

MEMORANDUM

Agenda Item No. 5(G)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: (Public Hearing: 9-1-21)
May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to for-hire
motor vehicles; amending
section 31-89 of the Code;
re-establishing pilot program for
a specified time which would
allow vehicles that are a certain
model year of age or less to be
operated as taxicabs; waiving
certain fines related to age of
vehicles for specified time

Ordinance 21-85

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



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: September 1, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Vehicles For-Hire – Taxicabs (#210988)

The implementation of the proposed ordinance relating to vehicles for-hire will have a positive fiscal impact of an estimated \$13,500 for the Department of Transportation and Public Works (DTPW) from the revenues generated by inspection fees for the duration of the pilot program. If implemented, it will not result in additional staffing needs or future operational costs.

A handwritten signature in black ink, appearing to read "Jimmy Morales".

Jimmy Morales
Chief Operations Officer

Memorandum



Date: September 1, 2021

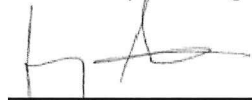
To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Social Equity Statement for Ordinance Relating to Taxicabs (#210988)

The proposed ordinance re-establishes a two-year pilot program approved by Ordinance No. 19-12 approved by the Board on February 5, 2019. This program allows vehicles that are 15 model years of age or less to be operated as taxicabs; and providing that taxicabs between 11 and 15 model years of age shall be inspected semiannually. In addition, the ordinance provides for the removal from service of any taxicab that receives two or more citations within any one-year period for violations of vehicle standards.

The increase in the vehicle age will benefit the operators whose vehicles were to be retired after reaching the maximum allowed vehicle age, which is currently 10 model years of age. It will also allow operators to obtain more affordable vehicles. Concerns that older vehicles allowed under the initial pilot program would lead to an increase in constituent complaints regarding the maintenance, upkeep, or aesthetics of older vehicles, have not come to pass. Since the establishment of the original pilot program in 2019, there has been no increase in complaints due to vehicle condition. In addition, no taxicab was removed from service for receiving two or more citations during the initial pilot period. Because of the pilot program over 350 taxicabs that otherwise would have had to be retired from service have been able to continue providing service to residents and visitors.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: September 1, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(G)

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. 5(G)
9-1-21

ORDINANCE NO. 21-85

ORDINANCE RELATING TO FOR-HIRE MOTOR VEHICLES;
AMENDING SECTION 31-89 OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA; RE-ESTABLISHING PILOT PROGRAM
FOR A SPECIFIED TIME WHICH WOULD ALLOW VEHICLES
THAT ARE A CERTAIN MODEL YEAR OF AGE OR LESS TO
BE OPERATED AS TAXICABS; WAIVING CERTAIN FINES
RELATED TO AGE OF VEHICLES FOR SPECIFIED TIME;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

WHEREAS, due to the coronavirus disease 2019 (“COVID-19”) and the resulting negative economic impact, including the reduction in airline and tourist traffic, taxicab operators have experienced economic hardships; and

WHEREAS, Ordinance No. 19-12 established a two-year pilot program (the “pilot program”) whereby any vehicle that is 15 model years of age or less may be operated as taxicabs; and

WHEREAS, on or about February 15, 2021, the pilot program expired; and

WHEREAS, re-establishing the pilot program would create a measure of financial relief for the taxicab industry; and

WHEREAS, the Board believes that it is in the best interest of the residents of Miami-Dade County to re-establish the pilot program for an additional two years,

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 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) model years of age. Any vehicle over ten (10) model years of age shall not be operated as a taxicab. Notwithstanding the foregoing, any taxicab:

(1) 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, ~~[[a]]>>the<<~~ two-year pilot program ~~[[("pilot program")]]>>~~established by Ordinance No. 19-12 is hereby re-established to create a new two-year pilot program ("pilot program")<<[[established]] whereby any vehicle that is 15 model years of age or less may be operated as a taxicab as provided in this subsection.

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 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.

- (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: A taxicab one through ten model years of age shall be inspected annually; and a taxicab 11 through 15 model years of age shall be inspected semi-annually.

A vehicle 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.

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Section 3. Any fine imposed or that could have been imposed against any taxicab vehicle between February 15, 2021 and the effective date of this ordinance for failure to meet the vehicle age limit provided in section 31-89(f) of the Code, shall be waived, so long as during the said period the said taxicab vehicle meets the age limitation and other qualifying criteria of the pilot program.

Section 4. 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 5. 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 6. 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 1, 2021

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dale P. Clarke

Prime Sponsor: Commissioner Rebeca Sosa

Handwritten signature in blue ink, appearing to be "G.B.K." above "D.P.C."