

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: December 17, 2019 ☐ Consent ☒ Regular
 ☐ Ordinance ☐ Public Hearing

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Consumer Affairs

I. EXECUTIVE BRIEF


Motion and Title: Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida repealing and replacing Resolution R2016-0534, and establishing fees and fines for the Vehicle for Hire Ordinance.


Summary: This Resolution provides for adoption of an updated fee and fine schedule in accordance with the provision of the Vehicle for Hire (VFH) Ordinance, Palm Beach County Code, Chapter 19, Article IX. The update to the resolution is necessary to implement proposed special events provisions of the VFH Ordinance, which is scheduled for adoption on December 17, 2019. The resolution update establishes a new special event decal fee at \$100, which includes an airport access fee of \$50 as approved by R2012-1593. The special event decal fee is the same amount charged by Broward and Miami-Dade counties, which is necessary due to the provision of special event reciprocity in those jurisdictions. Additionally, a new decal replacement /transfer fee of \$25 will allow vehicle for hire companies to acquire a replacement decal within a license year if the decal is lost, damaged, or returned to Consumer Affairs when a vehicle is placed out of service instead of paying the full annual decal fee. There are no other changes to fines or fees. Countywide (LDC)

Background and Policy Issues: The VFH provisions of the Palm Beach County Code (Code) require a schedule of fees and provides that all fees collected shall be deposited in a separate account and shall be used exclusively to accomplish the purpose of the Code. The current VFH Schedule of Fines / Fees does not include a special event decal fees or replacement decal fee which are needed to administer the VFH Ordinance.

Attachments:

- 1) Resolution including Schedule of Fines / Fees
- 2) Summary of Recommended Changes to the Fee Schedule

Recommended By:  11/1/19 Date
Department Director

Approved By:  12-2-19 Date
Deputy County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2020	2021	2022	2023	2024
Personal Services					
Operating Costs					
Capital Expenditures					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
Net Fiscal Impact	0*				

# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0
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Is Item Included In Current Budget? Yes No ☒
 Does this item include the use of federal funds? Yes No ☒
 Budget Account Exp No: Fund Dept. Unit Obj.
 Rev No: Fund 1430 Dept. 660 Unit Various Rev. 2900

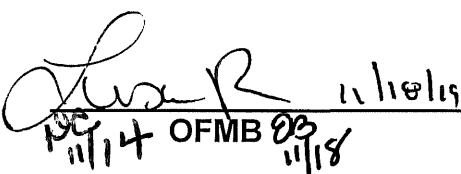
B. Recommended Sources of Funds/Summary of Fiscal Impact:

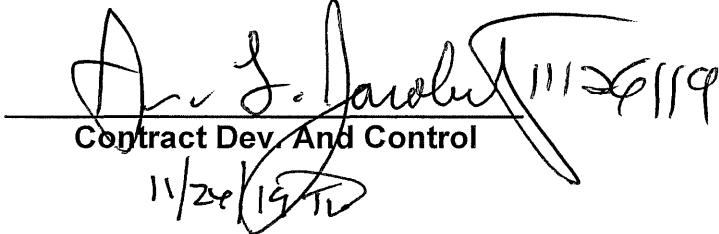
*The fiscal impact is indeterminable at this time. Additional revenue derived from the issuance of special event and replacement decals will be recorded in the Vehicle for Hire Fund.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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


11/14/19
OFMB 03/18


Contract Dev. And Control
11/26/19

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R2019-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING AND REPLACING RESOLUTION R2016-0534, AND ESTABLISHING FEES AND FINES FOR THE VEHICLE FOR HIRE ORDINANCE.

WHEREAS, Section 125.01(1)(n), Florida Statutes, authorizes Palm Beach County to license and regulate taxis, non-taxis, 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 provision 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 used exclusively to accomplish the purposes of the Code; an

WHEREAS, this resolution shall repeal and replace R2016-0534 with an updated schedule of fines and fees.

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

- 1) The foregoing recitals are true and correct and incorporated herein by reference.
- 2) Resolution R2016-0534 establishing fees for the Vehicle for Hire Ordinance is hereby repealed and replaced with this resolution.
- 3) The Vehicle for Hire fees are hereby adopted as referenced in the chart entitled Palm Beach County Code of Ordinances – Vehicle for Hire Schedule of Fees – Exhibit “A,” attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Dave Kerner, Mayor	_____
Commissioner Robert S. Weinroth, Vice Mayor	_____
Commissioner Hal R. Valeche	_____
Commissioner Gregg K. Weiss	_____
Commissioner Mary Lou Berger	_____
Commissioner Melissa McKinlay	_____
Commissioner Mack Bernard	_____

The Mayor thereupon declared the resolution duly passed and adopted this ____ day
of _____, 2019.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD
OF COUNTY COMMISSIONERS
Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

Exhibit “A”

County Code of Ordinances – Vehicle for Hire (VFH)

Schedule of Fees – Exhibit “A”

Fees for VFH Companies Licensed by the Division of Consumer Affairs	Amount
Initial New Business Application Fee	\$10,000
Annual VFH Business Permit Application	\$100
Annual Vehicle Decal Fee	\$50
Driver’s Identification (I.D.) Badge Fee (2 years) includes: Florida Department of Law Enforcement Level 2 fingerprint based criminal history records check and Florida Department Highway Safety Motor Vehicles Driver Record History	\$100.00 (\$50 annually)
VFH Business Permit Application Late Fee	Up to 30 days \$50 From 31-60 days \$75 61 days or more \$100
VFH 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 or stolen)	\$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	\$500
Special Event Vehicle Decal Fee (\$50 Airports + \$50 County)	\$100
Vehicle Decal Replacement / Transfer Fee	\$25
BUSINESS PERMIT FEES FOR VFH SELF-CERTIFIED COMPANIES	
Up to 5 vehicles	\$1,000
Up to 10 vehicles	\$2,000
Up to 25 vehicles	\$4,000
Up to 50 vehicles	\$7,000
Up to 100 vehicles	\$13,000
Up to 200 vehicles	\$26,000
Up to 250 vehicles	\$32,000
Up to 500 vehicles	\$63,000
Up to 1,000 vehicles	\$125,000
Greater than 2,000 vehicles	\$200,000
Civil Fines	
1. Violations of <u>Section 19-218</u> (operating a vehicle for hire or working as a broker without a permit) and <u>Section 19-226</u> (automobile liability insurance requirements): \$500 – first offense, \$500 – second offense, and \$500 – third offense (with a possible mandatory court appearance). 2. Violations of <u>Section 19-227</u> (driver requirements): \$250 first offense, \$500 – second offense, and \$500- third offense (with a possible mandatory court appearance). 3. Violations for all other Sections of the Ordinance: \$150 – first offense, \$300 – second offense, and \$500 – third offense (with a possible mandatory court appearance).	

SUMMARY OF RECOMMENDED CHANGES TO THE ANNUAL
FEE/FINE SCHEDULE

Fees for Vehicle for Hire (VFH) Companies Licensed by the Division of Consumer Affairs	Current	Proposed
Initial New Business Application Fee	\$10,000	NO CHANGE
Annual VFH Business Permit Application	\$100	
Annual Vehicle Decal Fee	\$50	
Driver's Identification (I.D.) Badge Fee (2 years) includes: Florida Department of Law Enforcement Level 2 fingerprint based criminal history records check and Florida Department Highway Safety Motor Vehicles Driver Record History	\$100.00 (\$50 annually)	
VFH Business Permit Application Late Fee	Up to 30 days \$50 From 31-60 days \$75 61 days or more \$100	
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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	\$500	
Special Event Vehicle Decal Fee (\$50 Airports + \$50 County)	N/A	\$100
Vehicle Decal Replacement / Transfer Fee	N/A	\$25
BUSINESS PERMIT FEES FOR VFH SELF-CERTIFIED COMPANIES		
Up to 5 vehicles	\$1,000	NO CHANGE
Up to 10 vehicles	\$2,000	
Up to 25 vehicles	\$4,000	
Up to 50 vehicles	\$7,000	
Up to 100 vehicles	\$13,000	
Up to 200 vehicles	\$26,000	
Up to 250 vehicles	\$32,000	
Up to 500 vehicles	\$63,000	
Up to 1,000 vehicles	\$125,000	
Greater than 2,000 vehicles	\$200,000	