

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

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Meeting Date:   October 6, 2009       Consent       Regular
                                   Ordinance    Public Hearing
Department:   Palm Tran
Submitted By:  Palm Tran
Submitted for: Palm Tran
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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 1 to an agreement with the Florida Department of Highway Safety and Motor Vehicles (R2007-2050) modifying the testing and training requirements when Palm Tran acts as a Third Party Administrator in conducting driver license examinations on behalf of the Department.

Summary: Florida Department of Highway Safety and Motor Vehicles authorizes Third Party Administrators to act on their behalf for Florida motor vehicle license testing. Palm Tran has been acting as a Third Party Administrator for the Department since 2003. This amendment prohibits conducting testing on the same day as training is being provided on that portion of the test. Countywide (DR)

Background and Justification: Palm Tran employees who drive the buses are required to have a Class B CDL. The State Department of Highway and Motor Vehicles permits Third Party Administrators to administer the driver license test and to certify those passing the test to be eligible to receive a Class B CDL. Palm Tran has been a Third Party Administrator for a Florida Commercial driver license since 1996 as part of its bus operator and maintenance training programs. Palm Tran has two (2) certified testers on staff.

Attachment: 1. Amendment No. 1 to Agreement with Florida Department of Highway and Motor Vehicles R-2007-2050 (4 copies)

Recommended By: _____

[Handwritten Signature]
Department Director

September 1, 2009
Date

Approved By: _____

[Handwritten Signature]
Assistant County Administrator

9/8/09
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	200-	200-
Grant Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	* 0				
# ADDITIONAL FTE POSITIONS (Cumulative)	0				

Is Item Included In Current Budget? NA - X Yes No
 Budget Account No.: Fund _____ Dep't. _____ Unit _____ Object _____
 Program _____ Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: *John Murphy*
 John Murphy, Finance Manager

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

* There will be no additional cost or revenue generated from this amendment.

[Signature] 9/14/09
 OFMB IS CN
 9/14/09 9/31/09

[Signature] 9/18/09
 Contract Dev. and Control

B. Legal Sufficiency:

This amendment complies with our review requirements.

[Signature] 9/8/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

**AMENDMENT 1 TO THE AGREEMENT BETWEEN THE
FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
AND A DRIVER LICENSE THIRD PARTY ADMINISTRATOR
(R-2007-2050)**

As provided by Section XII.B., Other Amendments, of the current agreement between the Department and Palm Tran, Contract TPA ID # BJ4, Section III.U. is added as follows:

U. CDL SKILLS TEST PREPARATION AND TRAINING : The Third Party Administrator agrees that no portion of a CDL skills test (pre-trip inspection, basic skills, or road test) will be administered to an applicant on the same day as training is provided to aid in passing that portion of the test. The intent of this section is to help assure that applicants pass CDL skills tests through knowledge and abilities that have been retained from at least one day to the next. The same day training prohibited under this section is any presentation of learning materials or structured practice conducted or made available to the applicant by the Third Party Administrator that may be reasonably construed as contrary to that intent. Nothing in this section precludes applicants from self-directed study and practice on the same day as their CDL skills testing.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of this date,

BY: Palm Beach County, Florida by its Board of County Commissioners

NAME: John F. Koons

TITLE: ChairMAN

SIGNATURE: _____

BY: Florida Department of Highway Safety and Motor Vehicles

NAME: _____

TITLE: _____

SIGNATURE: _____

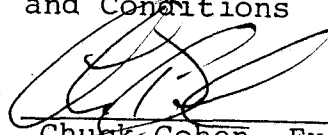
Attest:
Sharon R. Bock,
Clerk & Comptroller

Approved as to Form
and Legal Sufficiency

Approved as to Terms
and Conditions

By: _____
Deputy Clerk

County Attorney



Chuck Cohen, Exec. Dir.
Palm Tran