago performs background checks through a public chauffeur license process.	A transportation network company will implement a zero tolerance policy on the use of drugs or alcohol while a transportation network company driver provides transportation network company services. TNC drivers must complete background check.	Individuals applying for license are required to be fingerprinted for the purpose of securing criminal history records from the New York State Division of Criminal Justice Services. All applicants must be tested annually, at the applicant's expense, for drugs. A driver must not operate a for-hire vehicle while his or her driving ability is impaired of intoxicating liquor and must up to 6 hours after consuming any intoxicating liquor before operating vehicle.	License may be denied if the applicant has been: • Convicted of any of the designated offenses defined in Chapter 1 Section 1-10(c)^{vi} within the ten-year period immediately preceding the date of the filing of the application; • Has spent time in jail or prison during the ten-year period immediately preceding the date of filing of the application for such a conviction; or • Subject to deferred adjudication in connection with any of the above offenses. Additionally, permits, certificates of registration, and licenses are subject to denial, revocation, or refusal for renewal, as applicable, if the permittee, registrant, or licensee has been convicted of any of the designated offenses
	Fees sufficient to cover the costs of processing fingerprints and photos are assessed in addition to the license fee Zero-tolerance policy for operating a vehicle under the influence of intoxicating substances.				

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
					defined in Section 1-10(c) since the application was filed. A fingerprint background check is required.
TNP Driver Driving Hour Limit	10 hour limit in 24-hour period	10 hour limit in 24-hour period	N/A	N/A	A licensee must not drive for more than 12 hours in any consecutive 24-hour period.
TNP Vehicle Operation Hour Limit	10 hour limit in 24-hour period	10 hour limit in 24-hour period	N/A	N/A	A permittee must not permit or cause a licensee to drive a transportation network vehicle more than 12 hours in any consecutive 24-hour period.
TNP Vehicle Inspection	TNP Company performs City approved inspection annually	Licensed 3 rd party motor vehicle repair shop conduct 22 point inspection on affiliated vehicles annually	TNC vehicles must meet applicable Federal Motor Vehicle Safety requirements in 49 C.F.R., Part 571 of the Florida Statutes and Section 22 ½ -9B of the Code. Vehicles not more than ten (10) model years old will be inspected annually. Vehicles that are ten (10) model years old or older will be inspected semiannually.	Vehicles must be inspected three times a year at the Commission's Safety and Emissions Division facility. Other required inspections can be done at any DMV registered facility.	Prior to using any transportation network vehicle, and annually thereafter, a permittee or licensee must have the vehicle inspected at a facility designated by the director.
Limitations on Age of TNP Vehicle	No age limit – must pass approved inspection process	Yes, vehicle manufacturer model year may not be more than 6 years old	N/A	N/A	Transportation network vehicles must not be more than seven years old. The vehicle may be used for an additional three-year period beyond the age limitations if

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
					the licensee or permittee submits the vehicle for inspection each year at a location authorized and identified by the director prior to the expiration of the permit.
Service Charges and Fare Rates	Licensees may charge compensation for service based on distance traveled or time elapsed during service, a flat prearranged fare or a suggested donation.		TNC may charge fares or rates for service based on distance traveled or time elapsed during service, a flat prearranged fare or a suggested donation.	Base owners must not quote or charge a fare, or allow a Dispatch Service Provider to quote or charge a fare, that is more than the fare listed in the Rate Schedule^{vii} filed with the Commission. The Dispatch Service Provider must provide Passengers and/or Drivers with reasonable notice of all Passenger and Driver fees and rates charged by the Dispatch Service Provider, as applicable, including but not limited to any lawful price multipliers or variable pricing fees, cancellation fees, and no-show fees, prior to Drivers' or Passengers' use of the Dispatch Service to request or accept a trip.	Permittees must display fare rate and provide a fare rate estimator on the website, internet-based application, or digital platform used by the permittee to connect drivers and passengers.
Tax Rate <i>Ground Transportation</i>	Pay \$0.40 per trip	Pay \$0.80 per trip	N/A	N/A	N/A
Service Charges and	N/A		The Commission may by resolution establish rates for	Base owners must not quote or charge a fare, or allow a	No transportation network driver can pick up or discharge

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
Fare Rates for Airport and Port			transportation network company services originating from Port Everglades or Ft. Lauderdale-Hollywood International Airport. Requires a contract, license, lease or permit issued by Broward County or the Broward County Aviation Department. Requires a contract, license, lease or permit issued by Broward County for operations at the port. A Port Everglades Motor Carrier Business Permit may be issued from the Division.	Dispatch Service Provider ^{viii} to quote or charge a fare, that is more than the fare listed in the Rate Schedule filed with the Commission.	passengers on any portion of George Bush Intercontinental Airport/Houston (IAH) or William P. Hobby Airport (HOU) without proper authorization. A licensee carrying a passenger or passengers from IAH or HOU must pay the city an airport use fee established from time to time.
Tax Rate - Ground Transportation to and from Airports and Ports	\$5.40 per trip	\$5.80 per trip	N/A	N/A	N/A
	TNP drivers will not pick up passengers on any portion of O’Hare International Airport, Midway International Airport or McCormick Place unless the commissioner determines that such pick-ups can be accomplished in a manner that preserves security, public safety, the orderly flow of traffic and compliance with the Metropolitan Pier and Exposition Authority				

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart					
	Chicago ⁱ		Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	Airport Departure Tax Ordinance, and will not pick up passengers in designated taxicab stand or loading zones.				
TNP Vehicle Accessibility Fund Contribution <i>“Accessibility Fund” means a fund used to improve the services of taxicabs and transportation network vehicles for people with disabilities</i>	\$0.10 per trip for every ride performed by affiliated non-wheelchair accessible vehicle.	\$0.20 per trip for every ride performed by affiliated non-wheelchair accessible vehicle.	N/A	N/A	N/A
Accessibility	The internet-enabled application or digital platform used by a licensee to connect drivers and passengers will be accessible to customers who are blind, visually impaired, deaf and hard of hearing. Such application of platform will provide customers with an		TNCs will not charge a higher fare or additional fee to a person who is disabled based on the person’s disability or use of a support animal, wheelchair, or other mobility assistance device. All TNCs and drivers will comply with all applicable requirements of the Americans with Disabilities Act of 1990.	Driver must not refuse to transport any person with a disability or any guide dog accompanying such person. If a person with disabilities is accompanied by an attendant, the driver will not impose or attempt to impose any additional fare charges.	Permittees must provide passengers an opportunity to indicate whether they require a wheel-chair accessible vehicle. If a permittee cannot provide a wheel-chair accessible transportation network vehicle, it must provide the passenger with for hire transportation services.

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	opportunity to indicate whether they require a wheel chair-accessible transportation network vehicle. TNP drivers must accept, without extra charge, riders with service animals.			
TNP Vehicle Ownership & Standards	No licensee will provide financing for the obtaining, leasing, or ownership of, or have beneficial interest in transportation network vehicles. No vehicle licensed as a taxi or public transportation vehicle can be operated as a transportation network vehicle.	No TNC license may be sold, leased, assigned, mortgaged, or transferred by a holder of a license.	Two door vehicles are prohibited.	Transportation network vehicles must: • Have at least two doors; • Meet all applicable Federal Motor Vehicle Safety Standards for vehicles of its size, type and proposed use; • Be a coupe, sedan, or light-duty vehicle, including a van, minivan, sport utility vehicle, pickup truck, hatchback or convertible.
Insurance Requirements	Every licensee and drive must comply with all applicable insurance requirements mandated by federal, State of Illinois, and city laws.	All TNCs must comply with all the insurance provisions of state law.	Each vehicle must maintain coverage at all times in amounts no less than: • \$200,000 per person; and • \$100,000 minimum liability and \$300,000	Drivers must comply with applicable insurance requirements mandated by federal, State of Texas, and city laws. Insurance required must be in the form of:

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	Insurance policies must provide at least the following minimum coverage: • Primary non-contributory Commercial General Liability insurance coverage not less than \$1 million per occurrence; and • Commercial Automobile Liability insurance coverage not less than \$1 million per occurrence covering liability for any occurrence after affiliated TNP driver has accepted a request for service from a passenger from the TNP digital platform and during the transportation of the passenger to the final destination.		maximum liability for bodily injury and death. Vehicles that have been altered after manufacture are subject to increased general liability insurance coverage.	• Automobile liability insurance with a combined single limit for bodily injury and property damage of \$1,000,000.00 per accident; • Automobile liability insurance coverage in no less than \$50,000.00 for bodily injury to or death for each person in an incident; \$100,000.00 for bodily injury to or death of a person per incident; and \$25,000.00 for damage to or destruction of property of other in an incident.

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
Operating Requirements	Driver must be a minimum of 21 years old. Driver must have a valid permanent driver's license issued by a state, district or territory of the United States and a TNP issued photo identification card in his or her possession. Drivers may only secure passengers through the TNP digital platform, may not solicit passengers or accept passengers by street hail. Licensees have an affirmative duty to respond to requests for service in underserved areas. All licensee and drivers must comply with all Federal, State and City non-discrimination laws.	Driver must hold a current drivers' license issued by the State of Florida. Drivers must speak, read and write the English language. Drivers must possess the mental and emotional stability, as well as the physical ability, to safely carry out the duties of operating a motor vehicle. Drivers will not solicit or pick up passengers other than by prearrangement through the transportation network company and will not accept street hails. TNCs or driver will not refuse or neglect to provide services to any orderly person requesting such services and able and willing to pay for such services, on account of that person's race, sex, religion, national origin, age, marital status, sexual orientation, gender identity or expression, pregnancy, disability, color or political affiliation.	A driver must not operate a for-hire vehicle unless the driver has a valid for-hire drivers' license and the vehicle is affiliated with a Licensed Base. Vehicle must be registered in New York State (NYS) and have a valid license. Valid chauffeur's license required. Completion of required courses and pass prescribed tests as administered by the Commission. Beginning December 1, 2012, all applicants must complete a Sex Trafficking Awareness Training. Drivers must not have weapons in their possession while operating a for-hire vehicle. Driver must be clean and neat in dress and person and present a professional appearance. No smoking.	Drivers must have a valid Texas driver's license. Drivers must not pick up or discharge passengers in any designated taxicab stands or loading zones. Drivers must not solicit passengers or accept passengers via street hail. Drivers must pull vehicle to the curb when loading or unloading passengers.

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
		TNCs will adopt policies of nondiscrimination.		
Signage	Drivers must display in or on the TNP vehicle: • Distinctive TNP company signage or trade dress; • Required City of Chicago issued registration emblem; • Signage must be readable during daylight hours at a distance of at least 50 feet; • Emblems displayed on wheel-chair accessible transportation network vehicles will indicate that such vehicles are wheel-chair accessible; and • Distinctive signage to pick up at the airports, McCormick Place and Navy Pier, if applicable.	Transportation network company will require drivers to display consistent trade marking that is sufficiently large and color contrasted as to be readable during daylight hours at a distance of at least fifty (50) feet when providing transportation network company services.	Vehicles must identify their affiliated base station on the exterior of the vehicle. The letters and numbers must be of a color that contrasts with the color of the vehicle body.	The transportation network vehicle must display consistent and distinctive signage at all times while being operated. The signage must be sufficiently large and color contrasted so as to be readable at a distance of at least 50 feet and to identify a particular vehicle associated with a particular permittee.
Violation, Penalty & Enforcement	Any licensee who violates any rule or regulation will be subject to a fine not	The holder of the transportation network company license will be held responsible for any	Provides for specific penalties for violating a rule ^{ixx} .	Any person who fails or refuses to comply with the terms and provisions of the code will be

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	less than \$500 and not more than \$10,000 for each violation. Any person other than a licensee who violates any rule or regulation will be subject to a fine not less than \$500 and not more than \$1,000 for each violation. Each day that any violation continues will be deemed a separate and distinct offence. Penalties for any violation may include license suspension, rescission, non-renewal, and revocation or vehicle impoundment. The owner of the record of any motor vehicle that is used for the transportation or solicitation for the transportation of passengers for compensation in violation of rules and regulations will be liable for an administrative penalty of	violation arising from the operation of any transportation network company vehicle under the holder's transportation network company license.	Fines are due within 30 days of the day the respondent is found guilty of the violation unless the respondent files an appeal to the Taxi and Limousine Tribunal.	deemed guilty of an offense and, upon conviction thereof, will be punished as provided by section 1-6^{xi} of the Code. When the code is violated and no specific penalty is provided therefor, the violation of any such provision is punishable by a fine of not exceeding \$500.00; provided, however, that no penalty is not greater or less than the penalty provided for the same or a similar offense under the laws of the state. When the code is violated, and the violator acted with knowledge with respect to the nature of his conduct or to circumstances surrounding his conduct, the offense is punishable by a fine exceeding \$500.00. Each day any violation of this Code or of any ordinance continues it will constitute a separate offense.

Additional Information on Transportation Network Entity/Provider Ordinance Comparison Chart				
	Chicago ⁱ	Broward County ⁱⁱ	New York City ^{iiiiv}	Houston ^v
	\$2,000 plus any towing and storage fees applicable. The City's Commissioner of Business Affairs and Consumer Protection is authorized to enforce rules and regulations.			

ⁱ [http://library.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:chicago_il](http://library.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates$fn=default.htm$3.0$vid=amlegal:chicago_il)

ⁱⁱ https://www.municode.com/library/fl/broward_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH22_1-2MOCA_S22_1-2-7BTRNECO

ⁱⁱⁱ http://www.nyc.gov/html/tlc/downloads/pdf/rule_book_current_chapter_55.pdf

^{iv} http://www.nyc.gov/html/tlc/downloads/pdf/rule_book_current_chapter_59.pdf

^v https://www.municode.com/library/tx/houston/codes/code_of_ordinances?nodeId=COOR_CH46VEHI_ARTIXTRNECO

^{vi} https://www.municode.com/library/tx/houston/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22for%20hire%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentType%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=COOR_CH1GEPR_S1-10SAPEPELIRE

^{vii} http://www.nyc.gov/html/tlc/html/passenger/taxicab_rate.shtml

^{viii} http://www.nyc.gov/html/tlc/downloads/pdf/rule_book_current_chapter_77.pdf

^{ix} http://www.nyc.gov/html/tlc/downloads/pdf/rule_book_current_chapter_55.pdf

^x http://www.nyc.gov/html/tlc/downloads/pdf/rule_book_current_chapter_59.pdf

^{xi} https://www.municode.com/library/tx/houston/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22for%20hire%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentType%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=COOR_CH1GEPR_S1-6GEPECOVILIREET

Additional Information Pertaining to Previous Taxicab Legislation		
On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.		
Item	Summary	Additional Information
Ordinance No. 14-08 (Special Item No. 1) <i>Taxicab Technology, Vehicle Standards and Chauffeur Requirements Comparison of Current Taxicab Regulations and Proposed Amendments Miami-Dade County Code Chapter 31, Article II</i>	Ordinance No. 14-08 amended chapter 31, Article II of the Code of Miami-Dade County (Code) that regulates for-hire motor vehicles. The amendment established technology requirements for taxicabs including, but not limited to, credit card processing systems, global positioning dispatch systems, Sunpass devices, digital security camera systems, top lights and warning lights; modified vehicle age requirements and standard; and established additional standards and requirements for chauffeurs operating taxicabs. Ordinance No. 14-08 mandated that the Ambassador Cab program certain technology and vehicle standards and chauffeur requirements for cabs picking up passengers at Miami International Airport and PortMiami. Ordinance No. 14-08 differs from Ordinance 14-09 in that it implements those standards on a countywide basis under a longer phase-in period. Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources (RER) to support regulatory functions. Taxicabs will be inspected to ensure compliance with the new vehicle standards. Vehicle inspection fees are \$70 per vehicle for new inspections and \$38 per vehicle for quarterly, semi-annual and annual vehicle inspections.	During the BCC Special Meeting, Ordinance 14-08 was amended to include the following: 1. That in the event the credit card processing system was not operational, the chauffeur shall: • Immediately notify the RER department of the situation; • Repair the system and have it inspected within 48 hours; • Notify any passenger that the system was not working, and make available to the passenger, a mobile credit card processing system; and • If the system is not repaired within 48 hours after malfunctioning, the chauffeur shall remove the vehicle from service until the system is re-inspected and approved to be functioning 2. To require a Sun Pass transponder be installed in all taxicab vehicles within six months from the effective date of this ordinance 3. To allow for a paper receipt to be provided in the event the alternative mobile credit card processing system malfunctioned. It was requested that a report be provided to the BCC indicating the fiscal impact to the RER Department of providing additional enforcement officers if needed to oversee the inspections of taxicab vehicles at Miami International Airport. • Has this report been issued?

Additional Information Pertaining to Previous Taxicab Legislation

On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.

Item	Summary	Additional Information
Ordinance No. 14-09 (Special Item No. 2) <i>The Ambassador Cabs Program Comparison of Current Taxicab Regulations and Proposed Amendments Miami-Dade County Code Chapter 31, Article II</i>	Ordinance 14-09 established the Ambassador Cabs Program (ACP) for taxicabs and chauffeurs transporting passengers to and from Miami International Airport and PortMiami. 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.	During the BCC Special Meeting, it was requested that Ordinance 14-09 be amended with the amendments adopted for Special Item No. 1: 1. That in the event the credit card processing system was not operational, the chauffeur shall: • Immediately notify the RER department of the situation; • Repair the system and have it inspected within 48 hours; • Notify any passenger that the system was not working, and make available to the passenger, a mobile credit card processing system; and • If the system is not repaired within 48 hours after malfunctioning, the chauffeur shall remove the vehicle from service until the system is re-inspected and approved to be functioning 2. To require a Sun Pass transponder be installed in all taxicab vehicles within six months from the effective date of this ordinance; and 3. To allow for a paper receipt to be provided in the event the alternative mobile credit card processing system malfunctioned. Discussion During the Special Meeting • <i>The Division Director of For-Hire Transportation Regulatory Business Affairs, Department of Regulatory and Economic Resources (RER) explained that the Airport Regional Taxicab Services (ARTS) program, known as the Blue Cabs Program, standards have been enforced for several years, but Ordinance 14-09 expanded the Code to include all for-hire chauffeurs operating at MIA, with the intent of elevating the customer service levels at the airport.</i> • <i>He reiterated that chauffeurs would only be permanently revoked from the ACP if cited for more than two violations of Chapter 31 of the Code, or one violation of refusal to transport or refusal to abide by the established taxi meter rates; however, would be allowed to operate anywhere outside the airport, and only drop off passengers at MIA or the Seaport.</i>
File No. 131883 Withdrawn	The proposed ordinance amended Chapter 31, Article II, of the Code of Miami-Dade County (Code), For-Hire Vehicles, mandating that taxicabs be equipped with credit card	Number of Taxicab Licenses/Medallions According to RER: • The Code allows also the sale of existing licenses from a license holder to taxicab drivers.

Additional Information Pertaining to Previous Taxicab Legislation

On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.

Item	Summary	Additional Information																																													
(Special Item No. 3) <i>Taxicab Credit Card Processing System</i> <i>Highlights of the Proposed Amendments Miami-Dade County Code Chapter 31, Article II</i>	processing systems within a specified time period. In addition, the proposed ordinance did the following: - Established requirements relating to credit card processing systems and providers; - Creates the following new subsections of the Code under For-Hire Licenses – Rules of Operation: 31-82(j)(17)(1), 31-82(j)(17)(2), 31-82(j)(17)(3), and 31-82(j)(17)(4). - Empowered the Department of Regulatory and Economic Resources (RER) to approve credit card processing systems; - Required the County Commission to amend taxicab fares to include discount for payment by cash, check or other means not involving the use of a credit card within specified time period; and - Amended Chapter 8CC of the Code to provide for penalties. <u>The County Attorney noted that this item was no longer applicable, due to the amendments adopted for Special Item No. 1. Hearing no further comments or questions, the Board approved a motion to withdraw this ordinance.</u>	- There are 2,121 taxicab licenses/medallions. Each license authorizes the operation of one vehicle. - No medallions were issued in 2015. - The sale prices for the licenses sold since January 1, 2015 are below. It should be noted that some purchase prices are for sales agreements entered into years before the transfer submission and approval dates. <table><tr><th>Date</th><th>FHL</th><th>Class</th><th>Approved</th><th>Price</th></tr><tr><td>1/6/2015</td><td>3568</td><td>REG</td><td>1/6/2015</td><td>\$235,000.00</td></tr><tr><td>4/8/2015</td><td>1125</td><td>REG</td><td>4/21/2015</td><td>\$230,000.00</td></tr><tr><td>6/1/2015</td><td>3176</td><td>REG</td><td>6/1/2015</td><td>\$170,128.00</td></tr><tr><td>6/22/2015</td><td>3425</td><td>REG</td><td>8/15/2015</td><td>\$165,000.00</td></tr><tr><td>9/14/2015</td><td>1764</td><td>REG</td><td>10/6/2015</td><td>\$130,000.00</td></tr><tr><td>12/3/2015</td><td>962</td><td>REG</td><td>12/9/2015</td><td>\$100,000.00</td></tr><tr><td>2/26/2015</td><td>3471</td><td>WAC</td><td>12/9/2015</td><td>\$255,000.00</td></tr><tr><td>8/3/2015</td><td>3541</td><td>WAC</td><td>10/6/2015</td><td>\$140,000.00</td></tr></table>	Date	FHL	Class	Approved	Price	1/6/2015	3568	REG	1/6/2015	\$235,000.00	4/8/2015	1125	REG	4/21/2015	\$230,000.00	6/1/2015	3176	REG	6/1/2015	\$170,128.00	6/22/2015	3425	REG	8/15/2015	\$165,000.00	9/14/2015	1764	REG	10/6/2015	\$130,000.00	12/3/2015	962	REG	12/9/2015	\$100,000.00	2/26/2015	3471	WAC	12/9/2015	\$255,000.00	8/3/2015	3541	WAC	10/6/2015	\$140,000.00
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Additional Information Pertaining to Previous Taxicab Legislation

On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.

Item	Summary	Additional Information
Ordinance No. 14-10 (Special Item No. 4) <i>Taximeters and Credit Card Processing Systems and Highlights of Amendments to Chapter 31, Articles II and V</i>	Ordinance No. 14-10 amended Chapter 31, Article II and V of the Code of Miami-Dade County (Code) that regulates for-hire vehicles, and provided the following: • Amended the definitions of fares or rates and rate card; • Provided a definition of violation; • Amended the provisions relating to rate regulation; • Prohibited the addition of any surcharge fee, convenience fee, or any other compensation for the use of a credit card or debit card without approval by the County Commission; • Increased penalties where chauffeur collects, require, charges, demands, requests or accepts fares or compensation other than established fares or rates; • Amended provisions relating to taximeters and credit card processing systems; • Prohibited operators or chauffeurs from operating a credit card processing system that has not been inspected and certified; • Prohibited operators or chauffeurs from operating a taxicab where the taximeter or credit card processing system does not accurately display approved rates and fares; and • Amended Chapter 8CC of the Code.	Discussion During the Special Meeting • <i>The BCC asked whether a square reader or a backup system could be used without being connected to the taxi meter.</i> • <i>The Assistant County Attorney noted a credit card payment would ordinarily go through the meter; however, an exception was created when the BCC approved the amendments in Special Items No. 1 and 2, allowing a bypass of the meter when the credit card processing system had malfunctioned and noted he believed the foregoing ordinance, as written, was consistent with the amendments in those two ordinances.</i>

Additional Information Pertaining to Previous Taxicab Legislation

On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.

Item	Summary	Additional Information													
Ordinance No. 14-11 (Special Item No. 5) <i>Vehicle Age Requirement Comparison of Current Taxicab Regulations and Proposed Amendments Miami-Dade County Code Chapter 31, Article II</i>	The proposed ordinance relating to Vehicles for Hire, amends Chapter 31 of the Code of Miami-Dade County (Code), to provide that model year 2005 taxicabs scheduled for retirement on December 31, 2013, will be allowed to operate until June 30, 2014 and provides that no further extensions will be granted.	During the Special Meeting Ordinance 14-11 was amended to include language stating that no further extensions will be granted beyond the June 2014 deadline date for retiring the 2005 Model taxicab vehicles.													
		According to the Department of Regulatory and Economic Resources, there are 514 taxicabs scheduled to be retired on December 31, 2013. This number includes 284 model year 2005 vehicles.													
		<table><tr><th colspan="2">Previous Legislation</th></tr><tr><td>Ordinance No. 11-11 3/1/2011</td><td>Amended Chapter 31 of the Code, relating to Vehicles for Hire, to provide that taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines scheduled for retirement on December 31, 2010, be allowed to be operated for an additional one-year period.</td></tr><tr><td>Ordinance No. 11-102 12/19/2011</td><td>Amended Chapter 31 of the Code, to provide that taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines scheduled for retirement on December 31, 2011, be allowed to be operated for an additional one-year period.</td></tr><tr><td>Ordinance No. 12-68 9/4/2012</td><td>Amended Chapter 31 of the Code, relating to Vehicles for Hire, to provide that taxicabs scheduled for retirement on December 31, 2012 will be allowed to be operated for an additional one-year period.</td></tr><tr><td>Ordinance No. 14-11 1/29/2014</td><td>Amended Chapter 31 of the Code of Miami-Dade County (Code), to provide that model year 2005 taxicabs scheduled for retirement on December 31, 2013, will be allowed to operate until June 30, 2014.</td></tr><tr><td>Ordinance No. 16-18 2/2/2016</td><td>Amended Chapter 31 of the Miami-Dade County Code (Code) to provide that taxicabs scheduled for retirement on December 31, 2015 be allowed to be</td></tr></table>		Previous Legislation		Ordinance No. 11-11 3/1/2011	Amended Chapter 31 of the Code, relating to Vehicles for Hire, to provide that taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines scheduled for retirement on December 31, 2010, be allowed to be operated for an additional one-year period.	Ordinance No. 11-102 12/19/2011	Amended Chapter 31 of the Code, to provide that taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines scheduled for retirement on December 31, 2011, be allowed to be operated for an additional one-year period.	Ordinance No. 12-68 9/4/2012	Amended Chapter 31 of the Code, relating to Vehicles for Hire, to provide that taxicabs scheduled for retirement on December 31, 2012 will be allowed to be operated for an additional one-year period.	Ordinance No. 14-11 1/29/2014	Amended Chapter 31 of the Code of Miami-Dade County (Code), to provide that model year 2005 taxicabs scheduled for retirement on December 31, 2013, will be allowed to operate until June 30, 2014.	Ordinance No. 16-18 2/2/2016	Amended Chapter 31 of the Miami-Dade County Code (Code) to provide that taxicabs scheduled for retirement on December 31, 2015 be allowed to be
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Additional Information Pertaining to Previous Taxicab Legislation																																													
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Item	Summary	Additional Information																																											
			operated until December 31, 2017, despite the vehicle age limits required by sections of the Code.																																										
		<table><tr><th colspan="3">Taxicabs Scheduled for Retirement as of February 2016</th></tr><tr><th>Number of Taxicabs</th><th>Model Year</th><th>Scheduled for Retirement</th></tr><tr><td>2*</td><td>2005</td><td>12/31/2017</td></tr><tr><td>3*</td><td>2006</td><td>12/31/2017</td></tr><tr><td>88</td><td>2007</td><td>12/31/2017</td></tr><tr><td>522</td><td>2008</td><td>12/31/2016</td></tr><tr><td>515</td><td>2009</td><td>12/31/2017</td></tr><tr><td>387</td><td>2010</td><td>12/31/2018</td></tr><tr><td>350</td><td>2011</td><td>12/31/2019</td></tr><tr><td>76</td><td>2012</td><td>12/31/2020</td></tr><tr><td>92</td><td>2013</td><td>12/31/2021</td></tr><tr><td>51</td><td>2014</td><td>12/31/2022</td></tr><tr><td>26</td><td>2015</td><td>12/31/2023</td></tr><tr><td>9</td><td>2016</td><td>12/31/2024</td></tr></table> <i>*These vehicles are either wheelchair or underserved area taxicabs which are allowed to be operated until they reach ten years of age</i>		Taxicabs Scheduled for Retirement as of February 2016			Number of Taxicabs	Model Year	Scheduled for Retirement	2*	2005	12/31/2017	3*	2006	12/31/2017	88	2007	12/31/2017	522	2008	12/31/2016	515	2009	12/31/2017	387	2010	12/31/2018	350	2011	12/31/2019	76	2012	12/31/2020	92	2013	12/31/2021	51	2014	12/31/2022	26	2015	12/31/2023	9	2016	12/31/2024
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Ordinance No. 14-12 (Special Item No. 6) Rate Regulation Annual Report Comparison of Current	The proposed ordinance relating to the Rate Regulations for Vehicles for Hire, amends Chapter 31 of the Code of Miami-Dade County (Code), to require an annual report to be presented to the Board of County Commissioners, and provides for a public hearing.	Discussion During the Special Meeting <i>The BCC asked if the rates could potentially be increased every year, but never decreased, according to this ordinance.</i> <i>The Division Director, For-Hire Transportation Regulatory & Business Affairs Division, RER said ‘yes’ but noted it would provide the BCC an opportunity to review the rates, compare previous years to the CPI, and decide if the rates should be increased or not.</i> <i>The BCC expressed concerns that it seemed the BCC would be limited to either increasing or maintaining the current rate, but never to decrease the rates if they felt it was in the public’s best interest.</i>																																											

Additional Information Pertaining to Previous Taxicab Legislation		
<i>On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.</i>		
Item	Summary	Additional Information
<i>Taxicab Regulations and Proposed Amendments Miami-Dade County Code Chapter 31, Article II</i>		<i>The Assistant County Attorney noted this ordinance included a provision that stated ‘...when the rate resolution was presented to the BCC, the appropriate rate will be no less than the previous rates adjusted by the CPI, unless the BCC found that no change in the rates or a reduction in the rates was in the public’s best interest’ which meant the BCC would have the authority to reduce the rates.</i> <i>The Division Director noted the annual report required by this ordinance would include information on the CPI, and a survey comparing other jurisdictions to the County, which would be useful for comparing the rates, to ensure the County remained competitive.</i>
Ordinance No. 14-13 (Special Item No. 7) <i>Pre-Arranged Limousine Transportation on Comparison of Current For-Hire Limousines Regulations and Proposed Amendments Miami-Dade County Code Chapter 31, Article VI</i>	Ordinance No. 14-13 amended Chapter 31, Article VI of the Code of Miami-Dade County that regulates for-hire limousines. The amendment sought to amend the definition and regulation of pre-arranged limousine transportation. Licensing, operating permits and inspection fees are collected by the Department of Regulatory and Economic Resources to support for-hire limousine regulatory activities. Initial limousine license application fees are \$350 per company. Annual operating permit fees are \$625 per license and \$625 per vehicle. Vehicle inspection fees for placing a new vehicle into service is \$70 per vehicle in addition to a renewal fee of \$38 per vehicle for re-inspections.	As of January 29, 2014, there are 626 luxury sedan licenses and 60 limousine licenses. Discussion During the Special Meeting <i>The Division Director, Landside Operations, Miami-Dade Aviation Department (MDAD), noted, that at the time, the only two on-demand transportation services permitted to provide curbside services at MIA were Super Shuttle and taxicabs, and Super Shuttle was an exclusive, shared-ride service that operated in the commercial lane only.</i> <i>She noted that Super Shuttle can provide a dedicated shuttle for larger passenger groups or families, as an option and that although Super Shuttle used only vans and has an exclusive contract with MIA for shared ride services, passengers can request a dedicated shuttle, if necessary.</i> <i>She noted limousine services were defined by County Code as a prearranged service and the Code required limousines to be permitted through both the County and the Miami-Dade Aviation Department (MDAD).</i> <i>She explained that it was not permissible for the general public to pick up family members curbside at MIA, in a luxury limousine however, the party could prearrange the ride and be picked up in a limousine in the bus loop or outer lanes away from the commercial lane.</i> <i>She noted that limousine operators usually waited in the holding lot or the parking garage until the passengers arrived, and then picked them up. She</i>

Additional Information Pertaining to Previous Taxicab Legislation

On January 29, 2014, the BCC held a special meeting to discuss technology requirements for taxicabs. The agenda included 9 special items.

Item	Summary	Additional Information								
		that it was permissible for limousine operators to drop off passengers at MIAs curbside. <table><tr><th colspan="2">CONSUMER SERVICES DEPARTMENT PASSENGER TRANSPORTATION REGULATORY DIVISION MINIMUM LIMOUSINE RATES (Effective June 17, 2005)</th></tr><tr><td></td><td>Rates <i>*The rates listed below are as of January 2014. The OCA was not able to confirm if rates have changed.</i></td></tr><tr><td>Luxury Sedan</td><td> - Hourly rate: \$40/hour, with a 2-hour minimum; \$70 for a one-way continuous trip to any location; \$70 for any one-way continuous trip to Miami International Airport or Seaport, if the trip originates north of S.W. 248th Street; and any stop during the trip shall be \$40/hour or fraction of an hour; or \$90 for any one-way continuous trip to Miami International Airport or Seaport if the trip originates south of S.W. 248 Street; and any stop during the trip shall be \$40/hour or fraction of any hour. </td></tr><tr><td>Stretch Limousine</td><td> - Hourly rate: \$55/hour, with a 3-hour minimum; \$95 for a one-way, continuous trip to any location; \$75 for any one-way continuous trip to Miami International Airport or Seaport; and any stop during the trip shall be \$45/hour or fraction of an hour </td></tr></table>	CONSUMER SERVICES DEPARTMENT PASSENGER TRANSPORTATION REGULATORY DIVISION MINIMUM LIMOUSINE RATES (Effective June 17, 2005)			Rates <i>*The rates listed below are as of January 2014. The OCA was not able to confirm if rates have changed.</i>	Luxury Sedan	- Hourly rate: \$40/hour, with a 2-hour minimum; \$70 for a one-way continuous trip to any location; \$70 for any one-way continuous trip to Miami International Airport or Seaport, if the trip originates north of S.W. 248th Street; and any stop during the trip shall be \$40/hour or fraction of an hour; or \$90 for any one-way continuous trip to Miami International Airport or Seaport if the trip originates south of S.W. 248 Street; and any stop during the trip shall be \$40/hour or fraction of any hour.	Stretch Limousine	- Hourly rate: \$55/hour, with a 3-hour minimum; \$95 for a one-way, continuous trip to any location; \$75 for any one-way continuous trip to Miami International Airport or Seaport; and any stop during the trip shall be \$45/hour or fraction of an hour
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Item	Summary	Additional Information																
			Super-Stretch Limousine	- Hourly rate. \$65/hour, with a 3-hour minimum; \$95 for a one-way, continuous trip to any location														
Resolution No. R-87-14 (Special Item No. 8) <i>Taxicab Technology Funding Options</i>	R-87-14 directed the Mayor or his designee to explore and evaluate funding options to pay for technological upgrades in taxicabs, such as a technology surcharge, which may address the potential financial impact of these upgrades on, among others, taxicab chauffeurs. The Mayor was directed to report back to the BCC within sixty (60) days from the adoption of this resolution.	Report Regarding Feasibility and Evaluation of Technology Surcharge for Taxicabs On October 8, 2014, the Mayor issued a report regarding the feasibility and evaluation of technology surcharge for taxicabs. According to the report, the technology upgrades mandated in Ordinance Nos. 14-08 and 14-09 require monetary investments for the initial installation of the requirements such as the Passenger Information Monitor associated with credit card payment processing equipment, taxi meter and the security camera. While Ordinance Nos. 14-08 and 14-09 require that taxicabs be integrated with a global positioning dispatch system (GPS) within 24 to 30 months, this equipment is part of the taxi company’s dispatching service for which drivers pay a monthly fee to utilize. Therefore, for the purposes of this report, GPS is not considered a technology that is a new expense. <table><tr><th>Technology Equipment/Upgrade</th><th>Installation/Average Cost (includes installation)</th></tr><tr><td>Passenger Information Monitor</td><td>\$2,700</td></tr><tr><td>Meters</td><td>\$410</td></tr><tr><td>Security Cameras</td><td>\$665</td></tr><tr><td>Warning Lights</td><td>\$100</td></tr><tr><td>Top Tail Lights</td><td>\$185</td></tr><tr><td>SunPass</td><td>No cost</td></tr></table>			Technology Equipment/Upgrade	Installation/Average Cost (includes installation)	Passenger Information Monitor	\$2,700	Meters	\$410	Security Cameras	\$665	Warning Lights	\$100	Top Tail Lights	\$185	SunPass	No cost
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SunPass	No cost																	
		According to the report, the total costs of implementing the technology upgrades for all Miami-Dade County taxis, depending on what technology upgrades will be subsidized by the surcharge, can range between \$3 million and \$8.6 million. An																

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		increase in the cost of operating a taxi will likely become a pass through cost for drivers. Miami-Dade County has identified options to address the funding of the required equipment. One option would be a technology surcharge added to the cost of each taxi fare to defray the costs of complying with mandated technology upgrades. A second option would be to require the companies installing the required credit card payment processing equipment to also provide and install the additional required equipment at no cost to the driver. The cost of the equipment would be incorporated into the impending cash discount required by Ordinance Nos. 14-08 and 14-09 and would include any costs associated with repair, replacement or upgrades at no cost to the driver. <i>This option was proposed and recommended by the Taxicab Advisory Board (TAG) at its April 30, 2014 meeting.</i>																																										
File No. 140110 (Special Item No. 9) Report – Public Hearing	Pursuant to Ordinance No. 12-51 adopted by the BCC on July 3, 2012, Special Item No. 9 provided the final report regarding the Taxicab Growth Formula. According to the Report, the Department of Regulatory and Economic Resources (RER) supports the Taxicab Advisory Group’s (TAG’s) formula to provide an incremental approach to growth consisting of two percent (2%) increases in the total number of medallions, rounded up to the next whole number ending in five (5) each year for the next five (5) years. TAG’s formula was meant to be a temporary solution for medallion growth in the absence of dispatch technology. Special Item No. 2, the Ambassador Cabs Program (Ordinance No. 14-09), provided	<table><tr><th colspan="6">TAG Proposed Growth Formula*</th></tr><tr><th>Medallion Lottery Type</th><th>Initial Year</th><th>2nd Year</th><th>3rd Year</th><th>4th Year</th><th>5th Year</th></tr><tr><td>Regular Cab</td><td>23</td><td>27</td><td>31</td><td>40</td><td>45</td></tr><tr><td>Wheelchair Cab</td><td>22</td><td>18</td><td>14</td><td>10</td><td>5</td></tr><tr><td>Total Number in Medallion Lottery</td><td>45</td><td>45</td><td>45</td><td>50</td><td>50</td></tr><tr><td>Additional Wheelchair Accessible Medallions to Auction</td><td>2</td><td>2</td><td>2</td><td>2</td><td>2</td></tr><tr><td>Total New Lottery/Auction & Existing Medallions</td><td>2,168</td><td>2,215</td><td>2,262</td><td>2,314</td><td>2,366</td></tr></table> <i>*Based on 2,121 medallions.</i>	TAG Proposed Growth Formula*						Medallion Lottery Type	Initial Year	2 nd Year	3 rd Year	4 th Year	5 th Year	Regular Cab	23	27	31	40	45	Wheelchair Cab	22	18	14	10	5	Total Number in Medallion Lottery	45	45	45	50	50	Additional Wheelchair Accessible Medallions to Auction	2	2	2	2	2	Total New Lottery/Auction & Existing Medallions	2,168	2,215	2,262	2,314	2,366
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	that a more permanent formula can be developed based on actual dispatch data.	