

PROPOSED

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO MOTOR CARRIERS; WAIVING PERMIT FEES AND ABANDONMENT OF CERTIFICATES UNDER CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES; MODIFYING THE TERM OF CERTIFICATES AND PERMITS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Dale V.C. Holness)

WHEREAS, Chapter 22½ of the Broward County Code of Ordinances (“Code”) provides that motor carriers, including taxicabs, that operate motor vehicles on the streets of Broward County must obtain a certificate of public convenience and necessity and a valid permit;

WHEREAS, the Code provides for a term of one (1) year for such certificates and permits, at fees set by the Board of County Commissioners (“Board”) by resolution;

WHEREAS, to address impacts resulting from a declared state or local emergency, the Board, by resolution, may extend the number of days during which a certificate required under Chapter 22½ is permitted to not be in use, may waive an abandonment of a certificate, and may waive, prorate, or modify fees, or extend or modify the expiration date of a permit required under Section 22½-6A of the Code;

WHEREAS, on March 10, 2020, Broward County declared a local state of emergency as a result of the COVID-19 pandemic, which state of emergency has subsequently been renewed through today’s date;

WHEREAS, much of the taxicab service in Broward County is driven by the tourism industry, which the COVID-19 pandemic has severely impacted;

1 WHEREAS, the economic impact of the COVID-19 pandemic is felt more
2 profoundly by Broward County’s driver-owned taxicabs which, unlike the large operators,
3 are less likely to enjoy economies of scale in paying premiums for state-mandated
4 insurance and are not able to rotate a fleet of vehicles to ensure vehicles remain in
5 service;

6 WHEREAS, the individual drivers who are unable to weather the financial impact
7 of the COVID-19 pandemic are at greater risk of losing their livelihood, which will result in
8 the loss of small businesses in Broward County; and

9 WHEREAS, the Board desires to waive permit fees and certificate abandonment
10 provisions and to modify expiration dates for driver-owned certificates and permits to
11 address impacts resulting from the declared local emergency in response to the
12 COVID-19 pandemic, NOW, THEREFORE,

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14 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
15 BROWARD COUNTY, FLORIDA:

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17 Section 1 Pursuant to the authority under Chapter 22½ of the Code, the Board
18 hereby takes the following actions:

19 A. For certificates of public convenience and necessity (“Certificates”) and
20 permits issued pursuant to Section 22½-6A of the Code (“Permits”) that are owned by a
21 taxicab driver and active from July 1, 2020, through June 30, 2021:

- 22 1. The term of each Certificate and Permit is extended through June 30, 2022;
- 23 and

1 2. The County Administrator is directed to refund any fees paid for a
2 2021-2022 Permit.

3 B. For Certificates owned by taxicab drivers, the period of time during which a
4 certificate may not be in use under Section 22½-5(d) is extended from one hundred and
5 eighty (180) days to three hundred and sixty (360) days during the declared local state of
6 emergency as a result of COVID-19.

7 C. For Certificates owned by taxicab drivers, any abandonment under
8 Section 22½-5(d) that became effective from March 10, 2020, through the date of this
9 Resolution is waived.

10 D. For Permits held by taxicab drivers, the annual Permit fees and penalties
11 for late renewal of Permits are waived until June 30, 2022.

12 E. The County Administrator is directed to refund any fees and penalties paid
13 for a 2021-2022 Permit.

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15 Section 2. The County Administrator is authorized to take any and all
16 administrative and budgetary actions necessary to effectuate the foregoing.

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18 Section 3. The County Administrator is directed to allocate to the Consumer
19 Protection Division funds in an amount equal to the revenue lost as a result of this
20 Resolution.

21
22 Section 4. Severability.

23 If any portion of this Resolution is determined by any court to be invalid, the invalid
24 portion will be stricken, and such striking will not affect the validity of the remainder of this

1 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
2 legally applied to any individual, group, entity, property, or circumstance, such
3 determination will not affect the applicability of this Resolution to any other individual,
4 group, entity, property, or circumstance.

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6 Section 5. Effective Date.

7 This Resolution is effective ten (10) days after adoption.

8

9 ADOPTED this _____ day of _____, 2021. **PROPOSED**

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11 Approved as to form and legal sufficiency:
12 Andrew J. Meyers, County Attorney

13 By /s/ Annika E. Ashton 09/07/2021
14 Annika E. Ashton (date)
15 Deputy County Attorney

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23 AEA/jc
24 Driver Relief Reso
09/07/2021