

1 WHEREAS, the County has an interest in preventing consumers from being misled
2 and in preventing false or misleading advertising by businesses; and

3 WHEREAS, the Board of County Commissioners believes that, for the benefit of
4 the public, it is appropriate to modify existing regulations of private couriers to prohibit
5 misrepresentations and require certain affirmative statements by private couriers
6 regarding Tag and Title Services,

7
8 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
9 BROWARD COUNTY, FLORIDA:

10
11 Section 1. Section 20-11 of the Broward County Code of Ordinances is hereby
12 amended to read as follows:

13 **Sec. 20-11. Bond required for private couriers services.**

14 (a) *Definition—Private courier service*: A courier service ~~which~~ that takes the
15 required fee, plus an additional sum from consumers, and remits the statutory fee to a
16 county motor vehicle agency or a private tag agency, which then accomplishes the
17 license, registration, validation, or title work.

18 (b) *Bond requirements*.

19 (1) Each private courier service that ~~makes~~ collects payments to ~~Broward~~
20 ~~County on behalf of third parties~~ for the issuance of registration
21 certificates, license plates, validation stickers, and/or mobile home
22 stickers, pursuant to Chapter 320, F.S., ~~by way of personal or corporate~~
23 ~~check~~ Florida Statutes (collectively, "Tag/Title Documents"), will be
24 required to give a good and sufficient payment for performance bond

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1 payable to Broward County in the amount of ~~ten thousand dollars~~
2 ~~(\$10,000.00)~~ twenty-five thousand dollars (\$25,000.00), ~~upon the second~~
3 ~~submission of a check submitted with insufficient funds~~ prior to engaging
4 in such business. Private courier services engaged in business at the time
5 of any modification to the bond requirements of this section shall have
6 forty-five (45) days after the effective date of such modification to comply
7 with any modified requirements.

8 (2) When obtaining Tag/Title Documents from the County or a private tag
9 agency, a private courier service must produce proof of compliance with the
10 bond requirements of subsection (1). The County and private tag agencies
11 shall not provide Tag/Title Documents to any private courier service that
12 does not show proof of compliance with the bond requirements of
13 subsection (1) above.

14
15 Section 2. Section 20-164 of the Broward County Code of Ordinances is hereby
16 amended to read as follows:

17 **Sec. 20-164. Misleading advertisements prohibited.**

18 . . .

19 (9) *Private Courier Services.*

20 (a) It shall be an unfair or deceptive trade practice for any business to represent
21 ~~itself to the public as a tag agency or title agency when it~~ that acts merely
22 as a private courier service ~~which~~ and collects a fee and remits the fee to a
23 county motor vehicle agency or private tag agency to have the license,
24 registration, or title work completed, but is not authorized to issue motor

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1 vehicle tags, titles, and registrations (a "private courier service"), to
2 represent itself to the public as a tag agency or title agency.

3 (b) ~~Businesses which provide courier services but are not authorized to issue~~
4 ~~motor vehicle tags, titles, and registrations shall display a disclaimer in full~~
5 ~~view of the public stating that they are not an authorized motor vehicle~~
6 ~~agency but merely act as a courier service.~~

7 (c) (b) Businesses acting merely as a Private courier services shall not use the
8 words "auto tag," "tag agent," "tag agency," or "title agency," "title and fast
9 tag," or "fast title" (each a "Restricted Term") in their names or in any
10 advertising, promotional, or informational materials (collectively, "Marketing
11 Materials") unless the term "private courier service" immediately follows the
12 Restricted Term in the identical font, size, and color as the Restricted Term.
13 Marketing Materials of private courier services shall not include (i) images
14 or logos that are confusingly similar to any official government logo or
15 insignia; or (ii) an image of a license plate, unless the Marketing Materials
16 clearly identify the business as a "private courier service" in a font, size, and
17 color identical to the largest text used to state the name of the business.

18 (c) ~~Businesses currently operating under a name using these words shall have~~
19 ~~a period of six (6) months from the effective date of this subsection~~
20 ~~(June 27, 1988) to delete these words from their names. Private courier~~
21 ~~services currently using one or more Restricted Terms in their business~~
22 ~~name or in their Marketing Materials on the effective date of the enactment~~
23 ~~any amendment of this section (9) ("Effective Date") must come into~~
24 ~~compliance with the provisions of this section (9), as amended: (i) for any~~

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