

MEMORANDUM

Agenda Item No. 7(A)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: (Second Reading: 11-7-23)
September, 6 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to for-hire motor vehicles; amending sections 31-89 and 31-93 of the Code; revising vehicle age and inspection requirements for taxicabs operating in Miami-Dade County; extending authorization on a permanent basis for vehicles 15 model years or less to be licensed and operated as taxicabs in this County; amending vehicle age requirements and standards for wheelchair accessible vehicles for the Ambassador Cabs program to no greater than 15 model years; making technical and conforming changes

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Marleine Bastien.



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001

Memorandum



Date: November 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Fiscal Impact Statement for Ordinance Relating to For-Hire Motor Vehicles – Amending
Vehicle Age and Inspection Requirements

The implementation of the proposed ordinance relating to vehicles for-hire would have a positive fiscal impact of an estimated \$36,000 for the Department of Transportation and Public Works from the revenues generated by inspection fees. Implementation would neither result in additional staffing needs nor future operational costs.

A handwritten signature in blue ink, appearing to read "Jimmy Morales". The signature is stylized and somewhat abstract, with a prominent vertical stroke on the left side and a horizontal stroke extending to the right.


Jimmy Morales
Chief Operations Officer

Memorandum



Date: November 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to For-Hire Motor Vehicles – Amending Vehicle Age and Inspection Requirements

The proposed ordinance extends on a permanent basis the authorization, originally provided by a two-year pilot program in 2019 and renewed in 2021 for two more years, for vehicles up to 15 model years to be operated as taxicabs. In addition, it is proposed that taxicabs between 11 and 15 model years of age shall be inspected semiannually rather than once per year as required for vehicles less than 10 model years of age. Lastly, the ordinance provides for the removal from service of any taxicab between 11 and 15 model years of age, with the exception of wheelchair accessible taxicabs, that receives two or more citations within any one-year period for violation of vehicle standards.

The increase in the vehicle age would benefit 957 operators whose vehicles are slated for retirement on December 31, 2023, due to reaching the maximum allowable vehicle age of 10 years. An additional social equity benefit under the proposed ordinance is this increase to 15 model years enables operators to obtain more affordable vehicles. Concerns that older vehicles allowed to operate under the initial pilot program would lead to an increase in constituent complaints regarding safety, maintenance or aesthetics have not materialized. Moreover, no taxicab was removed from service for receiving two or more citations during the pilot period.

A handwritten signature in blue ink, appearing to read "Jimmy Morales". The signature is stylized and somewhat abstract, with a prominent vertical stroke on the left side.

Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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(A)
11-7-23

ORDINANCE NO. _____

ORDINANCE RELATING TO FOR-HIRE MOTOR VEHICLES; AMENDING SECTIONS 31-89 AND 31-93 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING VEHICLE AGE AND INSPECTION REQUIREMENTS FOR TAXICABS OPERATING IN MIAMI-DADE COUNTY; EXTENDING AUTHORIZATION ON A PERMANENT BASIS FOR VEHICLES 15 MODEL YEARS OR LESS TO BE LICENSED AND OPERATED AS TAXICABS IN THIS COUNTY; AMENDING VEHICLE AGE REQUIREMENTS AND STANDARDS FOR WHEELCHAIR ACCESSIBLE VEHICLES FOR THE AMBASSADOR CABS PROGRAM TO NO GREATER THAN 15 MODEL YEARS; MAKING TECHNICAL AND CONFORMING CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on February 5, 2019, this Board adopted Ordinance No. 19-12, which among other things, amended section 31-89 of the Code of Miami-Dade County, Florida, revised the age and inspection requirements for taxicabs, and established a two-year pilot program (the “two-year pilot program”) that allowed vehicles that were fifteen (15) model years or less to be operated as taxicabs in this County; and

WHEREAS, on September 1, 2021, this Board adopted Ordinance No. 21-85, which among other things, re-established the two-year pilot program permitting vehicles fifteen (15) model years of age or less to be licensed and operated as taxicabs in this County; and

WHEREAS, this Board believes it is in the best interest of the residents and visitors of this County to extend the authorization on a permanent basis for vehicles fifteen (15) model years of age or less to be licensed and operated as taxicabs in this County,

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

Section 1. Section 31-89 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 31-89. Vehicle Standards.

* * *

(f) Taxicab vehicle age limits and inspection schedules. Taxicab vehicle age limits and frequency of for-hire inspections are as follows provided, however, that the ~~[[RER]]~~ >>Department<< may inspect a for-hire vehicle at any time. Any vehicle initially placed into service, shall not have been previously used as a taxicab outside of Miami-Dade County, or have a "rebuilt" or "salvage" title and shall be no greater than ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age. Any vehicle over ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age shall not be operated as a taxicab.

>>(1)<<Notwithstanding the foregoing, any taxicab~~[[;]]~~

~~[[(1) That]]~~ >>that<< operates as a Wheelchair Accessible Cab initially placed into service shall not have been previously used as a taxicab outside of Miami-Dade County or have a "rebuilt" or "salvage" title and shall be no greater than fifteen (15) model years of age. Any vehicle over fifteen (15) model years of age shall not operate as a Wheelchair Accessible Cab~~[[;]]>>~~<<

~~[[(g) Notwithstanding the vehicle age limits and inspection schedules mandated by article II of this chapter, the two year pilot program established by Ordinance No. 19-12 is hereby re-established to create a new two year pilot program ("pilot program") whereby any vehicle that is 15 model years of age or less may be operated as a taxicab as provided in this subsection.~~

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.

~~The term of the pilot program shall be two years from the effective date of this ordinance. The Commission may by ordinance extend the duration of the pilot program if it determines that such an extension will serve the public interest. To be eligible for the pilot program, a taxicab shall:~~

~~(1) Not have been previously used as a taxicab outside of Miami-Dade County or have a "rebuilt" or "salvage" title; and~~

~~(2) Meet the following inspection schedules:]]~~

~~>>(2)<< A taxicab one through ten >>(10)<< model years of age shall be inspected annually; and a taxicab >>eleven (11)<< [[14]] through [[15]] >>fifteen (15)<< model years of age shall be inspected semi-annually.~~

~~>>(3)<< A vehicle >>eleven (11) through fifteen (15) model years of age<< operating as a taxicab shall be permanently removed from service if the operator has during any one-year period: (i) been found guilty by an administrative hearing officer of two or more violations of the vehicle standards mandated in this section; (ii) failed to pay or appeal two or more citations for violations of the vehicle standards set forth in this section within the established time; or (iii) paid two or more fines for violating the vehicle standards set forth in this section. The provisions of this subsection shall not apply to Wheelchair Accessible Cabs.~~

~~[[h) The County Commission shall, as deemed appropriate, adopt within twelve (12) months of the effective date of this ordinance a fare increase pursuant to the provisions of section 31-87 in light of the additional technology requirements mandated by subsection 31-89(e).]]~~

Section 2. Section 31-93 of the Code of Miami-Dade County, Florida, is hereby

amended to read as follows:

Sec. 31-93. Special Provisions.

* * *

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

* * *

- (8) *Vehicle Age Requirements and Standards.* Any Ambassador Cab initially placed into service shall not have been previously used as a taxicab outside of Miami-Dade County, or have a "rebuilt" or "salvage" title, and shall be no greater than ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age. Any vehicle over ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age shall not operate as a taxicab at either Miami International Airport or the Port of Miami.

Notwithstanding any provision to the contrary, any taxicab that is initially placed in service within twelve (12) months of the effective date of this ordinance, may continue to operate until the taxicab has reached ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age. At the expiration of ~~[[ten (10)]]~~

>>fifteen (15)<< model years, each taxicab shall be required to adhere to the vehicle age requirements mandated by this subsection;

- (9) *Vehicle Age Requirements and Standards for Wheelchair Accessible Cabs.* Any Wheelchair Accessible Ambassador Cab initially placed into service shall not have been previously used as a Wheelchair Accessible Cab, or have a "rebuilt" or "salvage" title and shall be no greater than ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age. Any vehicle over ~~[[ten (10)]]~~ >>fifteen (15)<< model years of age shall not operate as a Wheelchair Accessible Cab at either Miami International Airport or the Port of Miami;

* * *

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

GBK
D.P.C

Prepared by:

Dale P. Clarke

Prime Sponsor: Commissioner Marleine Bastien