

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
 2 COUNTY, FLORIDA, PERTAINING TO MOTOR CARRIERS; REPEALING ARTICLE II
 3 OF CHAPTER 3½ AND AMENDING CHAPTERS 8½ AND 22½ OF THE BROWARD
 4 COUNTY CODE OF ORDINANCES (“CODE”); UPDATING DEFINITIONS, MINIMUM
 5 VEHICLE REQUIREMENTS, TAXICAB FARE PAYMENT METHODS, AND
 6 PENALTIES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND
 7 AN EFFECTIVE DATE.

8 (Sponsored by the Board of County Commissioners)
 9

10 WHEREAS, Chapters 8½ and 22½ of the Broward County Code of Ordinances
 11 (the “Code”) set forth guidelines governing the operations of motor carriers, including
 12 taxicabs, on the streets of Broward County;

13 WHEREAS, the Board of County Commissioners (the “Board”) seeks to
 14 consolidate motor carrier regulations by relocating the provisions of Article II of
 15 Chapter 3½ governing Nonemergency Medical Transportation to Article II of Chapter 22½
 16 of the Code; and

17 WHEREAS, the Board finds that the regulations set forth in Chapters 8½ and 22½
 18 are necessary to protect the health, welfare, and safety of the passengers, chauffeurs,
 19 and the public, and desires to modernize these motor carrier regulations,

20 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
 21 BROWARD COUNTY, FLORIDA:

22 Section 1. Article II of Chapter 3½ of the Broward County Code of Ordinances
 23 is hereby repealed in its entirety.

24 Section 2. Chapter 22½ of the Broward County Code of Ordinances is hereby
25 amended to read as follows:

26 **Chapter 22½**

27 **MOTOR CARRIERS**

28 **ARTICLE I. NONMEDICAL MOTOR CARRIERS**

29 **Sec. 22½-1. Definitions.**

30 This Chapter may be referred to and cited as the “Motor Carriers Ordinance.” For
31 the purposes of this Chapter ~~article~~, the following definitions shall apply unless the context
32 of their usage clearly indicates another meaning:

33 Airport means the Fort Lauderdale-Hollywood International Airport.

34 Americans with Disabilities Act of 1990 or ADA means the Civil Rights Act signed
35 into law on July 26, 1990, codified as 42 U.S.C. § 12101, et seq., as amended.

36 (a) Applicant means an individual, partnership, association, or corporation ~~who~~ that
37 applies for a certificate of public convenience and necessity, a permit, a license, or a
38 chauffeur’s registration pursuant to the terms of this Chapter. In the case of partnerships,
39 associations, and corporations, “applicant” shall also mean each individual with a
40 partnership interest, each associate, and the corporate officers and directors. ~~Any~~
41 ~~signature required in completing forms shall be in original ink and not photocopied.~~

42 Broward County Chauffeur’s Registration means the authorization of a duly
43 licensed driver registered with the Division to operate a motor vehicle for hire.

44 Broward County Operating Permit means the authorization of a motor vehicle to
45 be used for public passenger transportation pursuant to this chapter, as evidenced by the
46 decal affixed to the motor vehicle.

47 (b) *Certificate* means any certificate of public convenience and necessity issued
48 pursuant to this Chapter, which authorizes the holder to engage in providing passenger
49 transportation services to the public.

50 (c) *Chauffeur* means a ~~duly licensed driver registered with the Environmental and~~
51 ~~Consumer Protection Division of Broward County to operate a motor vehicle for hire~~
52 person who holds a valid, active license or permit to operate a vehicle for hire, issued by
53 the county or municipality in which the person is domiciled, and who has not had a license
54 or permit to operate a vehicle for hire suspended or revoked within the immediately
55 preceding five (5) years.

56 Code means the Broward County Code of Ordinances.

57 Commission means the Board of County Commissioners of Broward County,
58 Florida.

59 (d) *Compensation* means a return in money, property, or anything of value.

60 (e) ~~Commission~~ means the Board of County Commissioners of Broward
61 County, Florida.

62 County means Broward County, a political subdivision of the State of Florida.

63 (f) *Director* means the Director of the ~~Environmental and~~ Broward County Consumer
64 Protection Division of ~~Broward County,~~ or their written designee.

65 (g) *Division* or CPD means the ~~Environmental and~~ Broward County Consumer
66 Protection Division of ~~Broward County,~~ or any successor County agency.

67 Domicile means, for individuals, the permanent and legal address of the individual;
68 and for partnerships, associations, corporations, or other entities, the principal place of

69 business listed on the entity's most recent annual report filed with the Florida Department
70 of State, Division of Corporations.

71 (h) *Fares or rates* means the charges established pursuant to this Chapter to be paid
72 by passengers for the transportation services provided by a motor carrier.

73 (i) ~~*Hearing panel* means a three-member hearing panel of the Consumer Protection~~
74 ~~Board~~ *officer* has the meaning set forth in Section 8½-9 of the Code.

75 (j) ~~*Motor carrier* means an individual, partnership, association, corporation, or other~~
76 ~~entity that~~ person who owns, controls, operates, exercises dominion over, or manages
77 any motor vehicle, as defined in this Chapter, or ~~that~~ who contracts with individuals who
78 provide for-hire ground transportation, and ~~which~~ that holds itself out as engaged in any
79 part of the business of providing passenger, for-hire ground transportation services to the
80 public, or private clients, for compensation, or connecting individuals with transportation
81 providers, including any ~~individual or entity that~~ person who receives payment for
82 arranging or providing for-hire ground transportation services, but does not include
83 restaurants ~~and~~ or hotels. This definition is exclusive of any business that owns and
84 operates any motor vehicle as a "courtesy" vehicle for customers who pay for the primary
85 service with transportation included as an ancillary benefit; ~~Such a motor vehicle shall~~
86 must be clearly identified as a "courtesy vehicle" with a sign indicating same in full view
87 of a passenger entering the vehicle. Notwithstanding the foregoing, "courtesy vehicles"
88 shall be included in the term motor carrier for purposes of Port Everglades Business
89 Permits, as set forth below in Section 22½-6D, and to operate at the ~~Fort Lauderdale-~~
90 ~~Hollywood International~~ Airport, as stated in the requirements set forth below in
91 Section 22½-6B(a)(3), regardless of the seating capacity per vehicle. For purposes of

92 Port Everglades Business Permits, the term motor carrier shall include those entities that
93 operate buses within Port Everglades.

94 ~~(k)~~ *Motor vehicle* or *vehicle* means all self-propelled vehicles ~~or machines propelled~~
95 ~~by power other than muscular,~~ used upon the public streets for public passenger
96 transportation, ~~by motor carriers to transport passengers,~~ including, but not limited to:

97 . . .

98 ~~(l)~~ *Operating permit, or permit, or decal* means ~~the license affixed to the vehicle~~
99 ~~authorizing the motor vehicle to be used for public passenger transportation pursuant to~~
100 ~~this Chapter~~ an active and valid license to operate a vehicle for hire, issued by a county
101 or municipality in which the person is domiciled.

102 ~~(m)~~ *Operator* means the holder of a certificate, permit or license holder, ~~as the case~~
103 ~~may be.~~

104 *Paratransit services* means comparable transportation services required by the
105 ADA for qualified individuals with disabilities who are unable to use fixed-route
106 transportation services.

107 *Person* means an individual, partnership, association, corporation, or other entity.

108 *Prearranged ground transportation* means a reservation for transportation that has
109 been made at least one (1) hour in advance by the person or their agent requesting
110 service at the place of business of the for-hire license holder for the provision of limousine
111 service for a specified time period.

112 *Qualified individual with disability* means an individual who has: (1) a physical or
113 mental impairment that substantially limits one (1) or more of the major life activities of

114 such individual; (2) a record of such an impairment; or (3) been regarded as having such
115 an impairment.

116 (n) ~~Registration means a chauffeur's license issued pursuant to this Chapter~~
117 ~~which authorizes the licensee to operate motor vehicles for hire.~~

118 (o) *Route* means a fixed service for the transportation of people by a common carrier
119 on a regular line of travel with or without a regular schedule between fixed terminals, for
120 compensation, as approved by the Broward County Mass Transit Division Transportation
121 Department.

122 Seller(s) of travel has the same meaning as Section 559.927(11), Florida Statutes,
123 as amended.

124 (p) *Street* means any public street, avenue, road, boulevard, alley, lane, highway,
125 sidewalk, public park, viaduct, or other public place located in Broward County and
126 established for the use of vehicles.

127 (q) ~~Taximeter means any device approved by the Division which is internally mounted~~
128 ~~in a taxicab and which records and indicates a charge or fare measured by distance~~
129 ~~traveled, waiting time, or other traditionally compensable activities or items of taxicab~~
130 ~~service. In addition to a conventional taximeter, a taximeter may be a software program,~~
131 ~~platform, or application installed on an electronic device~~ a smartphone, tablet, or similar
132 electronic device, with a touchscreen, that an operator of a taxicab uses as a taximeter
133 and meets the requirements set forth in this chapter.

134 (r) ~~Americans with Disabilities Act of 1990 or ADA means the Civil Rights Act~~
135 ~~signed into law on July 26, 1990, as Public Law 101-336, 104 Stat. 327, as the same may~~
136 ~~be amended from time to time.~~

137 ~~(s)~~ *Transfer*, ~~When~~ referring to a certificate or permit, shall mean sale, assignment,
138 license, or otherwise permitting third-party use of the certificate or permit or any inherent
139 rights. Unless expressly stated otherwise, all transfers shall be by formal approval of the
140 Commission or Director as required or authorized in this chapter.

141 ~~(t)~~ *Paratransit services* means ~~comparable transportation services required by~~
142 ~~the ADA for qualified individuals with disabilities who are unable to use fixed-route~~
143 ~~transportation services.~~

144 ~~(u)~~ *Qualified individual with disability* means ~~an individual who has: 1) a~~
145 ~~physical or mental impairment that substantially limits one (1) or more of the major life~~
146 ~~activities of such individual; 2) a record of such impairment; or 3) been regarded as having~~
147 ~~such an impairment.~~

148 ~~(v)~~ *Prearranged ground transportation* means ~~the transportation for~~
149 ~~compensation of any passenger who coordinates such transportation services prior to~~
150 ~~arrival at the predesignated pickup location.~~

151 The fact that words in this Chapter are phrased in the singular or plural, in any
152 certain gender, or in any tense shall not prohibit the application of its provisions as
153 common sense and the context require.

154 **Sec. 22¹/₂-2. Certificates of public convenience and necessity; exceptions.**

155 It shall be unlawful for any motor carrier to use, drive, or operate or to cause or
156 permit any person to use, drive, or operate any motor vehicle upon the streets of Broward
157 County, or to receive compensation as a result of arranging or providing for the use or
158 operation of any vehicle in motor carrier services upon the streets of Broward County, or
159 to advertise in any print or electronic medium, air wave transmission, telephone directory,

160 or other media accessible to the public within Broward County that it offers motor carrier
161 services within Broward County, without first obtaining a certificate pursuant to the
162 provisions of this Chapter; provided, however, that this section shall not apply to the
163 following:

164 . . .

165 (f) Operation of non-public-sector buses engaged in intercity transportation, as
166 required by ~~F.S. §~~ Section 341.102, Florida Statutes, and/or as approved under and by
167 agreement with the Broward County ~~Mass Transit Division~~ Transportation Department.

168 . . .

169 (m) Luxury sedans, which shall be governed by Section 22½-6E.

170 (n) Sellers of travel. The exception is intended to be interpreted in conformity
171 with Section 559.939, Florida Statutes, and is subject to the exceptions set forth in
172 Section 559.935, Florida Statutes.

173 **Sec. 22½-3. Certificates of public convenience and necessity; application.**

174 (a) The Commission has determined that it shall be in the public interest to, at
175 no time, authorize more than one (1) taxicab vehicle, singly or in combination, per each
176 two thousand (2,000) inhabitants of Broward County ~~nor to authorize more than one (1)~~
177 ~~luxury sedan per each four thousand five hundred (4,500) inhabitants of Broward County~~
178 according to the most recent official estimate by the University of Florida, Population
179 Division, Bureau of Economic Business Research.

180 . . .

181 (b) Every application for a certificate, an amendment to a certificate, and an
182 approval of transfer or sale of a certificate shall be in writing, signed and sworn to by the

183 applicant, and shall be filed with the Division as provided in this ~~Ordinance~~ article. The
184 application shall be on a form provided by the Division and shall contain the following:

185 (1) For an individual: ~~the~~ applicant's name, address, and date of birth; the
186 names, addresses, and dates of birth of all partners or associates; ~~and in~~
187 ~~the case of~~

188 (2) For a corporation, business entity: ~~the corporation's~~ entity's name, and date
189 and state of incorporation or organization; verified copy of its registration to
190 ~~do~~ transact business in the State of Florida; the address of ~~corporate~~
191 ~~headquarters~~ its principal place of business in Florida; name and address
192 of its registered agent; and names, addresses, and dates of birth of all
193 ~~corporate~~ officers, members, partners, and/or directors, ~~where~~ as
194 applicable.

195 (2) ~~The applicant's fingerprints and photograph, taken by the Broward County~~
196 ~~Sheriff's Office, Division, or a law enforcement agency for the purpose of a~~
197 ~~criminal background check, which shall be attached to the application at the~~
198 ~~time of filing. In the case of a partnership, association, or corporate~~
199 ~~applicant, this information shall be obtained from all partners, associates,~~
200 ~~corporate officers, and directors.~~

201 . . .

202 **Sec. 22¹/₂-4. Certificates of public convenience and necessity—Award.**

203 (a) No later than thirty (30) days prior to the award of certificates of public
204 convenience and necessity, the Division shall provide the Commission a summary of
205 certificates to be issued and an assessment of the public's need for additional taxicab or

206 ~~luxury sedan~~ service based upon the population figures as set forth within
207 Section 22½-3(a) above.

208 . . .

209 (c) There shall be ~~four (4)~~ three (3) separate drawings: a taxicab general; a
210 taxicab driver only; and wheelchair accessible taxicab; ~~and luxury sedans~~. The Director
211 shall determine the number of ~~approved certificates~~ approved certificates. Three and
212 five-tenths percent (3.5%) of the total number of approved taxicab certificates shall be
213 issued to the wheelchair accessible taxicab category. These certificates may only be used
214 with wheelchair accessible vehicles. One-half (½) of the remaining approved taxicab
215 certificates shall be issued to the taxicab general drawing, and one-half (½) of the
216 remaining approved taxicab certificates shall be issued to the taxicab driver only drawing.
217 In cases of uneven distribution, the additional certificate shall be distributed to the taxicab
218 driver only drawing. Wheelchair accessible taxicab certificate holders shall be awarded
219 an additional taxicab general certificate for each wheelchair certificate awarded, upon
220 payment of the Commission-prescribed award fee described in this section, which
221 additional taxicab general certificate shall be linked with the wheelchair accessible taxicab
222 certificate for the purposes of regulation under this Chapter, including any transfers of
223 ownership. Should the number of available taxicab certificates exceed the number of
224 applicants, the remaining certificates will be offered in the general taxicab lottery.

225 (d) Each certificate issued pursuant to this Chapter shall be signed by the
226 Director and shall contain, ~~in addition to~~ the name and address of the applicant, ~~a~~
227 ~~statement of the class of transportation service authorized for the motor vehicles to be~~
228 ~~used in the rendition of such service~~. The certificate shall also state such additional terms,

229 restrictions, conditions, provisions, and limitations as the Commission may deem to be in
230 the public's interest.

231 . . .

232 **Sec. 22¹/₂-5. Certificates of public convenience and necessity—Transfer;**
233 **abandonment.**

234 (a) A certificate issued pursuant to the taxicab general, or wheelchair
235 accessible taxicab, ~~and luxury sedan~~ drawing provisions of this Chapter shall not be
236 transferred in any manner, either directly or indirectly, including by change in stock,
237 partnership shares, or other form of ownership of any entity holding the certificate, for a
238 period of three (3) years ~~from~~ after the date of the issuance of the certificate; except where
239 there is a change in ownership due to the formation of a corporation by the certificate
240 holder so long as the certificate holder is the majority stockholder of the newly formed
241 corporation, or where there is a death or a permanent and disabling illness ~~which~~ that
242 prevents the certificate holder from conducting its business and the certificate has
243 become subject to probate or guardianship proceedings. Relocation or going out of
244 business either voluntarily or involuntarily shall not constitute grounds ~~which~~ that would
245 authorize a transfer within three (3) years of the date of issuance. The foregoing
246 restrictions shall not apply to certificates ~~which~~ that were awarded ~~three (3) or more years~~
247 ~~before the effective date of this section (November 27, 1989)~~ 1986, or ~~which~~ that were
248 transferred because of a judicial levy or sale. Any attempted assignment, sale, or transfer
249 of interest in a certificate either directly or indirectly in violation of this provision shall not
250 be effective and the certificate is declared void, shall be forfeited and deemed abandoned,

251 and shall revert to Broward County to be issued in the manner provided for issuance of
252 new certificates.

253 . . .

254 (e) If at any time Broward County is holding ten (10) or more taxicab or luxury
255 ~~sedan~~ certificates and the accompanying permits due to revocation, forfeiture, or
256 abandonment, such certificates and their accompanying permits may be awarded by the
257 Division at a public meeting in accordance with the procedures set forth within this
258 Chapter.

259 **Sec. 22½-6A. Permits—General.**

260 (a) It shall be unlawful to operate any motor vehicle “for hire” upon the streets
261 of Broward County without first obtaining a current valid permit ~~required by the provisions~~
262 ~~of this Chapter~~; provided, however, that this section shall not apply to exempt motor
263 carriers, as defined by Section 22½-2 of ~~this~~ the Code, except that motor carriers as
264 identified in Section 22½-2(j) shall be subject to this section. Unless otherwise stated,
265 ~~When~~ “permit” is used in this Section 22½-6A, it ~~shall include~~ refers to all types of
266 permits, licenses, and registrations issued by the Division pursuant to this Chapter. The
267 Division shall not issue more than one (1) type of permit to any motor vehicle “for hire.”

268 . . .

269 (c) In reviewing an application for a new permit or a renewal of an existing
270 permit, the County shall consider:

271 (1) The applicant’s or permittee’s past performance, including, but not limited
272 to, compliance with County requirements, including substantiated consumer
273 complaints related to motor vehicles ~~“for hire”~~ for hire and compliance with

274 other applicable federal, state, and County ordinances, codes, laws, rules,
275 and regulations;

276 . . .

277 (d) The County may deny an application or not renew a permit if it determines
278 that:

279 (1) The applicant or permittee has misrepresented or failed to disclose a
280 material fact on ~~his, her, or its~~ their application;

281 (2) The applicant or permittee has violated any term, condition, limitation, or
282 restriction, imposed by the Division related to vehicles ~~for hire~~ for hire, or
283 has a history of violating the provisions of this ~~C~~hapter;

284 (3) The applicant or permittee has outstanding civil fines ~~under this Chapter~~ or
285 penalties arising out of any administrative or enforcement action relating to
286 the operation of a vehicle for hire, or relating to conduct involving fraud or
287 dishonest dealing;

288 (4) The applicant or permittee has a history of poor performance pertaining to
289 vehicles ~~“for hire”~~ for hire that substantially relates to the permit; and/or

290 (5) The applicant or permittee has a history of violating any of the criteria listed
291 above in ~~sub~~Section 22½-6A(c).

292 (e) A denial of a permit or a failure to renew a permit by the Division may be
293 appealed by an applicant or permittee as set forth below:

294 Any applicant denied a permit, or a permittee whose permit is not renewed, shall
295 be provided with written notice of denial setting forth the material facts, law, and reason(s)
296 upon which the denial is predicated. The notice to the applicant or permittee shall also

297 contain a statement informing the applicant or permittee that ~~he, she, or it has~~ they have
298 the right to a hearing before a hearing ~~panel~~ officer. In order to be granted a hearing
299 before a hearing ~~panel~~ officer, the applicant or permittee must file a written request to the
300 Director within thirty (30) calendar days ~~of~~ after the date of receipt of the denial.

301 (f) If the applicant or permittee requests a hearing, the hearing before the
302 hearing ~~panel~~ officer shall be held within thirty (30) calendar days ~~of~~ after receipt of the
303 request by the Director unless waived in writing by the applicant or permittee. Hearings
304 shall otherwise be conducted in accord with the procedures ~~for Consumer Protection~~
305 ~~Board hearings~~ set forth in Chapter 8½ of the Code. The applicant or permittee shall be
306 provided with a notice of hearing, which shall include:

307 (1) A statement of time and place for the hearing; and
308 (2) The facts and a reference to the relevant section of the Broward County
309 ordinances or regulations upon which the denial is based. The reason(s) for
310 the denial shall also be clearly stated.

311 (g) The Division shall issue to the motor carrier a permit for each motor vehicle;
312 provided that the requisite fee has been paid, the motor carrier has complied with this
313 ~~Chapter~~, state and federal law regarding ~~for-hire~~ for hire vehicle service, and the vehicle
314 or vehicles comply with the minimum requirements of Section 22½-9B ~~of this Chapter~~.

315 . . .

316 (n) A permit required under this ~~Chapter~~ which ~~that~~ is not in use during any
317 consecutive ninety (90) day period shall be deemed abandoned, and all inherent rights
318 shall be automatically terminated after written notice from the Division by certified mail.
319 However, the permit holder may request a hearing to determine the use or status of the

320 permit within fifteen (15) days of after the date of mailing of the Division's termination
321 notice. If a hearing is requested, it shall be held within thirty (30) days of after the date of
322 receipt of the permit holder's request unless waived in writing.

323 . . .

324 (q) ~~Luxury sedan permit holder(s) desiring to lease one (1) or more permits to~~
325 ~~a second party must first secure the written approval of the Division. Division approval~~
326 ~~shall not be granted until the lessee has complied with this Section. Each application for~~
327 ~~Division approval of the leasing of a permit shall be accompanied by the Commission~~
328 ~~approved fee, payable by the lessor, which may be non-refundable. Luxury sedan permits~~
329 ~~issued pursuant to this Chapter shall not be leased in any manner for a period of three~~
330 ~~(3) years from the date of issuance of the permit. This restriction shall not apply to~~
331 ~~executive limousine certificates which were awarded before the effective date of this~~
332 ~~section. Subleasing of a permit is prohibited. Failure to comply with this section may result~~
333 ~~in suspension or revocation of the violator's rights in a Broward County certificate or~~
334 ~~permit pursuant to the terms of Section 22½-13 of this Chapter.~~

335 (r) Each permit holder shall maintain or designate a place of business in
336 Broward County, at which place shall be a properly listed telephone for receiving all calls
337 for transportation service, and at which place or business, business records and required
338 daily manifests are kept and are available for inspection or audit by Broward County. It
339 shall also be the responsibility of every permit or license holder to keep on file with the
340 Division its their business and other telephone numbers where ~~it~~ they may normally be
341 reached from time to time.

342 ~~(s)~~ (r) Out-of-county origin exception. Nothing in this article shall be construed to
343 prohibit discharge within Broward County of any passenger lawfully picked up in another
344 county and lawfully transported into Broward County. Notwithstanding any provision to
345 the contrary, (1) any passenger lawfully picked up in another county, and transported to,
346 and discharged at any location within Broward County, may be picked up at the discharge
347 location and returned to the county of origin as long as the transportation is part of a ~~pre-~~
348 ~~arranged~~ prearranged, round-trip fare pursuant to a written contract and the county of
349 origin has adopted a similar reciprocity provision; and (2) a limousine from another county
350 may pick up a passenger at ~~either Fort Lauderdale International~~ the Airport or Port
351 Everglades and transport the passenger directly to the limousine's county of origin,
352 provided the transportation is part of a ~~pre-arranged~~ prearranged, one-way continuous
353 fare pursuant to a written contract, the passenger arrived at either ~~Fort Lauderdale~~
354 ~~International~~ the Airport or Port Everglades, the limousine has complied with all of the
355 regulatory requirements of the county of origin, and the limousine's county of origin has
356 adopted a similar reciprocity provision. "~~Pre-arranged~~" ~~shall mean a reservation which~~
357 ~~has been made at least one hour in advance by the person requesting service or his/her~~
358 ~~agent at the place of business of the for-hire license holder for the provision of limousine~~
359 ~~service for a specified time period.~~ Any limousine that picks up or discharges passengers
360 at either ~~Fort Lauderdale International~~ the Airport or Port Everglades shall meet the ~~Fort~~
361 ~~Lauderdale International~~ Airport and or the Port Everglades limousine requirements, as
362 applicable. A copy of the contract shall be in the possession of the chauffeur at all times
363 and shall be made available to enforcement personnel upon request.

364 (t) (s) Temporary Operating Permits. The Division may issue temporary operating
365 permits for time periods when the National Football League Super Bowl ("Super Bowl")
366 or the Fédération Internationale de Football Association World Cup ("FIFA World Cup")
367 takes place in South Florida. These permits authorize the permit holder to operate
368 pursuant to this ~~C~~hapter in ~~Broward County, including the Fort Lauderdale-Hollywood~~
369 ~~International at the Airport, but not including Port Everglades,~~ for a period not to exceed
370 two (2) weeks for the Super Bowl and for a set duration based on operational needs for
371 the FIFA World Cup (each, the "designated period"), the dates of which shall be set by
372 the Director. Temporary operating permits may be issued to current Broward County
373 permit holders in the categories of ~~L~~imousine, ~~L~~uluxury ~~S~~edan, ~~L~~uluxury ~~L~~imousine, and
374 ~~T~~ransport ~~V~~an, as defined in Section 22 $\frac{1}{2}$ -1(~~k~~). Vehicles operating under temporary
375 operating permits are subject to the requirements of this ~~C~~hapter, including without
376 limitation Section 22 $\frac{1}{2}$ -9B, except to the extent modified by this section.

377 (1) Applicants for a temporary operating permit shall meet the following criteria,
378 and the vehicle shall not be operated as a motor vehicle "for hire" on the
379 streets of Broward County until all of the following criteria are met and the
380 Division issues a temporary operating permit:

381 . . .

382 (2) Vehicles covered by temporary operating permits must be operated by
383 drivers with valid Broward County chauffeur registrations or by drivers
384 conforming to the following rules:

385 a. The permit holder must obtain background checks for each
386 applicable driver from a company specializing in background checks

387 that checks for those issues described in Sections 22½-8(e)(4), (5),
388 (6), (7), and (8).

389 b. All drivers must comply with all requirements in Section 22½-8(e).

390 c. Sections 22½-8(a), (b), (c), (d), and ~~(f)–(n)~~ (f) through (n) will not be
391 applicable to drivers.

392 d. Drivers who are not registered chauffeurs may operate vehicles
393 permitted under this section to or from the Airport only during the
394 designated period of the temporary operating permit.

395 e. The temporary permit holder must provide the Division with a roster
396 of all drivers that includes each driver’s first and last name, driver
397 license number, driver license issuance date and expiration date,
398 and a confirmation that the driver has passed the background check.
399 The temporary permit holder must certify in writing under penalty of
400 perjury that all drivers on the roster have been screened and meet
401 the requirements of this ~~C~~hapter. It is a violation of this section for
402 a permit holder to allow a driver to operate a vehicle under a
403 temporary operating permit before providing a roster to the Division
404 that includes the driver’s information required by this section and
405 certification that the driver meets the requirements of this ~~C~~hapter.

406 f. Temporary Permit holders must provide an identification card to
407 each driver, including the name of the driver and the name of the
408 permit holder, in the form approved by the Division. While engaging
409 in for-hire transportation services, the driver must display the

410 identification card at all times and make it available for inspection by
411 personnel authorized to perform enforcement duties or by any police
412 officer.

413 g. Temporary Permit holders must retain records showing the results
414 of the background checks for a period of no less than three (3) years.
415 The Division may audit these records at any time. It is a violation of
416 this section for any permit holder to fail to retain these records or to
417 fail to provide these records in response to an audit by the Division.

418 h. All drivers must comply with the minimum standards of conduct
419 prescribed in Section 22½-9A.

420 (3) If Palm Beach County or Miami-Dade County allows Broward County permit
421 holders to operate ~~within its county~~ at Palm Beach International Airport or
422 Miami International Airport during the designated period, then permit
423 holders of vehicles permitted in the reciprocating county may operate ~~within~~
424 Broward County at the Airport during the designated ~~two-week Super Bowl~~
425 period. This reciprocation is valid for both temporary and standard permits
426 and only in the categories of Limousine, Luxury Sedan, Luxury
427 Limousine, and Transport Van.

428 ~~(u)~~ (t) The ~~Board~~ Commission, by resolution, may waive, prorate, or modify fees,
429 or extend or modify the expiration date of a permit required under this Section 22½-6A,
430 to address impacts resulting from a declared state or local emergency.

431 **Sec. 22½-6B. Permits—Airports.**

432 (a) It shall be unlawful for any limousine or motor carrier with a vehicle or
433 vehicles, including “courtesy vehicles,” as described in ~~Sub~~section 22½-1(~~j~~), to operate
434 at the ~~Fort Lauderdale Hollywood International~~ Airport (“Airport”) without a contract,
435 license, lease, or permit issued by Broward County or the Broward County Aviation
436 Department for operations at the Airport.

437 (b) Applicants for a permit to operate a motor vehicle at the Airport must have
438 no outstanding civil fines or penalties arising out of any administrative or enforcement
439 action relating to the operation of a vehicle for hire, or relating to conduct involving fraud
440 or dishonest dealing.

441 ~~(b)~~ (c) Any motor carrier operating in violation of this ~~§~~section will be deemed as
442 operating unlawfully and shall be subject to penalties prescribed in Section 22½-13 ~~of this~~
443 Chapter.

444 **Sec. 22½-6C. Permits—Luxury limousines and transport vans.**

445 . . .

446 (b) Applicants for a permit to operate a ~~L~~luxury ~~L~~limousine or ~~T~~transport ~~V~~van
447 shall meet the following criteria:

448 (1) The applicant must have a place of business located in Broward County and
449 must have a current Broward County ~~Occupational License~~ Business Tax
450 Receipt for ~~its~~ that business;

451 (2) The applicant must produce, as of the date of application, a title or lease
452 agreement for each individual vehicle operating on the applicant’s behalf in
453 Broward County;

- 454 (3) The applicant must produce proof that it carries public automobile insurance
455 for each individual vehicle, as required by this Chapter, effective on or
456 before the date of application; and
- 457 (4) The applicant must produce proof that, as of the date of application, the
458 applicant maintains a Broward County telephone number in the applicant's
459 name; and
- 460 (5) The applicant or permittee does not have any outstanding civil fines or
461 penalties arising out of any administrative or enforcement action relating to
462 the operation of a luxury limousine and transport van or relating to conduct
463 involving fraud or dishonest dealing.

464 **Sec. 22½-6D. Port Everglades—Business permits.**

465 . . .

466 (d) The County may deny an application or not renew a Business Permit if it
467 determines that:

- 468 (1) The applicant or permittee has submitted false or misleading information;
- 469 (2) The applicant or permittee violated the terms or conditions imposed by the
470 Division, or has committed multiple, severe, or both, violations of the
471 provisions of this Chapter;
- 472 (3) The applicant or permittee has outstanding civil fines under this Chapter or
473 penalties arising out of any administrative or enforcement action relating to
474 the operation of a vehicle for hire, or relating to conduct involving fraud or
475 dishonest dealing;
- 476 (4) The applicant's or permittee's past performance has been unsatisfactory; or

477 (5) The applicant or permittee has committed multiple, severe, or both,
478 violations of this ~~C~~chapter, or commission or omission, as may be
479 applicable, of any of the issues listed above in Section 22½-6D(c).

480 (e) A denial of a permit or a failure to renew a permit by the Division may be
481 appealed by an applicant as follows:

482 Any applicant denied a Business Permit shall be provided with written notice of
483 denial setting forth the facts, law, and reason(s) upon which the denial is predicated. The
484 notice shall also contain a statement that the applicant has the right to a hearing before
485 a ~~H~~hearing Panel officer. In order to be granted such a hearing, the applicant must file a
486 written request to the Director within thirty (30) days after receipt of the denial, and the
487 notice of denial shall so state.

488 (f) If the applicant requests a hearing, the hearing shall be held within
489 thirty (30) days of after receipt of the request by the Director unless waived in writing by
490 the applicant. Hearings shall otherwise be conducted in accordance with the procedures
491 ~~for Consumer Protection Board hearings~~ set forth in Article II, Chapter 8½ of the Code.

492 The applicant shall be provided with a notice of hearing, which shall include:

- 493 (1) A statement of time and place for the hearing; and
- 494 (2) A reference to the facts and relevant section of the Broward County
495 ordinances or regulations upon which the denial is based. The reason(s) for
496 the denial shall also be stated.

497 . . .

498 (h) The Business Permit initial application processing fee is a nonrefundable
499 fee assessed the first time an application is made to the County for a permit, except as

500 hereinafter provided. Business Permit holders who allow their permits to expire shall
501 reapply and pay the initial processing fee. Such fee will not be refunded if a permit
502 application is denied, not renewed, suspended, or revoked by the County for any reason.

503 (1) In addition, a nonrefundable annual Business Permit fee is assessed for
504 each calendar year as set forth in the Broward County Administrative Code.

505 (2) Business Permits shall be issued on an annual basis and shall expire on
506 June 30 each year, or on such other date established by the Division. Fees
507 will not be prorated.

508 (3) The ~~Board~~ Commission, by resolution, may waive, prorate, or modify fees
509 or extend or modify the expiration date of Business Permits during a
510 declared state or local emergency.

511 . . .

512 (m) The Port Everglades Director or their written designee may allow Broward
513 County permitted luxury limousines and transport vans to perform on-demand ~~for-hire~~ for
514 hire transportation services for three (3) or more passengers at Port Everglades where
515 the luxury limousines and transport vans are staged and dispatched ~~on-demand~~
516 on demand during specific time periods when the Port Everglades Director or their written
517 designee determines that no reasonable alternative transportation options exist for cruise
518 passengers that have not prearranged their transfers out of the Port. All transport vans
519 participating in this service must have signage on the exterior of the transport van that
520 identifies the name and telephone number of the permitted operator in at least three (3)
521 inch lettering. The rates for those participating in the on-demand service shall be the same
522 rates as those established by the on-demand share ride and limousine service at the ~~Fort~~

523 ~~Lauderdale-Hollywood International~~ Airport for transportation to Port Everglades, Miami
524 International Airport, and Palm Beach International Airport. All participants must comply
525 with all written rules and procedures including, but not limited to, where to be staged and
526 how to be dispatched as prepared by the Port Everglades Department ~~or the Permitting,~~
527 ~~Licensing and Consumer Protection Division.~~ Those failing to comply with the rules and
528 procedures may be excluded from performing on-demand service at Port Everglades.

529 **Sec. 22½-6E. Permits—Luxury sedans.**

530 (a) Applicants for permits to operate luxury sedans, as defined in
531 Section 22½-1, must apply to the Division for a permit for each individual vehicle they
532 intend to operate, whether leased or owned.

533 (b) Applicants for a permit to operate a luxury sedan must meet the following
534 criteria:

535 (1) The applicant must have a place of business located in Broward County and
536 must have a current Broward County Business Tax Receipt for that
537 business;

538 (2) The applicant must produce, as of the date of application, a title or lease
539 agreement for each individual vehicle the applicant intends to operate in
540 Broward County;

541 (3) The applicant must produce proof of public automobile insurance in effect
542 on the date of application for each individual vehicle, as required by this
543 chapter;

544 (4) The applicant must produce proof that, as of the date of application, the
545 applicant maintains a Broward County telephone number in the name of the
546 applicant or their authorized representative; and

547 (5) The applicant or permittee does not have any outstanding civil fines or
548 penalties arising out of any administrative or enforcement action relating to
549 the operation of a vehicle for hire or relating to conduct involving fraud or
550 dishonest dealing.

551 (c) Any motor carrier operating in violation of this section will be deemed as
552 operating unlawfully and shall be subject to penalties as prescribed in Section 22½-13.

553 **Sec. 22½-7A. Jitneys.**

554 . . .

555 (e) *Denial of license; appeal; review.*

556 . . .

557 (2) The hearing shall be conducted in accordance with the procedures for a
558 Hhearing panel officer. At the hearing, witnesses shall be sworn, and the
559 rules of evidence established for the quasi-judicial proceedings shall
560 govern. After the conclusion of the hearing, the Hhearing panel officer shall
561 affirm or reverse the decision of the Director, and that action shall be final.
562 Should the Hhearing panel officer reverse the decision of the Director, the
563 Director shall issue the license.

564 . . .

565 **Sec. 22½-8. Chauffeur’s registration.**

566 (a) It shall be unlawful for any person to drive, operate, or control any motor
567 vehicle, which for the purposes of this section shall include paratransit services’ motor
568 vehicles, for compensation over any street in Broward County without first having
569 obtained a chauffeur’s registration ~~from the Division pursuant to this section.~~ Unless
570 otherwise stated, when “chauffeur’s registration” is used in this Section 22½-8, it refers to
571 all registrations issued by the Division pursuant to this chapter.

572 . . .

573 (h) An applicant that is revealed to have pending matters described above in
574 Sections 22½-8(g)(6) and (7) may have ~~its~~ their application placed on hold by the Division,
575 and such applicant shall be provided written notice of the right to request a hearing before
576 a hearing ~~panel~~ officer, to determine whether the chauffeur’s registration should be
577 granted, granted with conditions, limitations, or restrictions, or not granted at all. Said
578 notice shall contain a statement that the applicant has the right to a hearing before a
579 hearing ~~panel~~ officer. In order to be granted such a hearing, the applicant must file a
580 written request to the Director within thirty (30) calendar days after the date of receipt of
581 the notice of the Division’s determination that pending matters, as described in
582 Sections 22½-8(g)(6) and (7), exist. If the applicant requests a hearing, the hearing shall
583 be held within thirty (30) calendar days after the date of receipt of the request by the
584 Director unless waived in writing by the applicant. The applicant shall be provided with a
585 notice of hearing, which shall include:

586 (1) A statement of the time and place for the hearing; and

587 (2) The facts and a reference to the relevant section of the Broward County
588 ordinances and/or regulations upon which the above-referenced pending
589 matters are based. The reasons for the existence of these pending matters
590 shall also be clearly stated.

591 . . .

592 (j) If an applicant has been convicted of a misdemeanor for ~~fleeing~~ leaving the
593 scene of an accident, but otherwise meets the requirements of Section 22½-8(e), the
594 Division shall review the application as provided in this section, determine whether the
595 conviction bears a substantial relationship to the application for a chauffeur's registration,
596 and make a recommendation as to whether the chauffeur's registration should be
597 granted. The applicant shall be provided written notice of the Division's recommendation
598 setting forth the facts, law, and reason(s) upon which the recommendation is predicated.
599 The notice shall also contain a statement that a final determination on the application will
600 be made by a hearing officer at the time, date, and location stated in the notice, which
601 hearing shall be scheduled not sooner than thirty (30) days and no later than sixty (60)
602 days after the date of the notice, unless waived in writing by the applicant. The hearing
603 officer shall have the authority to adopt or reject the Division's recommendation and may
604 impose conditions, limitations, or restrictions on a chauffeur's registration for the purpose
605 of protecting the public. Any conditions, limitations, or restrictions shall be consistent with
606 the purpose and provisions of this chapter. A violation of any condition, limitation, or
607 restriction imposed on an applicant's chauffeur's registration shall be a violation of this
608 chapter.

609 (k) Any applicant denied a chauffeur's registration, except for those denied by
610 a hearing officer pursuant to Section 22½-8(j), shall be provided with written notice of
611 denial setting forth the facts, law, and reason(s) upon which the denial is predicated. The
612 notice shall also contain a statement that the applicant has the right to a hearing before
613 a hearing ~~panel~~ officer. In order to be granted such a hearing, the applicant must file a
614 written request to the Director within thirty (30) days after the date of receipt of the denial,
615 and the notice of denial shall so state.

616 . . .

617 (m) Hearings shall otherwise be conducted in accordance with the procedures
618 ~~for Consumer Protection Board hearings set forth in the Article II, Chapter 8½ of the Code.~~

619 (n) A hearing ~~panel~~ officer shall have the authority to grant a chauffeur's
620 registration with conditions, limitations, or restrictions, for the purpose of protecting the
621 public, and any conditions, limitations, or restrictions shall be consistent with the purpose
622 and provisions of this chapter. If a hearing ~~panel~~ officer overturns a decision of the
623 Division to deny a chauffeur's registration, the hearing ~~panel~~ officer shall impose a
624 condition of probation, for a minimum period of six (6) months, on the applicant's
625 registration. A violation of any condition, limitation, or restriction of a chauffeur's
626 registration granted by a hearing ~~panel~~ officer shall be a violation of this chapter. A hearing
627 ~~panel~~ officer shall not, however, have the authority to grant a chauffeur's registration to
628 any individual who does not meet the requirements of Section 22½-8(e).

629 **Sec. 22½-9A. Operations—Minimum standards of conduct.**

630 The roles of certificate, license, registration, and permit holders ~~is~~ are essential to
631 ~~enhance and showcase the operation of quality public transportation services to~~ for the

632 residents and visitors of Broward County. ~~Intrinsic to operation of a quality public~~
633 ~~transportation service is the conduct of each certificate, license, and permit holder.~~
634 Therefore, all such holders are required to comply with the following minimum standards,
635 as applicable:

636 (a) All certificate, license, registration, and permit holders, and their employees
637 and representatives, shall conduct themselves ~~at all times~~ in a professional and courteous
638 manner at all times while in the performance of public transportation services.

639 . . .

640 (x) All chauffeurs operating taxicabs must accept payment in the form of cash
641 or credit card. Passengers paying in cash must be provided change owed to the nearest
642 whole dollar. If the passenger chooses to pay with a credit card and the taxicab's
643 processing system is inoperative or unavailable, the chauffeur must use an alternative
644 card-processing method or, if the chauffeur is not able to process a card transaction as
645 provided in this section, must permit the passenger to exit the taxicab without payment.

646 **Sec. 22¹/₂-9B. Operations—Minimum vehicle standards.**

647 . . .

648 (c) Motor vehicles shall not be operated if ~~the top or interior lights or the~~
649 ~~headlights or taillights are not functioning properly. Likewise, a motor vehicle shall not be~~
650 ~~driven unless the brakes, steering mechanism, tires, horn, windshield wipers, and side~~
651 ~~and rearview mirrors are in good working order.;~~

652 (1) The top or interior lights or taillights are not functioning properly;

653 (2) The brakes, steering mechanism, tires, horn, windshield wipers, or side or
654 rearview mirrors are not in good working order; or

655 (3) The dashboard warning lights are malfunctioning or remain illuminated
656 while the motor vehicle is being driven.

657 . . .

658 (e) All vehicles operating as motor ~~vehicles~~ carriers under this Chapter,
659 including motor vehicles operating in municipalities regulating the industry pursuant to
660 Section 22½-12 ~~of this Chapter~~, and motor vehicles with a passenger capacity of not more
661 than nineteen (19) passengers, with a permit to operate at the Airport or Port Everglades,
662 shall have an inspection of the following components, which shall be demonstrated to be
663 functional and meet the safety standards designated by the manufacturer:

664 . . .

665 (f) In addition to the standards set forth in this section, taxicabs shall meet the
666 following minimum standards:

667 . . .

668 ~~(3) Taximeters shall be:~~

669 a. ~~Installed and entirely illuminated so as to be easily seen by a~~
670 ~~passenger sitting in any part of the taxicab;~~

671 b. ~~Approved by a designated facility authorized to certify meter~~
672 ~~operation or, in the case of a taximeter software program, platform,~~
673 ~~or application installed on an electronic device, approved by the~~
674 ~~Division; and~~

675 c. ~~Attached to telltale lights so that telltale lights shall automatically~~
676 ~~illuminate when the taximeter is in operation and extinguish when the~~
677 ~~taximeter is not in operation.~~

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~~(h) Each motor carrier engaging in the taxicab business shall adopt and use, after approval by the Division, a distinctive, uniform, and decorative color scheme for all taxicabs operated pursuant to such certificate. The Division shall refuse such approval when in its opinion the proposed color scheme will infringe upon any color scheme already in use by another motor carrier once previously approved by the Division. Failure to comply with this section shall be grounds for suspension of the certificate or permit.~~

(i) Every taxicab operating in Broward County shall have painted upon each side, in accordance with instructions issued by the Division, the vehicle's number, the name and telephone number of the certificate holder, or the name of the association or organization under which the vehicle is operated, and any and all such other information and displays as the Division may from time to time require. The vehicle number shall also be posted inside the vehicle in at least two (2) inch lettering in a place clearly visible to passengers and approved by the Division. To avoid duplication and confusion, all vehicle numbers shall be assigned exclusively by the Division, and no municipality regulating motor carriers pursuant to Section 22 $\frac{1}{2}$ -12 of this Chapter shall assign such vehicle numbers.

~~(j)~~ (i) The Division shall inspect all vehicles that are issued a permit, or for which a permit is sought, for compliance with this Chapter.

~~(k)~~ (i) Vehicles shall be inspected in accordance with the following schedule; provided, however, that the Division may inspect a vehicle for hire or courtesy vehicle for compliance with the provisions of this Chapter at any time:

- (1) Vehicles for hire that are not more than ten (10) model years old shall be inspected annually.

701 (2) Vehicles for hire that are ten (10) model years old or older and less than
702 fifteen (15) model years old shall be inspected semiannually.

703 (3) Vehicles for hire that are fifteen (15) model years old or older shall be
704 inspected quarterly.

705 (~~h~~) (k) Any vehicle failing to pass the inspection may have its operating permit
706 suspended in accordance with Section 22¹/₂-13. Any person or entity that fails to comply
707 with the requirements of this section is subject to denial, revocation, or suspension of its
708 their ~~b~~Business ~~p~~Permit and decals.

709 (~~m~~) (l) Each holder of a Broward County certificate, permit, or license, and each
710 chauffeur shall fully comply with all ordinances, rules, and regulations of Broward County
711 and all statutes of the State of Florida applicable to the operation of motor carriers.

712 (~~n~~) (m) ~~Certificate holders~~ Operators shall require every chauffeur to maintain a
713 daily manifest to promptly and legibly record the following information: chauffeur's name;
714 vehicle number; year, month, date, the starting time, and place of origin and destination
715 of each trip; the amount of fare collected for each trip; the number of passengers on each
716 trip; and the total miles or units accumulated during a chauffeur's operating period. All
717 completed manifests shall be returned to the operator of the business by the chauffeur at
718 the conclusion of the chauffeur's tour of duty. The forms for each manifest shall be
719 furnished to the chauffeur by the registered operator and shall be approved by the
720 Division. Daily manifests shall not be destroyed, mutilated, altered, or otherwise defaced
721 without approval by the Division. The manifests shall be available for inspection and/or
722 copying by the Division during regular business hours for a period of not less than
723 three (3) years.

724 **Sec. 22¹/₂-9C. Operations—Insurance.**

725 (a) ~~Every certificate, permit, or license holder operating~~ operator utilizing motor
726 vehicles with a seating capacity of less than nine (9) passengers shall file evidence of
727 insurance with the Division, providing for public liability and property damage coverage
728 on each motor vehicle to be operated under the certificate in an amount not less than that
729 prescribed by state or federal law, as applicable. Proof of all required insurance coverage
730 shall be filed with the Division.

731 (b) ~~Motor carriers operating~~ Every operator utilizing motor vehicles with a
732 seating capacity of nine (9) to nineteen (19) shall have insurance in the amount of Five
733 Hundred Thousand Dollars (~~\$500,000.00~~) per occurrence, combined single limit as to
734 bodily injury and property damage liability. Such insurance shall not include a deductible.
735 If additional or higher insurance coverage is required by state or federal law, ~~each such~~
736 ~~certificate, permit, or license holder~~ every operator shall comply with the requirements of
737 such law in addition to the requirements of this subsection, and shall file evidence of all
738 required insurance coverage with the Division.

739 (c) All evidence of insurance shall be executed and filed with the Division by
740 the insurance carrier in a form or forms acceptable to the Broward County Risk
741 Management Division. The insurance carrier or company shall qualify as an insurance
742 company authorized to transact insurance in the State of Florida pursuant to Chapter 624,
743 ~~pt. Part III, F.S. Florida Statutes~~ (§ Section 624.401, F.S. Florida Statutes, et seq.). The
744 insurance carrier or company must be a participant in the Florida Insurance Guaranty
745 Association. A certificate of self-insurance issued by the Florida Department of Highway

746 Safety and Motor Vehicles pursuant to F.S. Chapter 324, F.S. Florida Statutes, is not
747 acceptable evidence of insurance.

748 (d) ~~The~~ Every operator shall keep the required insurance ~~shall be kept~~ in full
749 force and effect ~~by the certificate holder~~ at all times. Failure to file such evidence of
750 insurance with the Division, or failure to have same in full force and effect, may be cause
751 for the certificates of public convenience and necessity and all permits issued to be
752 suspended or revoked subject to the provisions of Section 22½-13 ~~of this Chapter~~. The
753 insurance shall provide that the coverage may neither expire nor be canceled prior to
754 thirty (30) days after the Division receives written notice of the expiration or cancellation
755 from the insurance carrier.

756 . . .

757 **Sec. 22½-10. Taximeters.**

758 (a) Each taxicab shall be equipped with a taximeter of a size and design
759 approved by the Division. It shall be unlawful to operate any taxicab within Broward
760 County unless and until its taximeter has been inspected and found to be accurate and in
761 a satisfactory operating condition by the Division. The Division shall suspend a taxicab's
762 operating permit if at any time the taxicab's taximeter is found to be defective or
763 inaccurate. Such permit suspension shall remain in effect until such defective meter has
764 been replaced or repaired to the satisfaction of the Division.

765 (b) The Division may test and inspect any taxicab taximeter ~~and place a seal~~
766 ~~and sticker on the taximeter~~. When a taximeter fails to comply with its the standards of
767 this section, the Division shall immediately suspend the taxicab's operating permit. The

768 suspension shall remain in effect until the taximeter has been replaced or corrected to the
769 satisfaction of the Division.

770 (c) The taximeter shall be mounted in the taxicab, illuminated, and have
771 one (1) or more displays of sufficient size that passengers may view the fare registered
772 by the taximeter from the taxicab's passenger compartment with ease.

773 ~~(d) No taxicab shall be operated within Broward County unless the case of the~~
774 ~~taximeter installed has been sealed, or in the case of a taximeter software program,~~
775 ~~platform, or application installed on an electronic device, approved by the Division. The~~
776 ~~taximeter shall be attached to telltale lights so that telltale lights shall automatically~~
777 ~~illuminate when the taximeter is in operation and extinguish when the taximeter is not in~~
778 ~~operation.~~

779 (e) The signal affixed to any taximeter taxicab shall under no circumstances
780 indicate that the taxicab is vacant when in fact such taxicab is engaged by a passenger.

781 (f) The amount of fare collected from any passenger shall not differ from that
782 shown by the taximeter, nor exceed the amount established by the County as a legal fare,
783 and the driver shall, upon demand, furnish the passenger with a receipt stating the amount
784 of fare collected.

785 (g) It shall be unlawful for any person to tamper with, mutilate, or break the
786 taximeter ~~or its seal~~ in a currently licensed ~~motor vehicle~~ taxicab. ~~Taximeters may be~~
787 ~~transferred from one taxicab to another; provided, however, that a taxicab with a~~
788 ~~transferred taximeter shall not be used to transport passengers unless and until the~~
789 ~~taximeter has been inspected, tested, and sealed by the Division.~~

790 . . .

791 **Sec. 22¹/₂-13. Suspension; revocation; forfeiture; penalties.**

792 . . .

793 (b) Certificates, permits, registrations, or jitney licenses may be suspended,
794 revoked, or forfeited prior to a hearing based on a determination of the Director that one
795 or more of the conditions provided in this ~~S~~section (b) exist(s). The hearing procedures
796 set forth in this ~~C~~chapter must be complied with promptly after such suspension,
797 revocation, or declared forfeiture. No reinstatement fee shall apply if the suspension,
798 revocation, or forfeiture is reversed or overruled by the ~~hearing panel or a hearing officer,~~
799 ~~as applicable.~~ Certificates, permits, registrations, or jitney licenses may be suspended,
800 revoked, or forfeited prior to a hearing for the following reasons:

- 801 (1) A public safety or public emergency appears to justify such action prior to
802 the time a hearing may reasonably be set and a decision made based on
803 such hearing; or
- 804 (2) Nonpayment of fees required by this ~~C~~chapter prior to initial operation of a
805 motor vehicle; or
- 806 (3) A permitted vehicle is not presented or has not passed its required periodic
807 inspection by the deadline pursuant to this ~~C~~chapter; or
- 808 (4) A certificate, permit, registration, or jitney license holder has received three
809 (3) or more citations adjudicated to be in violation of the same offense under
810 the ~~Broward County Code of Ordinances~~ within the preceding twenty-four
811 (24) month period related to the individual certificate, permit, registration, or
812 license proposed to be suspended, revoked, or forfeited.

813 (5) No reinstatement fee shall apply if the suspension, revocation, or forfeiture is
814 reversed or overruled by the ~~hearing panel or a~~ hearing officer.

815 (c) All hearings required by this section shall be preceded by a minimum of
816 ten (10) days' prior written notice forwarded to the last known address maintained by the
817 Division. The notice shall specify the proposed action and the grounds upon which the
818 action is predicated. The certificate, permit, or registration holder (as the case may be)
819 may be represented by legal counsel and shall be entitled to present a defense to the
820 proposed action. All such hearings shall be conducted in accordance with the rules of the
821 ~~Consumer Protection Board for conducting hearings~~ set forth in Article II, Chapter 8½ of
822 the Code. The Division shall promptly notify all parties of the final decision. There shall
823 be a service fee to reinstate a suspended certificate or permit, which fee shall be set by
824 resolution of the Commission.

825 (d) The ~~H~~hearing panel officer is empowered to issue an order of revocation or
826 an order of suspension for a period. If an order of suspension is issued, it may provide for
827 revocation if the condition which led to the suspension has not been corrected by the
828 expiration of the suspension period.

829 . . .

830 **Sec. 22½-14. Division—Authority.**

- 831 (a) The Division shall perform the following duties and responsibilities:
- 832 (1) Process, investigate, and prepare reports on all applications regarding
833 certificates, permits, licenses, and registrations pursuant to this ~~C~~hapter.
- 834 (2) Investigate and prepare reports on alleged violations of this ~~C~~hapter.

835 (3) Investigate, process, and prepare reports on motor carrier rates pursuant to
836 Section 22½-11 of this Chapter.

837 (4) Enforce the provisions of this Chapter.

838 (5) Maintain a telephone book listing.

839 (6) Attempt to resolve consumer complaints regarding motor carriers.

840 (7) Issue all approved certificates, permits, licenses, and registrations pursuant
841 to the provisions of this Chapter and maintain appropriate files of same.

842 No certificate, permit, license, or registration shall be valid unless the
843 required fees are paid, and the Division has actually collected payment.

844 . . .

845 (b) The Director may propose and the Broward County Administrator may
846 promulgate further rules and regulations to carry out the provisions of this Chapter, which
847 rules and regulations, when approved by the Commission, shall have the force and effect
848 of law.

849 Section 3. Article II of Chapter 22½, including Sections 22½-15 through
850 22½-21, of the Broward County Code of Ordinances is hereby created to read as follows:

851 [Underlining omitted]

852 **ARTICLE II. NONEMERGENCY MEDICAL TRANSPORTATION**

853 **Sec. 22½-15. Definitions.**

854 For the purposes of this article, the definitions in Section 22½-1 are hereby
855 incorporated, and the following additional definitions shall apply unless the context of their
856 usage clearly indicates another meaning:

857 *Advanced Life Support Service* or *ALS Service* means any emergency medical
858 transport or nontransport service that uses advanced life support techniques, pursuant to
859 Florida laws, rules, and regulations, and local laws, rules, and regulations.

860 *County Administrator* means the Broward County Administrator or their written
861 designee.

862 *License* means a license issued to a nonemergency medical transportation service
863 provider pursuant to this article.

864 *Nonemergency medical transportation service* means any privately or publicly
865 owned service employing a land, air, or water vehicle that is designed, constructed,
866 reconstructed, maintained, equipped, or operated for, and is used for or intended to be
867 used for, land, air, or water transportation of persons who are confined to wheelchairs or
868 stretchers or whose condition makes it impractical to be transported by a motor carrier,
869 and whose condition is such that these persons do not need, nor are likely to need,
870 immediate medical attention during transport.

871 *Nonemergency medical transportation service provider* means any person, firm,
872 corporation, association, local government, or other entity that holds a nonemergency
873 medical transportation service license.

874 *Patient* means any person who needs nonemergency medical treatment or
875 transportation.

876 *Physician* means a person who is licensed to practice medicine in Florida under
877 the provisions of Chapter 458 or Chapter 459, Florida Statutes.

878 *Response time* means the interval of time between the moment the nonemergency
879 medical transportation provider's dispatch center receives a call requesting a response

880 and the moment the nonemergency medical transportation provider's vehicle arrives at
881 the requested location of the pickup.

882 **Sec. 22 $\frac{1}{2}$ -16. License Required.**

883 Every person, firm, corporation, association, local government, or other entity
884 desiring to provide nonemergency medical transportation must obtain a license from the
885 Division pursuant to the provisions herein and subject to such rules and regulations as
886 may be promulgated by the County Administrator pursuant to this chapter, except for
887 vehicles that are exempt under Section 3 $\frac{1}{2}$ -3.

888 **Sec. 22 $\frac{1}{2}$ -17. Application and license for nonemergency medical transportation**
889 **service.**

890 (a) All potential nonemergency medical transportation service providers
891 (individually referred to as "applicant" within this article) desiring to hold a license must
892 obtain a license from the Division pursuant to the provisions herein and subject to such
893 rules and regulations as may be promulgated by the County.

894 (b) An applicant desiring to obtain a license or renew a license in Broward
895 County must submit an application to the Division on the forms required by the County
896 and accompanied by a nonrefundable application fee in the amount established by
897 resolution of the Commission. Applications will not be processed prior to the receipt of the
898 applicable fee.

899 (c) Throughout the application process, the applicant must maintain at least
900 one (1) business office located in Broward County at which mail can be received and daily
901 telephone communication is available with an agent of the applicant. If a license is
902 approved, at all times while so licensed, the licensee must maintain one (1) or more

903 business offices in Broward County where records are available for inspection upon
904 request by the Division.

905 (d) *Applications.* All applications for licenses must include the following
906 information:

907 (1) The name under which the applicant will operate the nonemergency
908 medical transportation service;

909 (2) The date of incorporation or formation of the local government, firm,
910 corporation, association, or other entity;

911 (3) If the applicant is a corporation, partnership, limited liability company, or
912 similar entity, the type and number of shareholders, partners, members, or
913 other ownership interests outstanding and the name and address of all such
914 shareholders, partners, members, and owners;

915 (4) The name, address, telephone number, e-mail address, and title of the
916 appropriate government official or, as applicable, the general manager,
917 owners, officers, members, partners, and directors of the entity seeking a
918 license;

919 (5) For nongovernmental applicants, completed state and local criminal
920 background checks of all owners, officers, members, partners, and directors
921 of the firm, corporation, association, or other entity;

922 (6) The addresses of the applicant's present (or, if a new applicant, proposed)
923 business office location and vehicle storage location;

924 (7) The year, model, type, passenger capacity, mileage, vehicle license
925 number, and vehicle identification number of each vehicle used (or, if a new

926 applicant, proposed to be used) by the applicant in the nonemergency
927 medical transportation service;

928 (8) The name and driver license number of all personnel employed (or, if a new
929 applicant, proposed to be employed) by the applicant, along with copies of
930 a current Broward County chauffeur's registration for all drivers for the
931 previous five (5) years in accordance with the requirements of Chapter 22½
932 of the Code;

933 (9) For any nongovernmental applicant, a credit report from one (1) of the three
934 (3) major credit reporting agencies to ensure the applicant's financial ability
935 to provide service to the public in a safe, comfortable, and reliable manner;

936 (10) Other information as may be deemed necessary by the County
937 Administrator or their written designee; and

938 (11) A sworn statement signed by the applicant or their authorized
939 representative stating under the penalty of perjury that all information
940 provided by the applicant is true and correct.

941 (e) Subsequent to receiving the application and application fee, in deciding
942 whether to issue a license, the Division will consider the following:

943 (1) The application submitted by the applicant;

944 (2) The type and condition of the equipment and vehicles the applicant utilizes;

945 (3) The past performance and service record, if any, of the applicant;

946 (4) The benefits that will accrue to the public interest from the proposed service;

947 (5) Other matters deemed to be in the best interests of the public health, safety,
948 and welfare of the residents of Broward County; and

949 (6) Any other information as the County may deem appropriate.

950 (f) The Division must review all new and renewal applications for licenses and
951 must either approve or deny the licenses based upon the application and the rules and
952 regulations promulgated pursuant to this chapter. If a license is denied, the Division must
953 notify the applicant, in writing, of the denial within ten (10) days after the decision.

954 (g) Subsequent to the Division's approval of the license, but prior to the
955 issuance of the license, the nonemergency medical transportation service provider must
956 pay the County a license fee in the amount established by resolution of the Commission.
957 Such fee will be used to defray the cost of monitoring compliance with this chapter and
958 any rules and regulations promulgated by the County.

959 (h) The license granted by the Division is valid for a definite period of time, not
960 to exceed three (3) calendar years unless otherwise revoked, suspended, or modified.

961 (i) An applicant may appeal the denial of a license. The appeal of a license
962 denial must be in writing and delivered to the Division within ten (10) calendar days after
963 the denial of the license and must state the factual basis for the appeal. The County
964 Administrator, or their written designee, must provide a decision on the appeal within
965 thirty (30) days after receipt.

966 **Sec. 22¹/₂-18. Transfer or assignment of license.**

967 (a) Licenses issued pursuant to this chapter are not assignable or transferable
968 except upon written approval by the Division, and such assignment or transfer is subject
969 to the same application, investigations, fees, and process as original applications for
970 licenses.

971 (b) A change in a majority of the ownership or a controlling interest in the
972 nonemergency medical transportation service provider constitutes a transfer or
973 assignment.

974 **Sec. 22¹/₂-19. Insurance.**

975 (a) Every nonemergency medical transportation service provider must carry
976 bodily injury and property damage insurance with an insurance carrier or company
977 qualified as an insurance company authorized to transact insurance in the State of Florida
978 to secure payment for any loss or damage resulting from any occurrence arising out of or
979 caused by the operation or use of any of the nonemergency medical transportation
980 service provider's vehicles. Each transporting vehicle, including owned, hired, and
981 non-owned vehicles, must be insured for a minimum limit of Five Hundred Thousand
982 Dollars (\$500,000) for each occurrence, combined bodily injury and property damage
983 liability. Nonemergency medical transportation service providers are not required to carry
984 malpractice insurance.

985 (b) Every insurance policy or contract for insurance must provide for the
986 payment and satisfaction of any financial judgment entered against the provider or against
987 any person driving a vehicle of the service. Such insurance must be obtained, and
988 certificates of insurance or certified copies of such policies must be filed with the Division.
989 All such insurance policies, certificates of insurance, and certified copies of such
990 insurance policies must provide for a thirty (30) day notice of cancellation to the County.
991 All such certificates of insurance must show the County as a certificate of insurance holder
992 and that the County is listed and endorsed as an additional insured on all policies required
993 under this section. Thirty (30) days prior to the policy's expiration date, the nonemergency

994 medical transportation service provider must provide the County with a renewal certificate
995 of insurance.

996 **Sec. 22¹/₂-20. Rules, regulations, and reporting.**

997 (a) Nonemergency medical transportation service providers must comply with
998 all applicable laws, rules, and regulations set forth in Florida law, the Florida
999 Administrative Code, the Broward County Code of Ordinances, and the Broward County
1000 Administrative Code.

1001 (b) *Personnel.*

1002 (1) Nonemergency medical transportation service providers must ensure that
1003 each person employed to drive a nonemergency medical transportation
1004 service vehicle is trained, experienced, and otherwise qualified to drive the
1005 vehicle.

1006 (2) Nonemergency medical transportation service providers must document
1007 that each of their drivers of a nonemergency medical transportation vehicle:

- 1008 a. Is at least eighteen (18) years old;
- 1009 b. Certifies under oath that they are not addicted to alcohol or any
1010 controlled substance;
- 1011 c. Possesses a valid Broward County chauffeur's registration;
- 1012 d. Is trained in the appropriate and correct use of special equipment
1013 required for wheelchair and stretcher transport;
- 1014 e. Is trained in the National Safety Council's Defensive Driving course
1015 or an equivalent defensive driving course, as determined by the
1016 Division;

- 1017 f. Possesses a valid American Red Cross Standard First Aid and
1018 Personal Safety Card or an equivalent first aid and personal safety
1019 card, as determined by the Division; and
- 1020 g. Possesses a valid American Red Cross or American Heart
1021 Association Cardiopulmonary Resuscitation card or an equivalent
1022 card, as determined by the Division.
- 1023 (3) Nonemergency medical transportation service vehicles must be staffed by
1024 personnel sufficient for safe loading and unloading of passengers, and an
1025 attendant must always be present in the passenger compartment when
1026 transporting a passenger who is incapacitated or who is on a stretcher or
1027 other device in a reclining position.
- 1028 (4) All nonemergency medical transportation personnel must comply with
1029 Sections 22½-9A(a), 22½-9A(c), 22½-9A(g), 22½-9A(h), 22½-9A(i),
1030 22½-9A(o), and 22½-9A(p) of the Code.
- 1031 (c) *Vehicles.*
- 1032 (1) Prior to issuing a license or a renewal license for the provision of
1033 nonemergency medical transportation services and on at least an annual
1034 basis, the Division must inspect each vehicle to determine whether it meets
1035 all requirements of vehicle design, construction, communications,
1036 equipment and supplies, and sanitation in accordance with this chapter.
1037 Vehicle permits shall be issued by the Division for vehicles successfully
1038 passing such inspections. A vehicle will be removed from service if it is
1039 found to be in an unsafe condition. If any vehicle is taken out of service for

1040 a safety or equipment violation, it will not be placed back in service until
1041 approval is granted by the Division.

1042 (2) Maintenance and Sanitation. All nonemergency transportation service
1043 vehicles must:

1044 a. Have interior equipment that is smooth and easily cleaned;

1045 b. Have all electrical systems functioning properly;

1046 c. Be free of all hazards including, but not limited to, slippery floors,
1047 sharp edges, unpadded interior door head clearances, cleaning
1048 supplies, and vehicle fluids;

1049 d. Be free of dents and rust that interfere with the safe operation of the
1050 vehicles;

1051 e. At all times meet the requirements of all motor vehicle and traffic laws
1052 and regulations of the State of Florida;

1053 f. Have all equipment in the passenger compartment safely and
1054 adequately secured;

1055 g. Have all doors, latches, and handles in proper working order;

1056 h. When transporting passengers on stretchers, have enough clean
1057 blankets, linens, or disposable sheets to be used for each passenger;
1058 and

1059 i. Always be maintained in a sanitary manner.

1060 (3) Vehicle Design. Nonemergency medical transportation service vehicles
1061 used to transport individuals in wheelchairs or on stretchers are required to
1062 comply with vehicle design criteria for accessibility under the ADA and

1063 related federal laws, rules, and regulations, and must comply with any other
1064 criteria established by the County pursuant to ordinance or resolution.

1065 a. Nonemergency medical transportation service vehicles intended to
1066 be used for, or that are used for, the transportation of individuals in
1067 wheelchairs shall be designed and equipped as follows:

1068 1. Each vehicle must have a lift or a ramp that complies with the
1069 requirements of 49 C.F.R. Part 38 under the ADA. Lift or ramp
1070 modifications must be made by an entity registered with the
1071 National Highway Traffic Safety Administration (NHTSA);

1072 2. Each vehicle must have, for each passenger transported,
1073 two (2) positive means of securely latching or locking the
1074 wheelchair to the vehicle. The latching or locking device must
1075 be designed to prevent any lateral, longitudinal, or vertical
1076 motion of the passenger during transport;

1077 3. Each vehicle must have, for each passenger transported,
1078 restraining belts or straps designed to securely confine the
1079 passenger to the wheelchair;

1080 4. Each vehicle must have, in addition to the rear-view mirror
1081 required by Chapter 316, Florida Statutes, an inside rear-view
1082 mirror that will enable the driver to view the entire passenger
1083 compartment;

1084 5. Vehicle entry and exit doors must be equipped with latching
1085 devices that prevent doors from closing on passengers during

- 1086 loading or unloading from the vehicle. Striker plates shall be
1087 used in conjunction with latching devices;
- 1088 6. Each vehicle must have a smooth floor that has minimal voids
1089 or pockets at the floor to side wall areas where water or
1090 moisture can become trapped;
- 1091 7. The floor covering of the vehicle must be a seamless, single
1092 piece of permanently applied material and shall extend the full
1093 length and width of the passenger compartment. Where side
1094 panels and covering meet at the joints and side walls, they
1095 shall be sealed and bordered with rustproof,
1096 corrosion-resistant cove molding;
- 1097 8. Each vehicle must carry in the driver's compartment a
1098 1A:10B:C fire extinguisher readily accessible, and charged;
1099 and
- 1100 9. The passenger compartment of the vehicle must provide a
1101 minimum height of fifty (50) inches measured from the finished
1102 floor to the finished ceiling.
- 1103 b. Nonemergency medical transportation service vehicles intended to
1104 be used for, or that are used for, the transportation of individuals on
1105 a stretcher must comply with Sections 22 $\frac{1}{2}$ -20(c)(3)a. 4. through 9,
1106 and must also comply with the following:

- 1107 1. Stretcher fasteners must be attached to the walls or the floors
1108 of the vehicle and installed pursuant to the manufacturer's
1109 specifications;
- 1110 2. Stretchers must be fastened to the vehicle with the fastener
1111 assembly specified by the stretcher manufacturer and by a
1112 vehicle safety hook; and the stretchers must be operated and
1113 equipped pursuant to the manufacturer's specifications to
1114 prevent longitudinal or transverse dislodgment of the
1115 passenger during transit;
- 1116 3. Each stretcher must have a serial number plate affixed to it;
1117 and
- 1118 4. Each stretcher must be inspected annually by a company
1119 authorized to repair stretchers.

1120 (d) *Transportation by Stretcher.* A nonemergency medical transportation
1121 service provider is prohibited from transporting other persons when it transports a patient
1122 on a stretcher, unless the other persons are accompanying the stretcher patient.

1123 (e) *Nonemergency Medical Transportation Service Communications.*

1124 (1) A nonemergency medical transportation service provider must provide
1125 continuous telephone access for the public.

1126 (2) A nonemergency medical transportation service provider must provide and
1127 maintain the capability for two-way communications between the location at
1128 which it operates or receives calls and each of their transportation vehicles.
1129 This may be accomplished with the use of cellular telephones.

- 1130 (f) *Advertising.*
- 1131 (1) All advertising or other solicitation for business by a nonemergency medical
1132 transportation service provider must emphasize in a conspicuous manner
1133 that the service does not provide medical attention, and that the service is
1134 designed for persons whose physical impairments render it impractical to
1135 use regular common carrier or taxi services. The term “ambulance” cannot
1136 be used to identify any nonemergency medical transportation service
1137 vehicle or service or be used in any service provider advertisement.
- 1138 (2) Each nonemergency medical transportation service vehicle must have
1139 commercial vehicle markings. The commercial vehicle markings must not
1140 be magnetic signs.
- 1141 (g) *Records.*
- 1142 (1) Nonemergency medical transportation service providers must maintain in a
1143 readily accessible format the following information:
- 1144 a. Current personnel records for each employee indicating the date of
1145 employment and qualifications held by each employee with yearly
1146 updates for criminal and traffic-related background checks as
1147 provided for in this chapter;
- 1148 b. Records of each nonemergency medical transportation service
1149 vehicle operated containing vehicle registration, vehicle
1150 maintenance records, and the Division’s inspection records;
- 1151 c. A trip report for each transport recording the time, place, origin, name
1152 of passenger, and destination. The trip report must include whether

1153 the passenger was transported by stretcher and the written
1154 certification by the passenger's physician, physician assistant, or
1155 medical director for a State of Florida licensed ALS Service with
1156 emergency medical dispatching that the individual's condition is such
1157 that the passenger did not need medical attention during transport;
1158 and

1159 d. Each nonemergency medical transportation service provider must
1160 retain and preserve all daily trip records for no less than three (3)
1161 years. Such records must be available for inspection by the Division
1162 upon request, during normal working hours.

1163 (h) All nonemergency medical transportation service providers must report the
1164 following information electronically to the Division on a semiannual basis for each
1165 applicable license:

- 1166 (1) The total number of calls;
1167 (2) The total number of patients transported; and
1168 (3) Response times, and other information as the County Administrator or their
1169 written designee may deem necessary, as approved by the Commission.

1170 **Sec. 22^{1/2}-21. Complaints, violations, penalties, hearings.**

1171 (a) *Complaints.* The Division will investigate, in its sole discretion, any
1172 complaints it receives concerning the services of nonemergency medical transportation
1173 service providers operating in Broward County.

1174 (b) *Violations.* The following are violations of Article II, Nonemergency Medical
1175 Transportation, of this chapter:

- 1176 (1) Failing to comply with any provision of Article II of this chapter or the rules
1177 and regulations promulgated pursuant to this chapter;
- 1178 (2) Operating, providing, representing to the public, or participating in the
1179 business of providing nonemergency medical transportation services
1180 without first obtaining a license from the County;
- 1181 (3) Operating a vehicle providing nonemergency medical transportation
1182 services if the vehicle does not meet the requirements of Article II of this
1183 chapter and the rules and regulations promulgated pursuant to this chapter;
- 1184 (4) Obtaining a license by omitting or falsely stating any material fact on the
1185 application for the license;
- 1186 (5) Obstructing, barring, or otherwise interfering with an inspection,
1187 assessment, or review conducted under Article II of this chapter or the rules
1188 and regulations promulgated pursuant to this chapter;
- 1189 (6) For a nonemergency medical transportation service provider or their agent
1190 to demand money or other compensation in excess of the schedule of fees
1191 filed with the Commission pursuant to Article II of this chapter; and
- 1192 (7) For a nonemergency medical transportation service provider to fail or
1193 neglect to provide service authorized by the license.
- 1194 (c) *Penalties.*
- 1195 (1) Violations of this chapter or the rules and regulations promulgated pursuant
1196 to this chapter may result in suspension, revocation, or modification of a
1197 license.

1198 (2) In addition to other remedies provided in this chapter, violations of this
1199 chapter or the rules and regulations promulgated by this chapter may be
1200 enforced as provided by Chapter 8½ of the Code.

1201 (3) Notwithstanding the provisions of this section, the County may seek to
1202 enforce this chapter by any legal action necessary including, but not limited
1203 to, seeking injunctive relief or other appropriate relief in court.

1204 (d) *Hearings.* Hearings and review of a hearing officer's order for
1205 nonemergency medical transportation service providers will be conducted in the same
1206 manner as described in Section 3½-15 of the Code.

1207 Section 4. Section 8½-16 of the Broward County Code of Ordinances is hereby
1208 amended to read as follows:

1209 **Sec. 8½-16. Schedule of civil penalties.**

1210 . . .

1211 (c) *Violations of Motor Vehicle Body Repair and Painting Licensing and*
1212 *Certification Law and Regulations:*

		<i>Fine</i>	
		<i>First</i>	<i>Repeat</i>
	<i>Violation</i>	<i>Violation</i>	<i>Violation</i>
1216	(1) Operating a motor vehicle body repair	\$250.00	\$500.00
1217	or body painting shop without having		
1218	a technician certified in the particular		
1219	category for which the business activity		
1220	is licensed (sec. 20-176.41))		

1221	...			
1222	(30)	<u>Displaying hostile or threatening conduct</u>	<u>250.00</u>	<u>500.00</u>
1223		<u>toward a customer or employee of the</u>		
1224		<u>Consumer Protection Division, any law</u>		
1225		<u>enforcement agency, or any other</u>		
1226		<u>agency authorized to enforce the Broward</u>		
1227		<u>County Consumer Protection Code</u>		
1228		<u>(sec. 20-176.53(c))</u>		
1229	(d)	<i>Violations of Motor Vehicle Repair Licensing and Certification Law and</i>		
1230		<i>Regulations:</i>		
1231				<i>Fine</i>
1232			<i>First</i>	<i>Repeat</i>
1233		<i>Violation</i>	<i>Violation</i>	<i>Violation</i>
1234	(1)	Operating a motor vehicle repair shop	\$250.00	\$500.00
1235		without having a technician certified in		
1236		the particular category for which the		
1237		business activity is licensed		
1238		(sec. 20-176.75(a))		
1239	...			
1240	(19)	<u>Displaying hostile or threatening conduct</u>	<u>250.00</u>	<u>500.00</u>
1241		<u>toward a customer or employee of the</u>		
1242		<u>Consumer Protection Division,</u>		
1243		<u>any law enforcement agency, or any other</u>		

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

1244		<u>agency authorized to enforce the Broward</u>				
1245		<u>County Consumer Protection Code</u>				
1246		<u>(sec. 20-176.88(b))</u>				
1247		...				
1248		(bb) <i>Violations of Chapter 3½ or Chapter 22½, Relating to Emergency Medical</i>				
1249		<i>Service and Nonemergency Medical Transportation Service;</i>				
1250				<i>Fine</i>		
1251		<i>Violation</i>	<i>First</i>	<i>Second</i>	<i>Third</i>	<i>Fourth</i>
1252			<i>Violation</i>	<i>Violation</i>	<i>Violation</i>	<i>Violation</i>
1253	(1)	For an EMS Provider or	\$250.00	\$500.00	\$750.00	\$1,000.00
1254		applicant to fail to comply				
1255		with any provision of				
1256		Chapter 3½, Broward				
1257		County Code of Ordinances				
1258		(sec. 3½-15(b)(1))				
1259		...				
1260	(8)	For a nonemergency	250.00	500.00	750.00	1,000.00
1261		medical transportation				
1262		service provider to fail to				
1263		comply with any provision of				
1264		Article II of Chapter 3½ <u>22½</u> ,				
1265		Broward County Code of				

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1266	Ordinances				
1267	(sec. 3 ¹ / ₂ <u>22</u> ¹ / ₂ -21(b)(1))				
1268	(9) Operating, providing,	250.00	500.00	750.00	1,000.00
1269	representing to the public, or				
1270	participating in the business				
1271	of providing nonemergency				
1272	medical transportation				
1273	service without first obtaining				
1274	a license from the County				
1275	(sec. 3 ¹ / ₂ <u>22</u> ¹ / ₂ -21(b)(2))				
1276	(10) Operating a vehicle	250.00	500.00	750.00	1,000.00
1277	providing nonemergency				
1278	medical transportation service				
1279	if the vehicle does not meet the				
1280	requirements of Article II of				
1281	Chapter 3 ¹ / ₂ <u>22</u> ¹ / ₂ , Broward				
1282	County Code of Ordinances				
1283	(sec. 3 ¹ / ₂ <u>22</u> ¹ / ₂ -21(b)(3))				
1284	(11) Obtaining a license by	250.00	500.00	750.00	1,000.00
1285	omitting or falsely stating				
1286	any material fact on the				
1287	application for the license				
1288	(sec. 3 ¹ / ₂ <u>22</u> ¹ / ₂ -21(b)(4))				

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1289	(12)	Obstructing, barring, or	250.00	500.00	750.00	1,000.00
1290		otherwise interfering with an				
1291		inspection, assessment, or				
1292		review conducted under				
1293		Article II of Chapter 31½ <u>22½</u> ,				
1294		Broward County Code of				
1295		Ordinances				
1296		(sec. 31½ <u>22½</u> -21(b)(5))				
1297	(13)	For a nonemergency	250.00	500.00	750.00	1,000.00
1298		medical transportation				
1299		service provider or its				
1300		agent to demand money or				
1301		other compensation in				
1302		excess of the schedule				
1303		of fees filed with the				
1304		Board pursuant to				
1305		Article II of Chapter 31½ <u>22½</u> ,				
1306		Broward County Code of				
1307		Ordinances				
1308		(sec. 31½ <u>22½</u> -21(b)(6))				
1309	(14)	For a nonemergency	250.00	500.00	750.00	1,000.00
1310		medical transportation				
1311		provider to fail or neglect				

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1312 to provide service
1313 authorized by the license
1314 (sec. ~~3~~¹/₂ 22¹/₂-21(b)(7))

1315 . . .

1316 Section 5. Severability.

1317 If any portion of this Ordinance is determined by any court to be invalid, the invalid
1318 portion will be stricken, and such striking will not affect the validity of the remainder of this
1319 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
1320 legally applied to any individual, group, entity, property, or circumstance, such
1321 determination will not affect the applicability of this Ordinance to any other individual,
1322 group, entity, property, or circumstance.

1323 Section 6. Inclusion in the Broward County Code of Ordinances.

1324 It is the intention of the Board of County Commissioners that the provisions of this
1325 Ordinance become part of the Broward County Code of Ordinances as of the effective
1326 date. The sections of this Ordinance may be renumbered or relettered and the word
1327 “ordinance” may be changed to “section,” “article,” or such other appropriate word or
1328 phrase to the extent necessary in order to accomplish such intention.

1329 Section 7. Effective Date.

1330 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Javier Navas 03/18/2025
Javier Navas (date)
Assistant County Attorney

By: /s/ Annika E. Ashton 03/18/2025
Annika E. Ashton (date)
Deputy County Attorney

JN/cv
Motor Carriers Ordinance
03/18/2025
#1136811.28

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.