Agenda Item #: 50

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

======= Meeting Date: Au	======== gust 19, 2014	[] []	Consent Ordinance	[X] []	•
Department: Submitted By: Submitted For:	Department of P Department of P Division of Cons	ublic Sa	afety		
	<u>I. ЕХ</u>	(ECUTI)	/E BRIEF		=========
County Commissi Resolution No. R-2	oners of Palm B	each C cting a	County, Floridanew schedule	a repo	plution of the Board of ealing and replacin s, fines, and minimur Hire Ordinance.
Ordinance, the Re of processing a Le Department of Lav	solution establishes vel 2 fingerprint bas	s a total sed crim ₋ E) and	additional fee inal backgrour the Federal B	of \$26 id che ureau	ehicle for Hire (VFH 6.00 to cover the cos ck through the Florid of Investigation (FBI ntywide (PGE)
authority to perfo overseeing safety	rm fingerprint bas and other VFH lice	ed crimensing r	ninal backgrou equirements, a	nd ch as wel	Affairs now has th necks, in addition t I as the responsibilit ne services provide
Attachments					
Commercial	Resolution includir Automobile Liabilit R-2013-0485 (to be	y Insura	nce Limits.		ines, and Minimur
	=======================================				
Recommended by	r: Manager timer	BOM nt Direc	tor		1/17/14 Date
Approved By:	Mul A	County	MVlisho Administrator	- 7/r	//7//4 Date
		-		-	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact **Fiscal Years** 2014 2015 2016 2017 2018 **Capital Expenditures Operating Costs External Revenues Program Income (County)** In-Kind Match (County) **Net Fiscal Impact** 0 # ADDITIONAL FTE **POSITIONS (Cumulative)** 0 0 0 0 0 Is Item Included In Current Budget? Yes No Budget Account Exp No: Fund ____ Department ____ Unit ___ Object Rev No: Fund ____ Department ___ Unit ___ Object_ B. Recommended Sources of Funds/Summary of Fiscal Impact: ✗ The fiscal impact is indeterminable at this time. However, any additional revenue collected from the fee changes will be accounted for in the Vehicle for Hire Fund (Fund 1430). **Departmental Fiscal Review:** III. REVIEW COMMENTS A. OFMB Fiscal and/or Contract Dev. and Control Comments: .egal Sufficiency: C. Other Department Review: **Department Director** This summary is not to be used as a basis for payment.

R:\Consumer Affairs\BCCAGNDA\AIS-Resolution-BackgroundChecks-06-12-2014.docx

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RESOLUTION NO. R-2014-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA REPEALING AND REPLACING RESOLUTION NO. R-2013-0485 AND ENACTING A NEW SCHEDULE OF FEES, FINES, AND MINIMUM COMMERCIAL AUTOMOBILE LIABILITY INSURANCE LIMITS FOR THE VEHICLE FOR HIRE ORDINANCE.

WHEREAS, Section 125.01(n), Florida Statutes authorizes Palm Beach County to license and regulate taxicabs, limousines for hire, and other passenger vehicles for hire that operate in the County; and

WHEREAS, Section 125.5801 Florida Statutes, now authorizes counties to conduct national criminal fingerprint based background checks, in addition to a state based criminal history, through the Florida Department of Law Enforcement and the Federal Bureau of Investigation for chauffeurs and/or vehicle for hire drivers; and

WHEREAS, the Palm Beach County Vehicle for Hire Ordinance, as codified in the Palm Beach County Code, Chapter 19, Article IX, requires certain fees to be established by resolution of the Board of County Commissioners; and

WHEREAS, Section 19-226 (a) of the Vehicle for Hire provisions of the Palm Beach County Code requires each Vehicle for Hire Company to meet or exceed minimum commercial automobile liability insurance limits established by resolution of the Board of County Commissioners: and

WHEREAS, Section 19-230 (4) requires a schedule of civil fines for violations of the Palm Beach County Vehicle for Hire Ordinance be established by resolution of the Board of County Commissioners; and

WHEREAS, Section 19-233 of the Vehicle for Hire provisions of the Palm Beach County Code requires a schedule of fees and provides that all such fees collected shall be deposited in a separate account and shall be used exclusively to accomplish the purpose of the Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- A) The Vehicle for Hire fees, fines, and minimum commercial automobile liability insurance limits for Vehicle for Hire Companies are hereby adopted as referenced in the chart entitled "Exhibit "A" County Code of Ordinances Vehicle for Hire Schedule of Fees, Fines, and Minimum Commercial Automobile Liability Insurance Limits," attached hereto and incorporated herein by reference.
- B) Resolution No. R-2013-0485 previously adopted for vehicle for hire fees, fines, and minimum commercial automobile liability insurance limits for Vehicle for Hire companies is hereby repealed.

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The foregoing Resolution was offered by Commissione	r		~~~~	who moved
its adoption. The motion was seconded by Commissioner		·		and upon
being put to a vote, the vote was as follows:			·	
PRISCILLA A. TAYLOR, MAYOR				
PAULETTE BURDICK, VICE MAYOR				
COMMISSIONER STEVEN L. ABRAMS				-
COMMISSIONER SHELLEY VANA				
COMMISSIONER HAL R. VALECHE			<u> </u>	
COMMISSIONER JESS R. SANTAMARIA				
COMMISSIONER MARY LOU BERGER				
The Mayor thereupon declared the Resolution duly pass August, 2014.	sed and ado	pted th	is	_ day of
PALM BEACH COUNTY, FLO COUNTY COMMISSIONERS	RIDA, BY	ITS BO	OARD (OF
Sharon R. Bock, Clerk & Comptr	roller			
By: Deputy Clerk				
APPROVED AS TO FORM AND LEGAL SUFFICIENCY				
By: Assistant County Attorney				

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Exhibit "A" - County Code of Ordinances - Vehicle for Hire Schedule of Fees, Fines, and Minimum Commercial Automobile Liability Insurance Limits

Type of Fee	Amount
Initial New Business Application Fee (Effective June 1, 2013)	\$10,000
Annual Vehicle for Hire Business Permit Application Fee	\$225
Annual Vehicle Decal Fee	\$100
Driver's Identification (I.D.) Badge Fee (2 years)	\$100
Florida Department of Law Enforcement Criminal History Record Check (or cost to County charged by FDLE)	\$24
Federal Fee (costs to County charged by FBI)	\$16.00
Livescan Fingerprinting	\$10.00
Florida HSMV Driver Record History (Effective June 1, 2013)	\$16.25
Vehicle for Hire Business Permit Application Late Fee	Up to 30 days \$100 From 31 to 60 days \$150 61 days or more \$200
Vehicle for Hire Business Permit Refiling Fee	\$50
Driver's I.D. Badge Late Fee	Up to 1 year \$30
Driver's I.D. Badge Replacement Fee (lost, stolen, or change of company)	\$30
Administrative Appeal Filing Fee	\$100
Administrative Appeal Filing Fee for no proof of insurance	\$100
Short term Vehicle Decal Fee	\$25
Inspection Rescheduling Fee	\$25
Failed to Appear for Rescheduled Inspection Fee	\$50
Administrative Insurance Reactivation Fee	First time \$250 All other instances \$500
Reinstatement Fee for Suspended Business/Driver I.D. Badge (50% of regular fees) (except when the Administrative Insurance Reactivation Fee is applied)	Business \$50 Driver I.D. Badge \$30
Business name change, ownership change, or transfer fee (Effective June 1, 2013)	\$500

Civil Fines:

- Violations of Section 19-218 (operating a vehicle for hire or working as a broker without a permit) and Section 19-226 (commercial automobile liability insurance requirements): \$500 first offense, \$500 second offense and \$500 third offense (with a possible mandatory court appearance).
- 2. <u>Violations of Section 19-227</u> (driver requirements): \$250 first offense, \$500 second offense and \$500 third offense (with a possible mandatory court appearance).
- 3. <u>Violations for all other Sections of the Ordinance</u>: \$150 first offense, \$300 second offense and \$500 third offense (with a possible mandatory court appearance).

Minimum Commercial Automobile Liability Insurance Limits:

Each Vehicle for Hire Company shall insure each for-hire vehicle with commercial automobile liability insurance for passenger transportation which meets or exceeds the following minimum requirements:

- 1) Three Hundred Thousand dollars (\$300,000.00) for injuries per occurrence or accident;
- 2) One Hundred Twenty Five Thousand dollars (\$125,000.00) for injuries per person in any one (1) occurrence or accident; and
- 3) Fifty Thousand dollars (\$50,000.00) for property damage in any one (1) occurrence or accident.
- 4) As an alternative to numbers 1) through 3) above, commercial automobile liability insurance may be secured at a minimum of Three Hundred Thousand dollars (\$300,000) combined single limit (CSL).

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RESOLUTION NO. R-2013 - 0485

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA REPEALING RESOLUTION NO. R-2011-1977, ESTABLISHING A SCHEDULE OF FEES REQUIRED BY THE REVISED VEHICLE FOR HIRE ORDINANCE, AND ESTABLISHING MINIMUM COMMERCIAL AUTOMOBILE LIABILITY INSURANCE LIMITS FOR VEHICLE FOR HIRE COMPANIES.

WHEREAS, SECTION 125.01(n), Florida Statutes authorizes Palm Beach County to license and regulate taxicabs, limousines for hire, and other passenger vehicles for hire that operate in the County; and

WHEREAS, the Palm Beach County Vehicle for Hire Ordinance, as codified in the Palm Beach County Code, Chapter 19, Article IX, requires certain fees to be established by resolution of the Board of County Commissioners; and

WHEREAS, Section 19-233 of the Vehicle for Hire provisions of the Palm Beach County Code requires a schedule of fees and provides that all such fees collected shall be deposited in a separate account and shall be used exclusively to accomplish the purpose of the Code; and

WHEREAS, Section 19-226 (a) of the Vehicle for Hire provisions of the Palm Beach County Code requires each Vehicle for Hire Company to meet or exceed minimum commercial automobile liability insurance limits established by resolution of the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that

- A) The Vehicle for Hire fees and minimum commercial automobile liability insurance limits for Vehicle for Hire Companies are hereby adopted as referenced in the chart entitled Palm Beach County Code of Ordinances Vehicle for Hire Schedule of Fees and Minimum Commercial Automobile Liability Insurance Limits for Vehicle for Hire Companies Exhibit "A," attached hereto and incorporated herein by reference.
- B) Resolution No. R-2011-1977 previously adopted for vehicle-for-hire fees is hereby repealed.

The foregoin	g resolution was offered by Commissioner	Vana	, who
moved its adoption.	The motion was seconded by Commissioner	Taylor	

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and upon being put to a vote, the vote was as follows;

Steven L. Abrams, Mayor	Aye
Priscilla A. Taylor, Vice-Mayor	Ауе
Commissioner Hal R. Valeche	Aye
Commissioner Paulette Burdick	Aye
Commissioner Shelley Vana	_Aye.
Commissioner Mary Lou Berger	Aye
Commissioner Jess R. Santamaria	Ауе

The Mayor thereupon declared the resolution duly passed and adopted this 16th day of April 2013.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptrolle

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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County Code of Ordinances - Vehicle for Hire Schedule of Fees and Minimum Commercial Automobile Liability Insurance

Limits for Vehicle for Hire Companies – Exhibit "A" Type of Fee	Amount
Initial New Business Application Fee (Effective June 1, 2013)	\$10,000
Annual Vehicle for Hire Business Permit Application Fee	\$225
Annual Vehicle Decal Fee	\$100
Driver's Identification (I.D.) Badge Fee (2 years)	\$100
Florida Department of Law Enforcement Criminal History Record Check (or cost to County charged by FDLE)	\$24
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Driver's I.D. Badge Replacement Fee (lost, stolen, or change of company)	\$30
Administrative Appeal Filing Fee	- \$100
Administrative Appeal Filing Fee for no proof of insurance	\$100
Short term Vehicle Decal Fee	\$25
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Failed to Appear for Rescheduled Inspection Fee	\$50
Administrative Insurance Reactivation Fee	First time \$250 All other instances \$500
Reinstatement Fee for Suspended Business/Driver I.D.	Business \$50
Badge (50% of regular fees) (except when the Administrative Insurance Reactivation Fee is applied)	Driver I.D. Badge \$30
Business name change, ownership change, or transfer fee (Effective June 1, 2013)	\$500

Minimum Commercial Automobile Liability Insurance Limits:

Each Vehicle for Hire Company shall insure each for-hire vehicle with commercial automobile liability insurance for passenger transportation which meets or exceeds the following minimum requirements:

- 1) Three Hundred Thousand dollars (\$300,000.00) for injuries per occurrence or accident,
- One Hundred Twenty Five Thousand dollars (\$125,000.00) for injuries per person in any one (1) occurrence or accident, and
- 3) Fifty Thousand dollars (\$50,000.00) for property damage in any one (1) occurrence or accident.
- As an alternative to numbers 1) through 3) above, commercial automobile liability insurance may be secured at a minimum of Three Hundred Thousand dollars (\$300,000) combined single limit (CSL).