



# Broward County

## Legislation Details (With Text)

**File #:** 20-2341      **Version:** 1

**Status:** Agenda Ready

**In control:** PUBLIC HEARING

**On agenda:** 1/12/2021      **Final action:** 1/12/2021

**Title:** MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PRIVATE COURIER SERVICES; AMENDING SECTIONS 20-11 AND 20-164 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO INCREASE THE BOND REQUIREMENTS FOR PRIVATE COURIER SERVICES, RESTRICT SUCH BUSINESSES FROM ENGAGING IN FALSE AND MISLEADING ADVERTISING, AND PROVIDE FOR PENALTIES FOR NONCOMPLIANCE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Steve Geller)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** , ,

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### Information

#### Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PRIVATE COURIER SERVICES; AMENDING SECTIONS 20-11 AND 20-164 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO INCREASE THE BOND REQUIREMENTS FOR PRIVATE COURIER SERVICES, RESTRICT SUCH BUSINESSES FROM ENGAGING IN FALSE AND MISLEADING ADVERTISING, AND PROVIDE FOR PENALTIES FOR NONCOMPLIANCE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Steve Geller)

#### Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of December 8, 2020.

**What Action Accomplishes**

Allows the Board to consider enacting the above-referenced Ordinance.

**Is this Action Goal Related**

No

**Previous Action Taken**

**Summary Explanation/Background**

Certain businesses operate as private courier services and accept money from customers in exchange for obtaining license plates, motor vehicle titles and tags, and other materials (collectively, "Tag and Title Documents") from the County or a Private Tag Agency under contract with the County. These businesses charge consumers a fee in addition to the charges that the County or Private Tag Agencies are authorized to charge for Tag and Title Documents, and may engage in marketing and promotion of their activities in a manner that does not adequately disclose to consumers that they are not, in fact, a tag and title agency authorized to sell Tag and Title Documents. Because these businesses are not legally authorized to sell Tag and Title Documents, the potential exists for customers to be misled as to the true nature of private courier services.

This Ordinance, if enacted, would update the amount of bond that private courier services must have, add new limitations on the terms and images private courier services may use in their names and marketing materials to avoid potentially misleading the public, and provide for penalties for violations.

The proposed amendments (Exhibit 3), prepared at the direction of the Item's sponsor, Mayor Geller, are intended to better ensure compliance with the bond requirements.

**Source of Additional Information**

Nathaniel A. Klitsberg, Senior Assistant County Attorney, 954-357-7600

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Fiscal Impact Statement by the Office of Management and Budget is attached as Exhibit 2.