



Broward County

Legislation Text

File #: 20-245, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-042 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 11, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO OFF-AIRPORT MOTOR VEHICLE RENTAL OPERATORS; AMENDING VARIOUS SECTIONS OF CHAPTER 2 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); CLARIFYING THAT COMPANIES PROVIDING PEER-TO-PEER CAR SHARING SERVICES AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT ARE OFF-AIRPORT MOTOR VEHICLE RENTAL OPERATORS AND THAT SUCH SERVICES CONSTITUTE COMMERCIAL ACTIVITY REQUIRING PRIOR WRITTEN APPROVAL BY BROWARD COUNTY; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Vice-Mayor Steve Geller)

Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of January 7, 2020.

What Action Accomplishes

Enables the setting of a public hearing during which the Board may consider enacting the proposed Ordinance.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Based upon the observations of Broward County Aviation Department ("BCAD") staff, companies have been offering peer-to-peer car sharing services at Fort Lauderdale-Hollywood International Airport ("Airport") without first obtaining a permit.

Peer-to-peer car sharing is the renting of vehicles through an online platform ("Rental Platform"),

whereby individual vehicle owners make their vehicles available for rent to the public utilizing the Rental Platform, the vehicle renters make reservations for the vehicle rental utilizing the Rental Platform, and the Rental Platform is compensated by retaining a portion of the amount paid for the vehicle rental.

Section 2-111 of the Broward County Code of Ordinances (“Code”) requires Off-Airport Motor Vehicle Rental Operators (“OFFRACs”) to obtain a permit from BCAD prior to engaging in any motor vehicle rental business or service at the Airport. Although companies providing peer-to-peer car sharing services are currently included within the definition of OFFRACs and are conducting commercial activity at the Airport, the proposed Ordinance, if enacted, would further clarify and expressly state that persons or entities offering peer-to-peer car sharing are included within the definition of OFFRACs, and that such services at the Airport constitute commercial activities and require a permit prior to operating at the Airport.

This item would set the public hearing on the proposed Ordinance for February 11, 2020. In the interim, Airport staff and the Office of the County Attorney will prepare the appropriate form of Airport permit for OFFRACs providing peer-to-peer car sharing, as well as draft any necessary amendments to the fee structure for OFFRACs in Chapter 39 of the Broward County Administrative Code. It is anticipated that the amended fee structure can be considered by the Board at one of its February meetings.

Source of Additional Information

Carlos Rodriguez-Cabarrocas, Assistant County Attorney, 954-359-2358

Fiscal Impact

Fiscal Impact/Cost Summary

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.