

ORDINANCE NO. 17- \_\_

1  
2  
3 AN ORDINANCE OF HILLSBOROUGH COUNTY PROVIDING  
4 FOR THE REGULATION OF VEHICLES FOR HIRE INCLUDING  
5 TAXICABS, LIMOUSINES, HANDICABS AND VANS; PROVIDING  
6 A TITLE; PROVIDING A PURPOSE; PROVIDING FOR  
7 DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING  
8 FOR THE POWERS AND DUTIES OF THE AGENCY UNDER THIS  
9 ORDINANCE; PROVIDING FOR THE POWERS AND DUTIES OF  
10 THE DEPARTMENT UNDER THIS ORDINANCE; PROVIDING  
11 FOR CERTIFICATE REQUIREMENTS; PROVIDING FOR  
12 VEHICLE PERMIT REQUIREMENTS; PROVIDING FOR PUBLIC  
13 VEHICLES DRIVER'S LICENSE REQUIREMENTS; PROVIDING  
14 FOR CERTIFICATION, PERMIT AND PUBLIC VEHICLE  
15 DRIVER'S LICENSE RENEWAL REQUIREMENTS; PROVIDING  
16 FOR ADDITIONAL CERTIFICATE, PERMIT AND PUBLIC  
17 VEHICLE DRIVER'S LICENSE RELATED REQUIREMENTS;  
18 PROVIDING FOR RATES; PROVIDING FOR GROUNDS FOR  
19 DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES  
20 AND PERMITS; PROVIDING FOR GROUNDS FOR DENIAL,  
21 SUSPENSION OR REVOCATION OF PUBLIC VEHICLE DRIVER'S  
22 LICENSES; PROVIDING FOR DUE PROCESS IN THE EVENT OF  
23 DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES,  
24 PERMITS AND PUBLIC VEHICLE DRIVER'S LICENSES;  
25 PROVIDING FOR PROHIBITED CONDUCT; PROVIDING FOR  
26 FILING OF COMPLAINTS; PROVIDING FOR ENFORCEMENT  
27 AND PENALTIES FOR VIOLATIONS; PROVIDING FOR  
28 APPOINTMENT OF HEARING OFFICERS; PROVIDING FOR  
29 HEARINGS; PROVIDING FOR APPEALS; PROVIDING FOR  
30 SERVICE OF NOTICE; PROVIDING FOR OTHER RIGHTS AND  
31 REMEDIES; PROVIDING FOR APPLICABILITY; PROVIDING  
32 FOR ALLOCATION OF FEES; PROVIDING FOR SEVERABILITY;  
33 PROVIDING FOR RESOLUTION OF CONFLICT OF LAWS;  
34 PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY  
35 CODE; PROVIDING FOR FILING OF ORDINANCE; PROVIDING  
36 FOR AN EFFECTIVE DATE.

37  
38 WHEREAS, Chapter 2001-299, Laws of Florida, as amended, created the Hillsborough  
39 County Public Transportation Commission ("PTC") to regulate the operation of public vehicles,  
40 such as taxicabs, limousines, handicabs and vans, upon the public highways of Hillsborough  
41 County and its municipalities and authorized the PTC to adopt rules for that purpose;

42 WHEREAS, the Florida Legislature adopted and, on June 6, 2017, the Governor signed  
43 into law, House Bill 647, which repealed Chapter 2001-299, Laws of Florida, as amended, and  
44 dissolved the PTC;

1           **WHEREAS**, with the repeal of Chapter 2001-299, Laws of Florida, as amended, there  
2 would be no regulation of vehicles for hire, such as taxicabs, limousines, handicabs and vans, in  
3 Hillsborough County;

4           **WHEREAS**, the Hillsborough County Board of County Commissioners recognizes that a  
5 lack of regulation of vehicles for hire could pose potential danger to the health, safety and welfare  
6 of the traveling public;

7           **WHEREAS**, the Hillsborough County Board of County Commissioners also recognizes  
8 that the public has an expectation of minimum standards of service and consumer protections in  
9 utilizing such services;

10           **WHEREAS**, Chapter 125, Florida Statutes, authorizes the Hillsborough County Board of  
11 County Commissioners to provide for the citizens of said County, standards which ensure their  
12 health, safety and welfare; and

13           **WHEREAS**, the Hillsborough County Board of County Commissioners recognizes that  
14 the public health, safety and welfare of residents of Hillsborough County will best be served by  
15 enacting a Vehicle for Hire Ordinance that provides for the regulation of vehicles for hire such as  
16 taxicabs, limousines, handicabs and vans, to ensure the quality of such services; consumer  
17 protections for users of such services; and, safety to the traveling public.

18  
19           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
20 **COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:**

21  
22           **SECTION 1.           TITLE.**

23           This Ordinance shall be known and may be cited as the “Vehicle for Hire Ordinance.”

24  
25           **SECTION 2.           PURPOSE.**

26           The purpose and intent of this Ordinance is to promote the health, safety and welfare of  
27 the residents of Hillsborough County through the regulation of certain vehicles for hire, to  
28 include taxicabs, limousines, handicabs and vans.

29  
30           **SECTION 3.           DEFINITIONS.**

31           For purposes of this Ordinance, the following terms shall have the meanings given to them  
32 below. No attempt is made to define any words which are used in accordance with their established  
33 dictionary meaning, except when necessary to avoid misunderstanding. When not consistent with  
34 the context, words used in the present tense include the future, words in the plural number include  
35 the singular number, words in the singular number include words in the plural number, and the use  
36 of any gender shall be applicable to all genders. The words “shall”, “will” and “must” are  
37 mandatory and the word “may” is permissive.

1 (A) AGENCY – shall mean the Hillsborough County Tax Collector or any successive  
2 agency or department designated by the Board of County Commissioners to administer the  
3 application processes required by this Ordinance.

4  
5 (B) BOCC – shall mean the Hillsborough County Board of County Commissioners.

6  
7 (C) CAPACITY – shall mean the maximum seating provided in a motor-driven vehicle  
8 at the time of its original manufacture. Capacity, for purposes of this Ordinance, is determined by  
9 the original manufacturer, or manufacturer’s approved alterer and printed on the certification label  
10 affixed to the vehicle at the time of original manufacture. For those vehicles that do not have an  
11 approved certification label or the label does not state the vehicle capacity, capacity will be  
12 determined by seat measurements.

13  
14 (D) CERTIFICATE – shall mean the written authority granted by the Agency under  
15 this Ordinance, to an applicant, to operate a vehicle for hire business in Hillsborough County.

16  
17 (E) CERTIFICATE HOLDER – shall mean the person issued a certificate by the  
18 Agency to operate a vehicle for hire business in Hillsborough County.

19  
20 (F) CITATION – shall mean a written notice issued to a person by an investigator  
21 indicating that the investigator has reasonable cause to believe that the person has committed a  
22 civil infraction in violation of this Ordinance.

23  
24 (G) COMPENSATION – shall mean any fare, reward, tip, gratuity, donation or other  
25 thing of value which a driver or owner of a vehicle accepts or receives or offers to accept or receive  
26 in return for providing transportation to passengers.

27  
28 (H) COMPLAINANT – shall mean any person who witnesses or who is subjected to  
29 conduct that is an alleged violation of this Ordinance and who files a written complaint with the  
30 Department stating the information required by Section 17 of this Ordinance.

31  
32 (I) COUNTY – shall mean Hillsborough County, Florida.

33  
34 (J) COUNTY ATTORNEY’S OFFICE – shall mean the Office of the County Attorney  
35 of Hillsborough County, Florida.

36  
37 (K) DAYS – shall mean calendar day(s).

38  
39 (L) DEPARTMENT – shall mean the Department designated by the County  
40 Administrator to enforce the mandates of this Ordinance.

41  
42 (M) DRIVER – shall mean a person who has been issued a public vehicle driver’s  
43 license by the Agency to drive or operate a permitted vehicle for hire in Hillsborough County.

1 (N) HANDICAB – shall mean a vehicle designed, constructed, reconstructed, or  
2 operated for the transportation of a person with non-emergency conditions where no medical  
3 assistance is needed or anticipated; or for a person who is unable to comfortably use a standard  
4 means of conveyance; or a person who cannot enter, occupy or exit a vehicle without extensive  
5 assistance; or where specialized equipment is used for a wheelchair or stretcher service; and where  
6 the driver serves as both a driver and attendant to assist in door-to-door or bed-to-bed service.  
7

8 (O) HEARING OFFICER – shall mean the person or persons appointed pursuant to  
9 Resolution to fulfill the duties of Hearing Officer under this Ordinance.  
10

11 (P) HEARING PROCEDURES – shall mean the procedures adopted by the County  
12 Administrator governing noticing, scheduling and conducting hearings before a Hearing Officer  
13 regarding denials of applications for and suspensions and revocations of certificates, permits and  
14 public vehicle driver’s licenses under this Ordinance.  
15

16 (Q) INVESTIGATOR – shall mean the person performing services in an official  
17 capacity for the Department whose duty it is to enforce this Ordinance.  
18

19 (R) LIMOUSINE – shall mean any chauffeur-driven motor vehicle not equipped with  
20 a taximeter that is engaged for the exclusive use of the passenger, which provides seating  
21 accommodations for not more than fifteen (15) passengers, exclusive of the driver, and where  
22 pickup is on a prearranged basis and the route and destination is controlled by the passenger. This  
23 definition consists of vehicles which are recognized by the industry as “luxury” vehicles, that are  
24 considered luxury vehicles by the manufacturer and vehicles that have been uniquely modified so  
25 as to provide “luxury” limousine service. A listing of vehicles considered limousines pursuant to  
26 this definition shall be prepared and updated by the Department.  
27

28 (S) ORDINANCE – shall mean this Hillsborough County Vehicle for Hire  
29 Ordinance, as such may be amended.  
30

31 (T) OPERATE OR OPERATING – shall mean causing a vehicle to function on the  
32 roads, streets, or highways of Hillsborough County.  
33

34 (U) PERMIT – shall mean the written authority granted by the Agency authorizing a  
35 particular motor vehicle to operate as a vehicle for hire in Hillsborough County.  
36

37 (V) PERSON OR PERSONS – shall mean any individual, firm, association, joint  
38 venture, partnership, corporation, estate, trust, business trust, syndicate, or other legal entity or  
39 business unit and every officer, agent or employee thereof.  
40

41 (W) PUBLIC VEHICLE DRIVER’S LICENSE – shall mean the written authority  
42 granted by the Agency which authorizes a person to drive or operate a vehicle for hire in  
43 Hillsborough County.

1 (X) RATES – shall mean compensation paid by passengers for transportation services  
2 provided by a certificate, permit and public vehicle driver’s license holder and shall include any  
3 additional charges established and set forth by resolution, as may be amended.  
4

5 (Y) REASONABLE CAUSE – shall mean, if given the same set of facts or actions, a  
6 reasonable person would conclude that a violation of this Ordinance has occurred.  
7

8 (Z) RESOLUTION – shall mean a resolution adopted by the Board of County  
9 Commissioners with respect to this Ordinance which sets forth the fee structure for applications  
10 for and renewals of certificates, permits and public vehicle driver’s licenses; the rates and other  
11 charges that taxicabs, limousines, handicabs and vans are authorized to charge for the  
12 transportation of passengers; the procedures applicable to the appointment of Hearing Officers;  
13 and, the jurisdiction and powers of Hearing Officers, as such resolution may be amended.  
14

15 (AA) RESPONDENT – shall mean any person the Department reasonably believes upon  
16 investigation to have violated this Ordinance.  
17

18 (BB) TAXICAB – shall mean any motor-driven vehicle, equipped with a taximeter, with  
19 a capacity for nine (9) or less passengers, including the driver for the transportation of passengers  
20 which operates within Hillsborough County.  
21

22 (CC) TAXIMETER – shall mean any mechanical or electronic device which records and  
23 indicates a charge or fare measured by distance traveled, waiting time or other traditionally  
24 compensable activities or items upon which the fare is based.  
25

26 (DD) VAN – shall mean any motor-driven vehicle with a capacity of ten (10) to fifteen  
27 (15) passengers, including the driver, for the transportation of passengers, which operates within  
28 Hillsborough County, but does not include limousines.  
29

30 (EE) VEHICLE FOR HIRE – shall mean any motorized, self-propelled vehicle engaged  
31 in the transportation of persons upon any street within Hillsborough County for compensation for  
32 providing such transportation and includes, but is not limited, to taxicabs, limousines, handicabs  
33 and vans.  
34

35 **SECTION 4. EXEMPTIONS.**

36 The following categories of vehicles for hire shall be exempt from the provisions of this  
37 Ordinance:

38 (A) Ambulances licensed by the State of Florida;

39 (B) Hearses, operated or limited exclusively to use by a licensed mortician;

40 (C) Passenger vehicles seating more than fifteen (15) passengers;  
41  
42

- 1 (D) Passenger vehicles owned, operated, leased or controlled by a governmental  
2 agency;
- 3
- 4 (E) Shuttle services owned and operated, leased or controlled, directly by a hotel or  
5 motel for transportation limited to registered guests thereof;
- 6
- 7 (F) Low speed vehicles as defined by Section 320.01(41), Florida Statutes, as may be  
8 amended;
- 9
- 10 (G) Passenger vehicles owned, operated, leased or controlled by a non-profit  
11 organization established under 501(c)(3) of the Internal Revenue Code or a not-for-  
12 profit organization established under 501(c)(6) of the Internal Revenue Code;
- 13
- 14 (H) Sight-seeing cars and buses;
- 15
- 16 (I) School buses and church buses; and
- 17
- 18 (J) Vehicles owned and operated, leased or controlled, by resorts, private academies  
19 and other businesses whose vehicle fleet is used solely for pick-up and drop-off of  
20 its customers.
- 21

22 **SECTION 5. POWERS AND DUTIES OF THE AGENCY UNDER THIS**  
23 **ORDINANCE.**

24 (A) The Agency shall review all applications for certificates, permits and public vehicle  
25 driver's licenses and shall issue certificates, permits and public vehicle driver's licenses to each  
26 applicant meeting the requirements of this Ordinance. The Agency shall maintain a list of  
27 certificate holders, permits and drivers authorized to provide vehicle for hire services in the County  
28 accessible to the general public.

29  
30 (B) The Agency shall provide written notice, with proof of delivery, of the denial of the  
31 application for certificates, permits and public vehicles driver's licenses specifying the grounds  
32 for the denial.

33  
34 **SECTION 6. POWERS AND DUTIES OF THE DEPARTMENT UNDER THIS**  
35 **ORDINANCE.**

36 (A) The Department shall receive and review all complaints of violations of this  
37 Ordinance.

38  
39 (B) The Department may request additional information from the complainant for  
40 purposes of processing the complaint. For each complaint of violation(s) of this

1 Ordinance the Department receives, it shall evaluate and investigate the complaint  
2 and take such action it deems appropriate as provided for by this Ordinance.

3  
4 (C) The Department may, on its own initiative, investigate potential violations of which  
5 it becomes aware, regardless of the absence of a written or verbal complaint.

6  
7 (D) The Department shall make periodic physical inspections of vehicles for hire to  
8 ascertain compliance with the provisions of this Ordinance.

9  
10 (E) The Department shall inspect the records of certificate holders and/or owners of  
11 vehicles for hire at their respective place of business.

12  
13 (F) The Department shall enforce the provisions of this Ordinance.

14  
15 (G) The Department shall provide written notice, with proof of delivery, of the  
16 suspension or revocation of certificates, permits and public vehicle driver's  
17 licenses, specifying the grounds for the suspension or revocation.

18  
19 (H) The Department may issue citations and notices to appear for violations of this  
20 Ordinance.

21  
22 **SECTION 7. CERTIFICATE REQUIREMENTS.**

23 (A) No person shall engage in the business of operating vehicles for hire in the County  
24 unless such person first obtains a valid certificate from the Agency. An application for a certificate  
25 must be submitted to the Agency in the format prescribed by the Agency. Persons who are  
26 currently in the business of operating vehicles for hire in the County must submit an application  
27 for certificate to the Agency no more than 90 days after the effective date of the Ordinance and  
28 may continue operating during the application process. Any person currently in the business of  
29 operating vehicles for hire in the County that is denied a certificate by the Agency may continue  
30 operating after its application for a certificate is denied and while such person pursues any  
31 available appellate rights contained in Section 15 of this Ordinance.

32  
33 (B) Each applicant shall, at a minimum, provide the following information as part of  
34 the application process:

35  
36 (1) The physical address from which the business will be operated and any  
37 additional addresses required for administration or ownership, if different  
38 from where the business operates;

39  
40 (2) The business owner's name, home address, local address, if different from  
41 the home address, telephone number and email address;

- 1 (3) The manager's name, home address, local address, if different from the  
2 home address, telephone number and email address;
- 3
- 4 (4) Mailing address at which notice of any information pertinent to the business  
5 shall be considered received and binding upon the applicant or certificate  
6 holder;
- 7
- 8 (5) Proof of insurance required by Chapter 324, Florida Statutes, as may be  
9 amended, for all vehicles for hire to be utilized by the business, and as  
10 specified below in Section 8(D) of this Ordinance;
- 11
- 12 (6) Payment of an initial, non-refundable application fee as provided for by  
13 Resolution, which may be amended;
- 14
- 15 (7) Identify and list all vehicles utilized by the business. The list shall include  
16 the year, make, model and Vehicle Identification Number (VIN). All  
17 vehicles must obtain a permit as specified in Section 8 of this Ordinance.  
18 Such listing must be maintained and updated on a regular basis and must be  
19 current at any given time;
- 20
- 21 (8) Identify and list all drivers utilized by the business. The list shall include  
22 the name, address, date of birth and phone number for each driver. All  
23 drivers must be issued a public vehicle driver's license as specified in  
24 Section 9 of this Ordinance. Such listing must be maintained and updated  
25 on a regular basis and must be current at any given time; and
- 26
- 27 (9) Additional information as the Agency, Department or designee may  
28 require.

29  
30 (C) Certificate holders must comply with all city, county, state and federal laws and  
31 ordinances at all times.

32  
33 (D) Certificate holders must accept all of the following: cash, major credit cards and  
34 debit cards, as a form of payment for transportation of passengers. Upon request by the passenger,  
35 the certificate holder shall provide a written or electronic receipt containing the following  
36 minimum information:

- 37
- 38 (1) The certificate holder's name;
- 39 (2) Vehicle number;
- 40 (3) Date;



1 (4) Driver name; and

2 (5) Total cost of fare.

3 (E) Taxicab certificate holders must provide service twenty-four (24) hours a day,  
4 seven days a week.

5  
6 (F) All certificate holders shall maintain records of all vehicles utilized by the business;  
7 all vehicle inspections, including those required by Section 8(C) of this Ordinance; proof of  
8 insurance for all vehicles as required by Section 8(D) of this Ordinance; and all drivers utilized by  
9 the certificate holder, for at least three (3) years. All records required to be maintained and/or  
10 provided under this Ordinance may be maintained and/or provided in electronic or paper form.

11  
12 (G) All certificate holders shall cooperate with the Agency and/or the Department to  
13 permit audits of the certificate holders' records to verify compliance with the requirements of this  
14 Ordinance.

15  
16 **SECTION 8. VEHICLE PERMIT REQUIREMENTS.**

17 (A) No person shall operate or cause to allow the operation of a vehicle for hire without  
18 first obtaining a valid permit for that vehicle from the Agency.

19  
20 (B) Every certificate holder shall obtain and/or ensure that each vehicle it utilizes to  
21 provide vehicle for hire services in the County obtains a permit from the Agency.

22  
23 (C) Prior to obtaining a permit, each vehicle must be inspected and certified by an ASE  
24 (Automotive Service Excellence) certified mechanic or commercial auto repair facility licensed  
25 by the State of Florida. The vehicle must pass a safety and mechanical inspection. All vehicles  
26 must pass the inspection on an annual basis and each year thereafter. The certificate holder must  
27 provide proof of evidence of such inspection at the time of initial application for the permits and  
28 annually thereafter upon renewal of the permits. The inspection shall include, at a minimum, the  
29 following:

30  
31 (1) Foot brakes and parking brake;

32  
33 (2) Condition of tires, including tread depth;

34  
35 (3) Windshield;

36  
37 (4) Windshield wipers;

38  
39 (5) Headlights;

40  
41 (6) Taillights;

- 1 (7) Brake lights;
- 2
- 3 (8) Turn indicator lights;
- 4
- 5 (9) Door and lock operation;
- 6
- 7 (10) Horn;
- 8
- 9 (11) Speedometer;
- 10
- 11 (12) Interior and exterior rearview and side view mirrors;
- 12
- 13 (13) Safety belts;
- 14
- 15 (14) Air conditioning;
- 16
- 17 (15) Suspension and steering;
- 18
- 19 (16) Front seat adjustment mechanism;
- 20
- 21 (17) Bumper;
- 22
- 23 (18) Muffler and exhaust system; and
- 24
- 25 (19) Oil or other fluid leaks.
- 26

27 (D) Certificate holders shall at all times maintain motor vehicle liability insurance for  
28 each permitted vehicle which complies with Chapter 324, Florida Statutes, as may be amended, as  
29 it relates to for hire passenger transportation vehicles. The certificate holder must provide proof of  
30 evidence of such insurance at the time of the initial application for permits and annually thereafter  
31 upon renewal of the permits. For vehicles for hire that will provide for hire transportation services  
32 on property belonging to the Tampa Port Authority, such insurance policy must name the Tampa  
33 Port Authority as an additional insured.

34  
35 (E) Permitted vehicles shall be structurally sound and be maintained in proper operating  
36 condition at all times. The interior of permitted vehicles shall also be kept clean, sanitary, and free  
37 from damage. The exterior of permitted vehicles must be free from cracks, breaks, dents and  
38 fading that would impair the safety or appearance of the vehicle. Vision from a permitted vehicle  
39 cannot be obstructed on any side of the vehicle.

40  
41 (F) A vehicle for hire cannot exceed twelve (12) model years on September 1<sup>st</sup> of any  
42 year. A permit shall not be issued for a vehicle for hire that exceeds twelve (12) model years.

1 (G) All taxicabs, handicabs and vans are required to display the certificate holder's  
2 name on each side of the vehicle and rear bumper or trunk tailgate area.

3  
4 (H) All permitted vehicles are required to display two permit stickers issued by the  
5 Agency. One sticker shall be placed on the bottom corner of the rear window located on the  
6 driver's side of the vehicle. The other sticker shall be placed on the bottom corner of the front  
7 windshield glass on the passenger side of the vehicle. Stickers shall only be placed on the vehicle  
8 for which the permit is issued and shall not be transferred to any other vehicle.

9  
10 (I) Once an initial certificate holder is approved for its certificate and permits by the  
11 Agency, at any point thereafter, it may submit an application for additional permits.

12  
13 (J) The Agency may issue, for good cause, temporary permits to existing certificate  
14 holders for a period not to exceed seven (7) days. Such temporary permits may be reissued, again  
15 for good cause, but for not more than four (4) successive seven (7) day periods. Issuance of a  
16 temporary permit shall not in any way be construed to estop the Agency from subsequently  
17 denying an application for a permanent permit. Certificate holders applying for temporary permits  
18 must state the basis for the need for the temporary permits, to include the prospective passengers  
19 served and how the vehicles will be utilized. Prior to issuance of such temporary permits, the  
20 applicant must submit payment of the prescribed fees, as provided for by Resolution, which may  
21 be amended, proof of required insurance, as specified by Section 8(D) of this Ordinance, and proof  
22 the vehicle(s) has passed inspection as specified by Section 8(C) of this Ordinance.

23  
24 (K) All permitted vehicles are subject to inspection by the Agency and/or Department  
25 at any time to ensure compliance with the provisions of this Ordinance.

26  
27 (L) All handicabs equipped for wheelchair transportation shall comply with the  
28 following:

29  
30 (1) Each handicab shall have a lift or ramp, operated manually, electrically  
31 and/or hydraulically, with sufficient capacity to safely and smoothly  
32 facilitate the entrance of passengers into the vehicle and exit from the  
33 vehicle;

34  
35 (2) Each handicab shall have, for each passenger transported, two (2) positive  
36 means of securely latching or locking to the vehicle the wheelchair in which  
37 a passenger will ride. The latching device shall be designed to prevent any  
38 lateral, longitudinal or vertical motion of the passenger conveyance within  
39 the vehicle;

40  
41 (3) Each handicab shall have, for each passenger transported, restraining belts,  
42 or straps designed to securely confine passengers to wheelchairs in which  
43 they are transported;

- 1 (4) Handicab entry and exit doors shall be equipped with latching devices  
2 sufficient to restrain individual passenger conveyances within the passenger  
3 compartment of the vehicle;  
4
- 5 (5) Each handicab must have a minimum of fifty-six inches (56") headroom  
6 from the finished floor to the finished ceiling in the passenger compartment,  
7 including door opening to allow for proper head clearance of the passenger  
8 seated in the wheelchair; and  
9
- 10 (6) The floor covering shall be seamless, one piece, and made of permanently  
11 applied materials, which can be maintained in a safe, sanitary and odor free  
12 manner, and shall extend the full length and width of the passenger  
13 compartment. Where side panels and covering meet at the joints and side  
14 walls, they shall be sealed and bordered with rustproof, corrosion-resistant  
15 cove moldings.  
16

17 (M) All handicabs equipped for stretcher transportation shall comply with the  
18 following:  
19

- 20 (1) Each handicab shall have a crash stable side or center mounting style litter  
21 fastener of the quick release type;  
22
- 23 (2) Each handicab shall have at least two (2) strap type restraining devices  
24 provided per stretcher cot and litter to prevent longitudinal or transverse  
25 dislodging of the patient during transit;  
26
- 27 (3) Each handicab shall have a smooth floor which has a minimum of voids or  
28 pockets at the floor to side wall areas where water or moisture can become  
29 trapped;  
30
- 31 (4) Each handicab shall have clean blankets, linen or disposable sheets to be  
32 used for each patient;  
33
- 34 (5) Each handicab shall have airtight storage compartments for soiled linen;  
35 and  
36
- 37 (6) Each handicab shall two (2) attendants who have been issued public  
38 vehicle driver's licenses by the Agency.  
39

40 (N) Certificate holders shall not permit a person to drive or operate any permitted  
41 vehicle unless such person has been issued a public vehicle driver's license as specified in Section  
42 9 of this Ordinance.  
43

1     **SECTION 9.           PUBLIC VEHICLE DRIVER’S LICENSE REQUIREMENTS.**

2           (A)     No Person shall operate a vehicle for hire without first obtaining a public vehicle  
3 driver’s license (“PVDL”). An application for a PVDL must be submitted to the Agency in the  
4 format prescribed by the Agency. Persons who obtained a PVDL, prior to and which is valid as  
5 of the effective date of this Ordinance, do not need to apply for a new PDVL from the Agency.  
6 However, such person is subject to the renewal provisions of Section 10 of this Ordinance upon  
7 expiration of his/her current PVDL, and, at that time, will also be required to provide a set of  
8 fingerprints and sufficient information as described in Section 9(B)(1) below to enable the Agency  
9 to obtain a Level II criminal background screening.

10  
11           (B)     Each applicant shall, at a minimum, provide the following information as part of  
12 the application process:

- 13  
14                   (1)     A set of fingerprints and sufficient information in the manner prescribed  
15                   by the Agency to enable the Agency to obtain a Level II criminal  
16                   background screening on the applicant; and  
17  
18                   (2)     Payment of an initial, non-refundable application fee as provided for by  
19                   Resolution, which may be amended.  
20

21           (C)     Each applicant must possess a valid driver’s license in said driver’s name issued by  
22 the State of Florida. Such driver’s license must be valid for at least twelve (12) months prior to  
23 being issued a PVDL. In order to be granted a PVDL, the applicant must not have had any  
24 suspensions or revocations of the driver’s license within the past eight (8) years and cannot have  
25 more than nine (9) points assessed against his or her driver’s license at the time of application for  
26 the PVDL.

27  
28           (D)     All applicants for PVDL’s must undergo a Level II criminal background screening.  
29

30           (E)     Any applicant/driver must not have been found guilty or been convicted of or pled  
31 guilty or nolo contendere to any disqualifying offense as specified below:

- 32  
33                   (1)     Driving under the Influence (DUI) of alcohol or drugs within the past eight  
34                   (8) years;  
35  
36                   (2)     Reckless Driving within the past three (3) years;  
37  
38                   (3)     Any violent crime felony or attempted violent crime felony, including, but  
39                   not limited to: murder; attempted murder; attempted felony murder;  
40                   manslaughter; armed robbery; robbery; assault with a deadly weapon;  
41                   aggravated battery; aggravated assault; kidnapping; attempted kidnapping;

- 1 false imprisonment; armed burglary; aggravated stalking; home invasion;  
2 carjacking; and, attempted home invasion;  
3  
4 (4) Any property crime felony within the past five (5) years, including, but not  
5 limited to: grand theft; burglary; fraud; and, felony criminal mischief;  
6  
7 (5) Any felony crime involving the sale or possession of a controlled substance,  
8 as defined by Section 893.03, Florida Statutes, as may be amended, within  
9 the past five (5) years;  
10  
11 (6) Any misdemeanor crime involving a controlled substance, as defined by  
12 Section 893.03, Florida Statutes, as may be amended, within the past two  
13 (2) years;  
14  
15 (7) DUI Manslaughter or vehicular manslaughter/homicide;  
16  
17 (8) Leaving the scene of an accident with death or serious bodily injury;  
18  
19 (9) Leaving the scene of an accident with property damage within the past five  
20 (5) years;  
21  
22 (10) Any sex crime as defined in Chapter 794, Florida Statutes, as may be  
23 amended;  
24  
25 (11) Any person who is required by law to register as a sex offender/predator,  
26 career offender, or convicted felon pursuant to Sections 775.13, 775.21,  
27 775.261, 943.0435, 944.607, or 944.608, Florida Statutes, as may be  
28 amended;  
29  
30 (12) Any crime related to lewdness and indecent exposure as defined in Chapter  
31 800, Florida Statutes, as may be amended;  
32  
33 (13) Any crime related to prostitution as defined in Chapter 796, Florida  
34 Statutes, as may be amended, within the past three (3) years;  
35  
36 (14) Any crime in violation of the Florida RICO (Racketeering Influenced and  
37 Corrupt Organization) Act, currently Sections 895.01 through 895.06,  
38 Florida Statutes, as may be amended; or  
39  
40 (15) Any offense committed in another jurisdiction that would be an offense  
41 listed in this Section 9(E) if that offense had been committed in the State of  
42 Florida.

1 (F) An applicant determined eligible for a PVDL and subsequently arrested, charged,  
2 and/or found guilty or been convicted of or pled guilty or nolo contendere to any disqualifying  
3 offense listed above shall notify the Agency of such within five (5) days.  
4

5 (G) All applicants for a PVDL to operate a handicab must have completed a state  
6 certified standard first aid course; state certificated standard CPR training course; and a defensive  
7 driving course. Such applicant must provide copies of certificates or other evidence that such  
8 courses have been completed to the Agency at the time of the application. All drivers issued  
9 PVDL's to operate a handicab must maintain these required certifications and must provide  
10 evidence of such at the time of renewal.  
11

12 (H) Each taxicab, handicab and van driver shall possess and display the PVDL on his  
13 or her person at all times in a manner that is readily visible by passengers while driving his or her  
14 vehicle for hire or while on duty as a vehicle for hire driver. Each limousine driver shall possess  
15 and display the PVDL upon the request of a passenger or any representative of the Agency and/or  
16 Department.  
17

18 (I) A driver shall not operate a vehicle for hire if his or her PVDL has expired or has  
19 been revoked or suspended.  
20

21 (J) A driver shall not operate a vehicle for hire unless such vehicle is permitted by the  
22 Agency as required by Section 8 of this Ordinance.  
23

24 (K) Drivers shall keep their vehicle clean and orderly at all times.  
25

26 (L) Drivers shall be hygienically clean, well-groomed and neat and clean in appearance  
27 and suitably dressed, while on duty. Suitably dressed is interpreted to mean, at a minimum, that  
28 the driver shall wear clean trousers or knee-length hemmed shorts, shoes and socks and a shirt with  
29 a collar. T-shirts, exposed underwear, tank tops, body shirts, swimwear, jogging suits, swimming  
30 or athletic shorts, sandals, and open-toed footwear are not allowed.  
31

32 (M) Drivers must use the shortest possible route (time or distance) to the passenger's  
33 destination, unless a specific or different route is requested or approved by the passenger paying  
34 the fare.  
35

36 (N) Drivers shall accept cash, major credit cards and debit cards as a form of payment  
37 for transportation of passengers.  
38

39 (O) No driver shall use abusive language, nor be discourteous to passengers.  
40

1 (P) No driver will use a cellular phone or other electronic device, with the exception of  
2 a GPS or other navigational systems, other than in hands-free mode, while driving the vehicle with  
3 a passenger.  
4

5 (Q) No driver will smoke cigarettes, cigars or other devices while a passenger is in the  
6 vehicle.  
7

8 (R) A driver will operate the vehicle's air conditioner at the request of the passenger, if  
9 not already operating.  
10

11 (S) No driver will transport any child 5 years of age or younger, unless the child's  
12 parent(s), guardian or other person responsible for the child's welfare as defined in Section 39.01,  
13 Florida Statutes, as may be amended, provides for the protection of the child during transport as  
14 required by Section 316.613, Florida Statutes, as may be amended.  
15

16 (T) All drivers shall provide documentation demonstrating that the driver's vehicle has  
17 been inspected as provided for by Section 8(C) of this Ordinance to the Agency or the Department  
18 upon request. Such records may be maintained and/or provided in electronic or paper form.  
19

20 (U) All drivers shall cooperate with the Agency and/or the Department to permit  
21 inspections of vehicles to verify compliance with the requirements of this Ordinance.  
22

23 **SECTION 10. CERTIFICATION, PERMIT AND PUBLIC VEHICLE DRIVER'S**  
24 **LICENSE RENEWAL REQUIREMENTS.**

25 (A) All certificates, permits and PVDL's must be renewed annually. To apply for  
26 renewal of a certificate, permit or PVDL, the certificate holder or PVDL licensee must submit an  
27 application for renewal along with payment of the non-refundable certificate, permit or PVDL fee,  
28 as provided for by Resolution, as may be amended.  
29

30 (B) Prior to obtaining a renewal permit, the certificate holder must provide proof of  
31 evidence to the Agency that each vehicle for which it seeks renewal of a permit has passed an  
32 annual safety and mechanical inspection as specified in Section 8(C) of this Ordinance and is  
33 covered by motor vehicle liability insurance as provided for by Section 8(D) of this Ordinance.  
34

35 **SECTION 11. ADDITIONAL CERTIFICATE, PERMIT AND PUBLIC VEHICLE**  
36 **DRIVER'S LICENSE RELATED REQUIREMENTS.**

37 (A) A certificate holder shall notify the Agency in writing no later than ten (10) days  
38 after changing its physical address from which the business will be operated or mailing address at  
39 which notice of any information pertinent to the business shall be considered received and binding  
40 upon the certificate holder.  
41



1 (B) Certificates, permits, and PVDL's issued to one person by the Agency cannot be  
2 transferred to another person.

3  
4 **SECTION 12. RATES.**

5 Taxicab, limousine, handicab or van certificate holders or drivers shall only charge rates  
6 set forth and established by Resolution, as may be amended. The rates prescribed by Resolution  
7 do not apply to gratuities.

8 **SECTION 13. GROUND FOR DENIAL, SUSPENSION OR REVOCATION OF**  
9 **CERTIFICATES AND PERMITS.**

10 The Agency may deny or refuse to issue a certificate and permits and the Department may  
11 suspend or revoke a certificate and permits based upon a determination that the applicant or  
12 certificate holder:

- 13 (A) Failed to meet the requirements for certification and permits as provided in this  
14 Ordinance;
- 15  
16 (B) Failed to provide information and/or documents associated with the application and  
17 renewal process outlined in this Ordinance;
- 18  
19 (C) Made false statements or misrepresentations associated with certificate and/or  
20 permit applications or inquiries regarding information requested and/or provided  
21 during the application and renewal process outlined in this Ordinance;
- 22  
23 (D) Engaged in prohibited conduct as provided in Section 16 of this Ordinance;
- 24  
25 (E) Failed to comply with an Order of the Hillsborough County Code Enforcement  
26 Board or Special Magistrate;
- 27  
28 (F) Failed to comply with an Order of a Hearing Officer; or
- 29  
30 (G) Failed to allow for inspection of a vehicle for hire or to otherwise cooperate with  
31 requests for information or an investigation being conducted by either the Agency  
32 or the Department.

33  
34 **SECTION 14. GROUND FOR DENIAL, SUSPENSION OR REVOCATION OF**  
35 **PUBLIC VEHICLE DRIVER'S LICENSES.**

36 The Agency may deny or refuse to issue a PVDL and the Department may suspend or  
37 revoke a PVDL based upon a determination that the applicant or license holder:

- 38 (A) Failed to meet the requirements for licensure as provided in this Ordinance,  
39 including those in Section 9 of this Ordinance as it relates to State of Florida Driver's Licenses;

1 (B) Is disqualified based upon a criminal background check pursuant to this Ordinance;  
2

3 (C) Is found guilty or been convicted of or pled guilty or nolo contendere to a  
4 disqualifying offense listed in Section 9(E) of this Ordinance, at any point after the initial issuance  
5 of a PVDL.  
6

7 (D) Failed to provide information and/or documents associated with the application and  
8 renewal process outlined in this Ordinance;  
9

10 (E) Made false statements or misrepresentations associated with applications for new  
11 or renewal PVDL's or inquiries regarding information requested/provided during the application  
12 and renewal process outlined in this Ordinance;  
13

14 (F) Engaged in prohibited conduct as provided in Section 16 of this Ordinance;  
15

16 (G) Failed to comply with an Order of the Hillsborough County Code Enforcement  
17 Board or Special Magistrate;  
18

19 (H) Failed to comply with an Order of a Hearing Officer; or  
20

21 (I) Failed to allow for inspection of a vehicle for hire or to otherwise cooperate with  
22 requests for information or an investigation being conducted by either the Agency or the  
23 Department.  
24

25 **SECTION 15. DUE PROCESS IN THE EVENT OF DENIAL, SUSPENSION OR**  
26 **REVOCAION OF CERTIFICATES, PERMITS AND PUBLIC**  
27 **VEHICLE DRIVER'S LICENSES.**

28 The applicant, certificate holder or PVDL licensee whose application has been denied or  
29 whose certificate, permit, or PVDL has been suspended or revoked may contest such denial,  
30 suspension or revocation by requesting a hearing before a Hearing Officer. In order to contest, the  
31 applicant, certificate holder or PVDL licensee must submit a written request to the Department  
32 within ten (10) days of the delivery date of the notice of denial, suspension or revocation. If a  
33 request to contest is timely submitted, a hearing shall be scheduled, noticed and conducted in  
34 accordance with Section 20 of this Ordinance and the Hearing Procedures adopted by the County  
35 Administrator. If no request is timely submitted, the applicant, certificate holder or PVDL licensee  
36 shall be deemed to have waived his or her right to contest the denial, suspension or revocation and  
37 must cease operations of providing vehicle for hire services.  
38

39 **SECTION 16. PROHIBITED CONDUCT.**

40 It shall be a violation of this Ordinance for a person to:

1 (A) Provide vehicle for hire services in the County without a certificate or a permit for  
2 each vehicle providing such services;

3  
4 (B) Operate a vehicle for hire without a PVDL;

5  
6 (C) Fail to provide information and/or documents associated with the certificate, permit  
7 or PVDL application process outlined in this Ordinance;

8  
9 (D) Make false statements or misrepresentations associated with certificate, permit or  
10 PVDL applications or inquiries regarding information requested/provided during the application  
11 process outlined in this Ordinance;

12  
13 (E) Operate a vehicle for hire business at a location other than the one(s) appearing on  
14 the certificate issued by the Agency;

15  
16 (F) Fail to comply with an Order of Hillsborough County Code Enforcement Board  
17 and/or Special Magistrate;

18  
19 (G) Fail to comply with an Order of a Hearing Officer;

20  
21 (H) Fail to comply with any requirement of this Ordinance; or

22  
23 (I) Fail to allow for inspection of a vehicle for hire or to otherwise cooperate with  
24 requests for information or an investigation being conducted by either the Agency or the  
25 Department.

26  
27 **SECTION 17. FILING OF COMPLAINTS.**

28 (A) Any person who witnesses or who is subjected to an unlawful practice or conduct  
29 in violation of this Ordinance may file a written complaint with the Department.

30  
31 (B) If a person files a written complaint with the Department, the complaint shall  
32 contain as much of the following information as is available:

33  
34 (1) Name and address of the person alleged to have committed the offense;

35  
36 (2) Date of the alleged offense;

37  
38 (3) General statement of the facts of the alleged offense;

39  
40 (4) Name and signature of the complainant; and

41  
42 (5) Such other information as required by the Department.

1 (C) Notwithstanding this Section, the Department may, on its own initiative, investigate  
2 any potential violation which it becomes aware regardless of the absence of a written or verbal  
3 complaint.  
4

5 **SECTION 18. ENFORCEMENT AND PENALTIES FOR VIOLATIONS.**

6 (A) The County's code enforcement officers, law enforcement or any other person  
7 authorized to enforce County ordinances may enforce the provisions of this Ordinance.  
8

9 (B) Pursuant to the provisions of Section 125.69, as may be amended, any person  
10 violating the provisions of this Ordinance may be subject to prosecution in the name of the State  
11 of Florida in the same manner as misdemeanors are prosecuted; and, upon conviction, such person  
12 shall be punished by a fine not to exceed \$500.00 per violation, or by imprisonment in the County  
13 jail not to exceed 60 days, or by both such fine and imprisonment.  
14

15 (C) When enforced by a code enforcement officer, the enforcement provisions and  
16 procedures authorized by Chapter 162, Florida Statutes, Parts I and II, as may be amended, and as  
17 outlined in Chapter 14, Article II of the Hillsborough County Code of Ordinances and Laws, as  
18 amended, shall apply.  
19

20 (D) Nothing contained herein shall prevent the County from taking such other lawful  
21 action in law and equity as may be necessary to remedy any violation of, or refusal to comply with,  
22 any part of this Ordinance including but not limited to:  
23

- 24 (1) Pursuit of injunctive and/or declaratory relief in a court of competent  
25 jurisdiction;  
26  
27 (2) Initiating an action to recover any and all damages that may result from a  
28 violation of, or refusal to comply with, any part of this Ordinance; and  
29  
30 (3) Utilizing any other action or enforcement method allowable by law.

31 (E) Each day of a continuing violation shall constitute a separate violation.  
32

33 **SECTION 19. APPOINTMENT OF HEARING OFFICERS.**

34 Hearing Officers referred to in this Ordinance shall be appointed in accordance with the  
35 Resolution. Such Hearing Officers shall have jurisdiction to conduct hearings on denials of  
36 certificate, permit and PVDL applications and suspensions and revocations of certificates, permits  
37 and PVDL's. Hearing Officers shall have all of the powers granted to them in the Resolution to  
38 include the power to issue subpoenas for production of documents or attendance of witnesses at  
39 hearing.  
40  
41

1 **SECTION 20. HEARINGS.**

2 (A) Hearings before a Hearing Officer shall be scheduled, noticed and conducted in  
3 accordance with the Hearing Procedures adopted by the County Administrator.

4  
5 (B) The decision of the Hearing Officer shall be final and binding on both the Agency  
6 and/or the Department and the Respondent.

7  
8 (C) The County Attorney's Office may provide legal representation to the Agency  
9 and/or the Department in proceedings before the Hearing Officer.

10

11 **SECTION 21. APPEALS.**

12 Either the Agency and/or Department or a Respondent may appeal an Order of the Hearing  
13 Officer to the circuit court within thirty (30) days following the issuance of the Order. The  
14 responsibility for, and the costs associated with, preserving a written record of the hearing for  
15 appeal and providing such written records to the circuit court shall rest with the party appealing  
16 the Order.

17

18 **SECTION 22. SERVICE OF NOTICE.**

19 Any notice required or permitted by this Ordinance shall be in writing and sent by certified  
20 mail, return receipt requested, or hand delivery with proof of delivery, to the last known address  
21 of the Respondent, except notices for code violations shall be provided in the manner prescribed  
22 by Chapter 14, Article II of the Hillsborough County Code of Ordinances and Laws, as amended.

23

24 **SECTION 23. OTHER RIGHTS AND REMEDIES.**

25 Nothing herein shall prevent any person from exercising any right or seeking any private  
26 remedy or redress to which one might otherwise be entitled.

27

28 **SECTION 24. APPLICABILITY.**

29 It is hereby intended that this Ordinance shall constitute a uniform law applicable in all of  
30 the unincorporated areas of Hillsborough County, Florida, and to all incorporated areas of  
31 Hillsborough County where there is no existing conflict of law or municipal ordinance.

32

33 **SECTION 25. ALLOCATION OF FEES.**

34 Fees collected pursuant to this Ordinance shall be used exclusively to pay for the County's  
35 administrative costs including but not limited to the application process, inspections, background  
36 checks, enforcement activities and any associated training.

37

1 **SECTION 26. SEVERABILITY.**

2 If any portion of this Ordinance is for any reason held invalid or declared to be  
3 unconstitutional, inoperative or void by any court of competent jurisdiction, such holdings shall  
4 not affect the validity of the remainder of this Ordinance.

5  
6 **SECTION 27. RESOLUTION OF CONFLICT OF LAWS.**

7 In all instances where Florida law, as evidenced by the Florida Administrative Code,  
8 Florida Statutes, applicable case law or otherwise, mandates standards or requirements that are  
9 stricter than the provisions of this Ordinance, or where a matter is addressed by Florida law that is  
10 not addressed by this Ordinance, then said law shall govern. In situations where this Ordinance  
11 addresses a matter in a manner that is stricter than that of Florida law, the provisions of this  
12 Ordinance shall control.

13  
14 **SECTION 28. INCLUSION IN THE HILLSBOROUGH COUNTY CODE.**

15 The provisions of this Ordinance shall be included and incorporated in the Hillsborough  
16 County Code, as an addition or amendment thereto, and shall be appropriately renumbered to  
17 confirm to the uniform numbering system of the Hillsborough County Code, once established.

18  
19 **SECTION 29. FILING OF ORDINANCE.**

20 In accordance with the provisions of Section 125.66, Florida Statutes, a certified copy of  
21 this Ordinance shall be filed with the Department of State.

22  
23 **SECTION 30. EFFECTIVE DATE.**

24 This Ordinance shall become effective upon filing with the Florida Department of State.

25  
26 **THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

27

1 **STATE OF FLORIDA**  
2 **COUNTY OF HILLSBOROUGH**  
3

4 I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County  
5 Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing  
6 is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its  
7 meeting of \_\_\_\_\_, 2017, as the same appears of record in Minute Book \_\_\_\_\_, of the Public  
8 Records of Hillsborough County Florida.  
9

10  
11  
12  
13  
14  
15  
16  
17 WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_ 2017.  
18

19  
20 PAT FRANK  
21 CLERK OF CIRCUIT COURT  
22

23  
24 By: \_\_\_\_\_  
25 Deputy Clerk  
26

27 Approved by County Attorney  
28 as to Form and Legal Sufficiency  
29

30  
31 By: \_\_\_\_\_  
32 Cynthia S. Oster  
33 Sr. Assistant County Attorney  
34  
35  
36  
37  
38  
39