

MEMORANDUM

Agenda Item No. 7(E)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 4, 2012

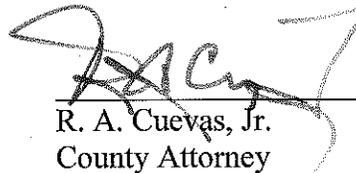
FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance amending Chapter
31 of the Code, relating to
regulation of for-hire
limousines; amending vehicle
age requirements

Ordinance No. 12-66

At the July 9, 2012 Regional Transportation Committee meeting, this item was amended to remove the initially proposed permanent two year increase in the age limit for for-hire limousines and instead to provide a one year extension for those for-hire limousines scheduled to be retired on December 31, 2012.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.



R. A. Cuevas, Jr.
County Attorney

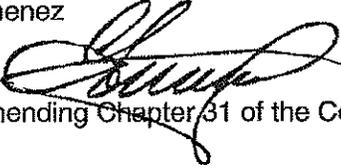
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Memorandum



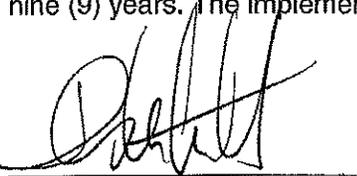
Date: September 4, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance amending Chapter 31 of the Code relation to regulation of for-hire limousines

The proposed ordinance extends the age limit requirements of for-hire limousine sedans and stretch limousines from five (5) years to seven (7) years, and super-stretch limousines from seven (7) years to nine (9) years. The implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

fis5412



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 4, 2012

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

SUBJECT: Agenda Item No. 7(E)

Ordinance 12-66

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(E)
9-4-12

ORDINANCE NO. 12-66

ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF FOR-HIRE LIMOUSINES; AMENDING VEHICLE AGE REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 31, Article VI of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Chapter 31

VEHICLES FOR HIRE

* * *

ARTICLE VI. LICENSING AND REGULATION OF FOR-HIRE LIMOUSINES.

* * *

Sec. 31-609. Vehicle Standards.

* * *

(b) Vehicle age limits and inspection schedules. Vehicle age limits and frequency of for-hire vehicle inspections are as follows; provided however, that the CSD may inspect a for-hire vehicle at any time:

- (1) Luxury limousine sedans. No luxury limousine sedan initially placed into service shall be older than two (2)

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

model years of age. No luxury limousine sedan that exceeds five (5) ~~[[seven (7)]]~~² model years of age shall be inspected or operated.

- (2) Stretch limousines. No stretch limousine initially placed into service shall be older than two (2) model years of age. No stretch limousine that exceeds five (5) ~~[[seven (7)]]~~ model years of age shall be inspected or operated; provided, however, that a luxury sedan vehicle that is either a fifteen (15) or greater model year Rolls Royce, Packard or Mercedes-Benz that has been stretched a minimum of forty-two (42) inches may be operated beyond five (5) ~~[[seven (7)]]~~ model years as long as the vehicle meets the inspection requirements of the Code.
- (3) Super-stretch limousines. No super-stretch limousine initially placed into service shall be older than two (2) model years of age. No super-stretch limousine that exceeds seven (7) ~~[[nine (9)]]~~ model years of age shall be inspected or operated; provided, however, that a luxury sedan vehicle that is either a fifteen (15) or greater model year Rolls Royce, Packard or Mercedes-Benz that has been stretched a minimum of one hundred twenty (120) inches may be operated beyond seven (7) ~~[[nine (9)]]~~ model years as long as the vehicle meets the inspection requirements of the Code.

* * *

Sec. 31-613. - Special provisions.

* * *

- (d) Notwithstanding the vehicle age limits required by Section 31-609(b) of the Code, any properly permitted and inspected luxury limousine sedan, stretch limousine, or super-stretch limousine scheduled for retirement on December 31, ~~[[2011]]~~ >>2012<<, shall be allowed to be operated for an additional one-year period.

² Committee amendments are indicated as follows: Words double stricken through and/or ~~[[double bracketed]]~~ are deleted, words double underlined and/or >>double arrowed<< are added.

5

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: September 6, 2012

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Gerald K. Sanchez

Prime Sponsor: Chairman Joe A. Martinez

