

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES BUSINESS PERMITS;
3 AMENDING SECTIONS 22½-1 AND 22½-6D OF THE BROWARD COUNTY CODE OF
4 ORDINANCES (“CODE”); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE
5 CODE, AND AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, Port Everglades (“Port”) is a secured, high-volume transportation
9 facility that serves cruise passengers, cargo operations, commercial vehicles,
10 pedestrians, terminal employees, and other Port users;

11 WHEREAS, the Board of County Commissioners (“Commission”) has a substantial
12 interest in protecting the safety of passengers, pedestrians, drivers, Port workers, Port
13 facilities, and public property within the Port;

14 WHEREAS, motor carriers providing charter bus transportation share limited
15 roadway, curbside, staging, terminal, and loading areas with other vehicles and
16 pedestrians, creating a need for reasonable measures to verify insurance coverage and
17 vehicle-safety compliance;

18 WHEREAS, federal law recognizes the importance of commercial motor vehicle
19 safety and authorizes federal regulations establishing minimum safety standards for
20 commercial motor vehicles, including charter buses, and these standards ensure that

21 such vehicles are maintained, equipped, and operated safely under Title 49 Part 396 of
22 the Code of Federal Regulations;

23 WHEREAS, federal regulations require that covered commercial motor vehicles,
24 including charter buses, pass a periodic inspection at least once every 12 months and
25 require that motor carriers maintain parts and accessories in a safe and proper operating
26 condition at all times;

27 WHEREAS, the Commission finds that confirming insurance and annual
28 inspection compliance for charter buses accessing the Port is directly related to motor
29 vehicle safety, passenger safety, pedestrian safety, as well as the safe operation of the
30 Port's roadways, terminals, loading areas, and staging areas; and

31 WHEREAS, the Commission finds that the fees and penalties authorized by this
32 Ordinance are directly related to motor vehicle safety because the fees are limited to
33 recovering the County's reasonable costs of reviewing insurance and vehicle-safety
34 inspection documentation and maintaining compliance records, and the penalties provide
35 a necessary mechanism to enforce compliance with the insurance and inspection
36 requirements established herein,

37 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
38 BROWARD COUNTY, FLORIDA:

39 Section 1. Section 22½-1 of the Broward County Code of Ordinances is hereby
40 amended to read as follows:

41 **Sec. 22½-1. Definitions.**

42 . . .

43 *Certificate* means any certificate of public convenience and necessity issued
44 pursuant to this chapter, which authorizes the holder to engage in providing passenger
45 transportation services to the public.

46 *Charter bus transportation* means transportation, using a vehicle with a seating
47 capacity of more than fifteen (15) persons, of a group of persons who, pursuant to a
48 common purpose, under a single contract, at a fixed charge for the motor vehicle, have
49 acquired the exclusive use of the motor vehicle to travel together under an itinerary
50 specified in advance or modified after departure from the place of origin.

51 *Chauffeur* means a person who holds a valid, active license or permit to operate a
52 vehicle for hire, issued by the county or municipality in which the person is domiciled, and
53 who has not had a license or permit to operate a vehicle for hire suspended or revoked
54 within the immediately preceding five (5) years.

55 . . .

56 Section 2. Section 22½-6D of the Broward County Code of Ordinances is
57 hereby amended to read as follows:

58 **Sec. 22½-6D. Port Everglades—Business Permits.**

59 (a) Except as otherwise provided herein, No motor carrier shall engage in
60 business at Port Everglades on ~~or over Port Everglades~~ property owned or leased by the
61 County without a contract, license, lease, or permit issued by Broward County ~~for~~
62 ~~operations at the Port~~ authorizing such business. A Port Everglades Motor Carrier
63 Business Permit (“Business Permit”) may be obtained from the Division. The Division may
64 grant a Business Permit for ~~any period of time~~ a term of up to one (1) calendar year. Such

65 Business Permits shall be renewed by the Division each year upon payment of the fees
66 and approval of its application.

67 . . .

68 (n) Notwithstanding any provision of this section, motor carriers engaged in
69 charter bus transportation shall not be required to obtain a Business Permit, vehicle-for-
70 hire permit, certificate of public convenience and necessity, operating permit, or other
71 County authorization to provide charter bus transportation services at Port Everglades,
72 and vehicles engaged in charter bus transportation shall not be required to display a Port
73 Everglades decal. Instead, a motor carrier engaged in charter bus transportation that
74 seeks to access Port Everglades for commercial activity shall complete a Port Everglades
75 Charter Bus Safety Compliance Registration (“Safety Compliance Registration”).

76 (1) Completion of the Safety Compliance Registration shall require submission
77 of the following:

78 a. Proof of insurance or financial responsibility in the amounts required
79 by Section (b)(3);

80 b. Proof that each charter bus utilized to access Port Everglades has
81 passed an inspection in accordance with the terms of 49 C.F.R.
82 § 396.17 in the preceding twelve (12) months, or an equivalent
83 inspection recognized under 49 C.F.R. § 396.23; and

84 c. A registration fee, as established by resolution of the Commission
85 and published in the Broward County Administrative Code, in an
86 amount the Commission deems necessary to recover the County’s
87 reasonable cost of reviewing insurance documentation, reviewing

- 88 annual inspection documentation, and maintaining the registration
89 database.
- 90 (2) Upon submission of the materials set forth herein, the County shall issue
91 confirmation of the Safety Compliance Registration.
- 92 (3) The Safety Compliance Registration requirement must be renewed
93 annually by submitting current proof of insurance, current proof of annual
94 vehicle inspection, and applicable registration fees.
- 95 (4) Compliance with this Section (n) may be verified by methods including, but
96 not limited to, license plate verification, vehicle identification number,
97 USDOT number, electronic databases, invoices, account confirmation, or
98 other documentation showing County confirmation of registration
99 compliance. In lieu of other verification methods, the County may allow for
100 a motor carrier engaged in charter bus transportation to purchase optional
101 Port Everglades decals or electronic identifiers. An optional decal or
102 electronic identifier shall not be required as a condition of access to Port
103 Everglades, and failure to display or use such decal or identifier shall not
104 result in denial of access, citation, penalty, surcharge, or other adverse
105 treatment.
- 106 (5) Penalties for failing to complete or maintain the Safety Compliance
107 Registration shall be equivalent to the penalty set forth in
108 Section 8½-16(t)(11). However, no penalty shall be imposed on a motor
109 carrier engaged in charter bus transportation solely for failing to obtain a
110 Business Permit, vehicle-for-hire permit, certificate of public convenience

111 and necessity, operating permit, or other County authorization to provide
112 charter bus transportation.

113 Section 3. Severability.

114 If any portion of this Ordinance is determined by any court to be invalid, the invalid
115 portion will be stricken, and such striking will not affect the validity of the remainder of this
116 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
117 legally applied to any individual, group, entity, property, or circumstance, such
118 determination will not affect the applicability of this Ordinance to any other individual,
119 group, entity, property, or circumstance.

120 Section 4. Inclusion in the Broward County Code of Ordinances.

121 It is the intention of the Board of County Commissioners that the provisions of this
122 Ordinance become part of the Broward County Code of Ordinances as of the effective
123 date. The sections of this Ordinance may be renumbered or relettered and the word
124 "ordinance" may be changed to "section," "article," or such other appropriate word or
125 phrase to the extent necessary to accomplish such intention.

126 Section 5. Effective Date.

127 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/ Scott Andron 05/13/2026
Scott Andron (date)
Senior Assistant County Attorney

By: /s/ Danielle W. French 05/13/2026
Danielle W. French (date)
Deputy County Attorney

SA/sw
Charter Bus Transportation Ordinance
05/13/2026
#1230071.5

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