

Chapter 55 - REGULATION OF TAXICABS, LIMOUSINES, LUXURY PASSENGER VEHICLES, SHUTTLES AND OTHER VEHICLES-FOR-HIRE

FOOTNOTE(S):

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**Editor's note**— Chapter 55 was repealed and replaced by Ord. of 4-20-1998, Doc. #31157.

ARTICLE I. - MOTORIZED VEHICLES

Sec. 55.01. - Short Title.

Sections 55.01 through 55.37 may be cited as "the City of Orlando Vehicles-for-Hire Ordinance."  
(Ord. of 4-20-1998, Doc. #31157)

Sec. 55.02. - Definitions.

(1) *Charter Service* means a:

- (a) chauffeur-driven;
- (b) passenger vehicle;
- (c) that is pre-arranged and pre-sold, which means: booked prior to the arrival of the passenger at the place of origin for the vehicle trip; through reservations which have been received via email, fax or telephone; which have been made at least 30-minutes in advance of the vehicle trip; and are documented in writing; and
- (d) during which hired period the driver and vehicle remain under the direct supervision of the hiring party and accept no other fares throughout the hiring period.

(3) *Chauffeur-Driven* means the operation of a Vehicle-for-Hire.

(4) *Chief of Police* means the Chief of the Orlando Police Department or a duly authorized designee.

(5) *Compensation* means any fare, reward, tip, gratuity, donation, or other thing of value which a driver or owner of a vehicle accepts or receives or offers to accept or receive in return for furnishing such service.

(6) *Continued services* means a period during which services are provided by a Vehicle for Hire driver, throughout which the driver and vehicle remain under the direct supervision of the hiring party and may not accept any other fares.

(7) *Driver* means any person who has been issued a Driver's Permit pursuant to Part V of this Chapter to operate a Vehicle-for-Hire within the City limits of the City of Orlando.

(8) *Driver's Permit* means a permit issued pursuant to this Chapter which entitles a person to drive or operate a Vehicle-for-Hire within the jurisdictional limits of the City of Orlando.

(9) *Green Taxicab* means

- (a) a taxicab as defined in this chapter;
- (b) that is certified by the United States Environmental Protection Agency to be an Inherently Low Emissions Vehicle (ILEV) or a Hybrid Electric Vehicle (HEV); and
- (c) complies with the minimum fuel economy standards set forth in Title 23 of the U.S. Code, section 166(f)(3)(B).

Green Taxicabs are considered taxicabs for purposes of administering this chapter and all regulations provided for taxicabs shall apply to Green Taxicabs unless otherwise indicated.

- (10) *Limousine* means a:
- (a) chauffeur-driven;
  - (b) passenger vehicle; and
  - (c) built or modified-for-the-purpose as a limousine.
- (11) *Low-speed vehicle* means a four-wheeled electric vehicle whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour, including neighborhood electric vehicles as defined by § 320.01, Florida Statutes.
- (12) *Luxury Passenger Vehicle* means a:
- (a) chauffeur-driven;
  - (b) passenger vehicle recognized by the industry as a full-size luxury passenger vehicle, including vintage or classic passenger vehicles; and
  - (c) seating a maximum of eight (8) including the driver.
- (13) *Luxury/Custom Van* means a:
- (a) chauffeur-driven;
  - (b) full-sized, customized (not assembly-line produced) van type passenger vehicle; and
  - (c) outfitted with luxury amenities, as recognized by the industry.
- (14) *Meter or Taxicab Meter* means any mechanical, digital or electronic device which serves to monitor the distance, time, and mileage to determine the fare to be charged a passenger of a Vehicle-for-Hire.
- (15) *Minority and Women-Owned Business Enterprise (M/WBE) Block Lottery* means that method used for the selection of applicants for the distribution of one 20 permit block of new M/WBE Taxicab Vehicle Permits to a M/WBE to be determined in accordance with the guidelines established pursuant to Articles II and III Minority and Women-Owned Business Enterprise, Chapter 57 of the Code of the City of Orlando by specifically incorporating by reference the provisions of Sections 57.15(1) & (2), 57.22(1), 57.28, 57.29(1-3) of Chapter 57 in general, and as they are applicable to the Vehicle-for-Hire permitting goals as set forth herein.
- (16) *Motor Vehicle* means a vehicle that is motorized or self-propelled by power other than muscular power or by animals. The term does not include traction engines, road rollers, bicycles, mopeds, or motorcycles.
- (17) *New Entrant* means any person that has complied with the minimum application requirements and the minimum entry level standards as set forth in this Chapter, and when applicable the Minority or Women-Owned Business Enterprise certification requirements as set forth in Chapter 57, but who awaits the results of the appropriate Lottery in order to obtain the Taxicab Vehicle Permit.
- (18) *New Entrant and Current Taxicab Permit Holder Lottery* means that method used for the selection of applicants for the distribution of new or additional Taxicab Vehicle Permits to New Entrants and Current Taxicab Permit Holders, to include M/WBE and non-M/WBE Operators and New Entrants.
- (19) *Operate or Operation* means providing or offering to provide Vehicle-for-Hire Services by the (i) Driver or (ii) Vehicle Permit-Holder.
- (20) *Passenger Vehicle* means a motor vehicle used for the transportation of persons.
- (21) *Prearranged Transportation* means for hire services booked prior to the arrival of the passenger at the place of origin for the vehicle trip, through reservations which have been received via email, fax or telephone, at least 30-minutes in advance of the vehicle trip.

- (22) *Prior Calendar Period* or *Prior Period* means span of time from the last calendar year (January 1 to December 31) in which new Taxicab Vehicle Permits were issued through the calendar year immediately preceding the current calendar year.
- (23) *Public Necessity and Convenience Formula* or *Formula* means the formula used, at annual review, to determine the minimum number of new Taxicab Vehicle Permits to be authorized by the City, for purposes of providing for public necessity and convenience.
- (24) *Residential shuttle* means a:
- (a) low-speed vehicle;
  - (b) that is chauffeur-driven;
  - (c) for which no direct compensation is charged to the passengers;
  - (d) with a maximum capacity of six (6) persons including the driver;
  - (e) for which transport is prearranged or arranged through a third party; and
  - (f) is owned or operated by a residential property with fifty (50) or more residential units.
- (25) *Scheduled* means the transportation of persons on pre-determined points of origin, destination, or schedules of service.
- (26) *Scheduled Service* means operating on a time schedule and/or a fixed route.
- (27) *Shuttle Service* means a chauffeur-driven passenger vehicle providing scheduled Vehicle-for-Hire service.
- (28) *Statistical Metropolitan Area (SMA)* means all of the land area within Orange, Seminole, Lake and Osceola Counties.
- (29) *Taxicab* means a chauffeur-driven passenger vehicle transporting persons not on regular schedules with the routes traveled or the destination determined by the passengers.
- (30) *Taxicab Permit-Holder* means any person that has complied with the minimum application requirements, and the applicable entry level standards or requirements as set forth in this Chapter, has been issued a Taxicab Vehicle Permit(s), and operates a Taxicab in service pursuant to the Vehicle Permit, as prescribed by this Chapter.
- (31) *Transportation Engineer* means the Transportation Engineer for the City of Orlando, or a duly authorized designee.
- (32) *Tri-County Area* means all of the land area within Orange, Seminole and Osceola Counties.
- (33) *Van* means a passenger vehicle with a minimum capacity of seven persons and a maximum capacity of fifteen (15) persons, including the driver.
- (34) *Vehicle-for-Hire* means any passenger vehicle engaged in the transportation of persons from or entirely within the municipal limits of Orlando with the intent to receive direct or indirect compensation for providing such transportation, including providers which only accept gratuities or tips.
- (35) *Vehicle-for-Hire Administrator* means the person who has been designated, or his or her designee, to administer, enforce, regulate and interpret the provisions of this chapter.
- (36) *Vehicle Permit* means the permit issued pursuant to this Chapter which grants the privilege to operate one Vehicle-for-Hire within the jurisdictional limits or upon the public roadways of the City of Orlando.
- (37) *Vehicle Permit-Holder* means any person who holds a Vehicle Permit(s) for the operation of any category of Vehicle-for-Hire within the jurisdictional limits of or upon the public roadways of the City of Orlando. For purposes of interpretation within this Chapter, the term Vehicle Permit-Holder includes any agent, employee or any person acting with the Vehicle Permit-Holder's knowledge,

consent or permission, whether express or implied. The term Vehicle Permit-Holder also includes a Taxicab Permit-Holder, as defined above.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 1, Doc. #32438; Ord. of 12-6-1999, § 1, Doc. #32482; Ord. of 1-11-2007, § 2, Doc. #0701111008; Ord. of 12-14-2009, § 1, Doc. #0912141105; Ord. No. 2013-6, § 1, 2-4-2013, Doc. #1302041203)

## PART I. - ADMINISTRATION

### Sec. 55.03. - Staff Administration.

- (1) *Vehicle-for-Hire Administrator and Officer.* The Chief of Police shall designate a Vehicle-for-Hire Administrator and Officer(s) who shall administer, enforce, regulate and interpret the provisions of this Chapter.
  - (a) *Powers Granted Herein.* The Vehicle-for-Hire Administrator and Officer(s) shall have the powers and duties delegated herein.
  - (b) *Interpretation of this Chapter.* The Vehicle-for-Hire Administrator, after consultation with the City Attorney, shall interpret the provisions of this Chapter. Any interpretation shall not conflict with this Chapter. All interpretations shall be in writing.
    - (i) Interpretations of this Chapter by the Vehicle-for-Hire Administrator shall be binding. The applicant may appeal the interpretation to the Vehicle-for-Hire Board for a de novo review.

The Vehicle-for-Hire Administrator shall present the written interpretation to the Vehicle-for-Hire Appeal Board. The Board may approve, modify or reject the interpretation of the Vehicle-for-Hire Administrator. If an interpretation is approved by the Board, then the interpretation shall be retained by the Secretary of the Board and filed with the City Clerk.
    - (ii) Interpretation binding on all circumstances. The Vehicle-for-Hire Administrator may render an interpretation of this Chapter which applies to all circumstances. The Vehicle-for-Hire Administrator shall present the written interpretation to the Vehicle-for-Hire Appeal Board for adoption by the Board. The Board may approve, modify, or reject the interpretation of the Vehicle-for-Hire Administrator. If an interpretation is approved by the Board, then the interpretation shall be retained by the Secretary of the Board and filed with the City Clerk.
- (2) *Chief of Police.* It shall be the duty of the Chief of Police in conjunction with the Vehicle-for-Hire Administrator and Officer(s) to investigate and enforce the provisions of this Chapter.
- (3) *Weights and Measures Official.* The Chief of Police shall designate a Weight and Measures official, as authorized by Florida Statutes § 531.421. Said Official shall be empowered to exercise the duties as enumerated in Florida Statutes § 531.421, within the confines of the City of Orlando.
- (4) *Appeals.* All decisions of the Vehicle-for-Hire Administrator or Officer, Weights and Measures Official, or Chief of Police herein are final binding decisions until changed or altered by the appropriate appellate authority. An appeal shall be filed with the Secretary of the Board within ten (10) days of the decision. The appeal shall then be scheduled for the next upcoming Board meeting, which is at least ten (10) days from the filing of the appeal with the Secretary.

The Board shall conduct a de novo review of the decision, applying the applicable criteria. Failure to file the notice of appeal within the ten (10) day period shall operate as a bar for review.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 6-21-1999, § 1, Doc. #32161; Ord. of 12-6-1999, § 2, Doc. #32482; Ord. No. 2013-6, § 2, 2-4-2013, Doc. #1302041203)

### Sec. 55.04. - Vehicle-for-Hire Appeal Board.

- (1) *Board.* There shall be a Board to be known and designated as the Vehicle-for-Hire Appeal Board. The Board shall consist of five (5) persons, serving without pay, who shall be appointed by the Mayor in accordance with Article XV of Chapter 2 of this Code, subject to confirmation by City Council.
- (2) *Membership.* The membership on the Vehicle-for-Hire Appeal Board shall, whenever possible, consist of one member from the Convention Visitor's Bureau, an attorney, downtown business person, financial services/accountant, and a person representing high user categories. The following persons shall not be members of the Board: City officials, officers, or employees; vehicle for hire or driver for hire permit holders, employees or agents; towing or immobilization service industry members, employees or agents.
- (3) *Meeting Requirements.* The Vehicle-for-Hire Appeal Board shall meet as business requires. The minutes of each meeting shall be filed with the City Council through the City Clerk. Quorum for a meeting in which business is conducted shall be a simple majority of the total membership designated in (1) above. A majority vote of the members present is required for any affirmative action.
- (4) *Election of Officers.* In accordance with the provisions of Chapter 2 of this Code, the Board shall elect a chairman and vice-chairman for the calendar year. The Chair shall preside over all meetings and Robert's Rules of Order shall govern.
- (5) *Powers.* The Vehicle-for-Hire Appeal Board shall have the powers and duties outlined in this Chapter. In addition, the Board shall:
  - a. act as advisor to the Mayor and City Council on matters concerning the Vehicle-for-Hire industry and services; and shall also act upon directives of the administration or City Council;
  - b. have the power to adopt rules and regulations to govern its operations and activities so long as such rules and regulations are consistent with this Chapter;
  - c. have authority to hear appeals from an administrative decision or interpretation of the Towing Enforcement Administrator and Officer(s) established in Chapter 39, Article IX, of City Code within the time period in paragraph (6) below;
  - d. hear appeals from an administrative decision or interpretation of the Vehicle-for-Hire Administrator and Officer(s) within the time period defined in paragraph (6) below;
  - e. have the discretion to modify the limitations imposed by Section 55.29(4) of this Chapter only when extraordinary circumstances exist to show the applicant is not a danger to the riding public. Providing the applicant meets the burden imposed by Section 55.29(5) of this Chapter, the factors which the Board shall consider include, but are not limited to, the following:
    1. Whether or not the offense was a first offense;
    2. Whether the offense involved some type of violence or a tendency towards violence;
    3. Severity of the offense;
    4. Whether or not restitution was made;
    5. Length of time served, if any;
    6. Successful probation status;
    7. Length of time since commission of the offense;
    8. Whether or not it was an isolated criminal incident;
    9. The involvement, if any, of gangs or organized crime entities;
    10. Any other circumstances presented by the applicant which may be relevant.
- (6) *Appeals.* All decisions by the Board are final and binding unless appealed to City Council. The appeal shall be filed with the City Clerk within ten (10) days of the decision. The appeal shall then be scheduled for the next upcoming City Council meeting, which is at least ten (10) days from the date

of filing of the appeal with the City Clerk. Failure to file the notice of appeal within the ten (10) day period shall operate as a bar for review. Such appeal as filed shall not act as supersedeas until such time as the City Council shall take final action on such appeal. The procedure described in this paragraph shall not apply to decisions of the Board in Part VI below in the enforcement of this Ordinance.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 6-21-1999, § 2, Doc. #32161; Ord. of 8-23-1999, § 1, Doc. #32279; Ord. of 11-1-1999, § 2, Doc. #32438; Ord. of 1-11-2007, § 3, Doc. #0701111008; Ord. No. 2012-29, § 11, 10-1-2012, Doc. #1210011201; Ord. No. 2013-6, § 2, 2-4-2013, Doc. #1302041203)

## PART II. - VEHICLE REGULATIONS

### Sec. 55.05. - Jurisdiction.

Any Vehicle-for-Hire operated, caused to be operated, or driven with the intent to pick-up passengers, originate one-way transportation, or provide return service for a round-trip transportation within the jurisdictional limits of or upon the public streets of the City of Orlando shall be subject to the regulations, restrictions and conditions as set forth in this Chapter.

(Ord. of 4-20-1998, Doc. #31157)

### Sec. 55.06. - Exemptions.

- (1) The following categories of Vehicles-for-Hire shall be exempt from the provisions of this Chapter:
  - (a) ambulances licensed by the State of Florida;
  - (b) hearses, operated or limited exclusively to use by a licensed mortician;
  - (c) passenger vehicles seating more than twenty (20) persons;
  - (d) passenger vehicles owned, operated, leased or controlled by a governmental agency;
  - (e) Shuttle Services owned and operated directly by a hotel or motel for transportation limited to registered guests thereof;
  - (f) exclusive ride-sharing vehicles as defined in Florida Statutes § 341.031(9), as amended;
  - (g) School Buses subject to the provisions of Florida Statutes chs. 234 and 316, as amended;
  - (h) Vehicle-for-Hire services provided:
    - (i) as transportation services as outlined in Florida Statutes § 427.015(2) to the Transportation Disadvantaged, as defined in Florida Statutes § 427.011(1), as amended;
    - (ii) by a Transportation Operator, as defined in Florida Statutes § 427.011(6), as amended;
    - (iii) pursuant to a contract authorized in Florida Statutes § 427.0155, as amended, with the Community Transportation Coordinator (CTC), as defined in Florida Statutes § 427.011(5) which contract is on file with the Vehicle-for-Hire Administrator;
    - (iv) providing that the vehicles used to provide such services shall be clearly and distinctively marked as disadvantaged transportation; and
  - (i) Vehicle-for-Hire services licensed by a city, county or other public entity, other than the City of Orlando, as a Vehicle-for-Hire which enters the City of Orlando for the purpose of delivering passengers or providing continued services to passengers who have hired the vehicle in a jurisdiction in which it is licensed to operate, provided, however, that no such Vehicle-for-Hire may solicit or accept any passenger while in the City of Orlando.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 3, Doc. #32438; Ord. of 1-11-2007, § 4, Doc. #0701111008; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

Sec. 55.07. - Additional Requirements to Engage in Business at City Airports.

A Vehicle Permit issued pursuant to this Chapter, shall not be construed as a grant by the City for the Vehicle Permit-Holder to engage in business upon any airport located on City property or operated by the City. The right to engage in Vehicle-for-Hire business at any such airport shall be subject to any permitting requirements, concession agreements, regulations or restrictions adopted by the Greater Orlando Aviation Authority (GOAA).

(Ord. of 4-20-1998, Doc. #31157)

Sec. 55.08. - Categories of Vehicles-for-Hire.

- (1) *Classification.* Every Vehicle-for-Hire permitted pursuant to this Chapter shall be classified according to one of the following categories:
  - (a) Taxicab;
  - (b) Limousine;
  - (c) Luxury Passenger Vehicle;
  - (d) Luxury/Custom Van;
  - (e) Shuttle Service; or
  - (f) Residential Shuttle.
- (2) *Method of Classification.* The applicant for a Vehicle Permit shall request the particular category on the application for a Vehicle Permit submitted pursuant to Part III, below. The classification shall be made by the Vehicle-for-Hire Administrator by descending from subparagraph (1)(a) to (e), above, until:
  - (a) the first category definition contained in § 55.02 applies to the proposed Vehicle-for-Hire; and
  - (b) the proposed Vehicle-for-Hire satisfies the applicable requirements contained in this Chapter.

The classification shall be consistent with the provisions of this Chapter.

- (3) *Purpose of Classification.* The purpose of the classification is to:
  - (a) ensure that different forms of Vehicle-for-Hire Service are recognized;
  - (b) avoid misleading or creating confusion among the traveling public; and
  - (c) provide notice to the Vehicle Permit-Holder of the classification and the applicable limitations and regulations pertaining to the category.
- (4) *Category Use Restrictions.* Vehicle-for-Hire Permit-Holder shall only provide the service specified below:
  - (a) *Taxicab.* A Taxicab Permit-Holder shall:
    - (i) provide general transportation of persons not on regular schedules with the routes traveled or the destination determined by the passengers;
    - (ii) provide good and reasonable service at all times to all parts of the City twenty-four (24) hours a day, each and every day of the year, unless prevented by a labor strike or an act of God;
    - (iii) maintain a business office with sufficient employees to answer all calls twenty-four (24) hours a day, each and every day of the year;
    - (iv) base the fare charged the passenger on the use of the vehicle without regard to the number of passengers carried;
    - (v) determine the fare by a meter; and

- (vi) provide the Taxicab service in an automobile, station wagon or van that is capable of comfortably seating at least four adult passengers up to a maximum of nine adult passengers, including the driver.
- (b) *Limousine*. A Limousine shall provide the transportation of persons:
- (i) limited to a Limousine;
  - (ii) leased, rented or charged upon for a minimum time period of one hour (60 minutes); and
  - (iii) with the fare determined on an hourly basis and not by a meter or mileage for the use of the vehicle;
  - (iv) pre-arranged or arranged through a third party (e.g., guest service desk or concierge desk).
- (c) *Luxury Passenger Vehicle*. A Luxury Passenger Vehicle shall provide the transportation of persons:
- (i) limited to a Luxury Passenger Vehicle;
  - (ii) leased, rented or charged upon for a minimum time period of one hour (60 minutes); and
  - (iii) with the fare determined on an hourly basis and not by a meter or mileage for the use of the vehicle;
  - (iv) pre-arranged or arranged through a third party (e.g., guest service desk or concierge desk).
- (d) *Luxury/Custom Van*. A Luxury/Custom Van shall provide the transportation of persons:
- (i) limited to a Luxury/Custom Van;
  - (ii) leased, rented or charged upon for a minimum time period of one hour (60 minutes); and
  - (iii) with the fare determined on an hourly basis and not by a meter or mileage for the use of the vehicle;
  - (iv) pre-arranged or arranged through a third party (e.g., guest service desk or concierge desk).
- (e) *Shuttle Service*. A Shuttle Service shall provide the transportation of persons:
- (i) limited to a Van;
  - (ii) on a scheduled service;
  - (iii) with the fare determined on a per capita basis and not by a meter or mileage; and
  - (iv) pre-arranged or arranged through a third party (e.g., guest service desk or concierge desk).
- (f) *Residential Shuttle*: A Residential Shuttle shall provide the transportation of persons:
- (i) limited to a low-speed vehicle;
  - (ii) prohibited from operating on any street listed on the prohibited streets list established by the Vehicle-for-Hire Administrator or any street with a posted speed limit greater than thirty (30) mph;
  - (iii) limited to operating in the area of Downtown Orlando defined as the area bordered by Colonial Drive to the North, Parramore Avenue to the West, East-West Expressway to the South and Summerlin Avenue to the East for pickup and drop off service, which boundaries may be temporarily adjusted by the Vehicle-for-Hire Administrator, applying the process provided in Section 55.101, Establishment of Prohibited Streets, which is hereby made applicable to Residential Shuttles. Any extension in excess of sixty (60) days must be approved by the City Council; and



- (iv) limited to residents or guests of the property operating the vehicles.

In addition, each Vehicle Permit-Holder shall strictly comply with the regulations and requirements for the particular category of Vehicle-for-Hire as outlined in this Chapter.

- (5) The requirements in (4)(a)(iv) and (v), (4)(b)(ii) and (iii), (4)(c)(ii) and (iii), (4)(d)(ii) and (iii) and (4)(e)(iii), above, shall not apply if the transportation provided by the Vehicle-for-Hire is:
  - (a) for an affinity group of eight persons or more;
  - (b) a charter service; and
  - (c) the rate charged and the name of the chartered service shall be retained by the Permit-Holder for not less than 90 days from the services provided date and shall be available for inspection and verification by the Vehicle-for-Hire Administrator and/or Officer(s).

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 5, Doc. #0701111008; Ord. of 12-14-2009, § 2, doc. # 00912141105; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

#### Sec. 55.09. - Vehicle Safety and Equipment Standards.

Every Vehicle-for-Hire shall meet the following minimum safety and equipment standards:

- (1) *Tires.* Tires shall be of the size appropriate for the Vehicle-for-Hire and with no mismatched tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply. No tire is permitted with less than 2/32 inches remaining when measured in any two (2) grooves at three (3) equally spaced intervals around the circumference of the tire, or when the tire has tread wear indicators that are visible.
- (2) *Operational Horn.* The Vehicle-for-Hire shall be equipped with an operational horn with the actuating button mounted in the location designated by the vehicle manufacturer and operated in the manner designed and assembled by the vehicle manufacturer.
- (3) *Windows.* The windshield, side and rear windows shall operate as designed and be assembled with no breakage, cracks or pits that may impair visibility or hinder the safety of passengers. No windows on Vehicles-for-Hire shall be composed of, covered by, or treated with, any material which would cause the vehicle to be in violation of Florida Statutes § 316.295.
- (4) *Doors.* All doors must have operating handles that allow opening from the inside and outside. Handles, knobs and armrests are to be free of breaks and must be securely mounted. Door hinges and hold stops must function correctly. Door seals and gaskets must be intact and operating to seal water and odors from entering the passenger compartment from outside. All door panels must be intact to prevent accidental injuries on door and window mechanisms.
- (5) *Interior Condition.*
  - (a) *General Condition.* All standard interior equipment shall be complete and intact, including, but not limited to interior lights, headliner, dashboard, head rests, window cranks, and gear shifts.
  - (b) *Seat Condition.* Seat covers shall be permanently attached or fixed to all seats in the Vehicle-for-Hire, and have no exposed wire or sharp edges either from metal or hardened vinyl. The rear seat must be of a type, size and mounting approved by the vehicle manufacturer. No broken springs, sagging or horizontal slippage is allowable in any seat.
  - (c) *Floor Condition.* Floor covering material shall be secure and contain no rips or loose folds. The floor board of the Vehicle-for-Hire shall be free of rust and holes.
  - (d) *Loose Objects.* No loose or moving objects or externally mounted speakers shall be placed on the deck behind the rear seat, or on the front dash board. No decorations or other objects will be permitted to hang from permanently mounted fixtures in a Vehicle-for-Hire.

- (6) *Seat Belts.* Each Vehicle-for-Hire shall have seat belts available for passengers in all seats except jump seats, spaces designed to accommodate wheelchairs or where the seat belts are not required by law. Seat belts shall be provided in operating condition and easily accessible by all passengers. Seat belts shall also be clean and free of grease and other objectionable substances. For the purpose of this section, seat belts which are placed under the seat or between the lower and upper portions of the seat are deemed not easily accessible.
- (7) *Windshield Wipers.* Each Vehicle-for-Hire shall have standard operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the Vehicle-for-Hire. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn.
- (8) *Brakes.* Each Vehicle-for-Hire shall contain an operational parking brake and a primary brake system which acts on all four (4) vehicle wheels. There shall be no visible leaks in the brake line, wheel cylinder or any part of the brake system and no frayed cables. All primary brake systems shall demonstrate a reasonable total braking force when tested, using the "quick stop method" and with the Vehicle-for-Hire operating at a speed of at least twenty (20) miles per hour. Brake linings and/or disc pads, when measured at the thinnest point shall not be less than one-sixteenth (1/16) of an inch. Brake linings and/or pads shall also be firmly attached to the brake shoe and/or disk coupler. Disc brake rotors and brake drums shall be of a size and type appropriate for the vehicle, with no cracks or other damage which change or impair the functional surface.
- (9) *Headlights, Turn Signals, Brake Lights and Tail Lamps.* Every Vehicle-for-Hire shall be equipped with operational State of Florida-approved headlights, and turn indicating lamps or devices on the front and rear of the vehicle and a foot brake activated stop light on the rear of the Vehicle. Each Vehicle-for-Hire shall also have a tail lamp so situated on the vehicle as to illuminate the rear license plate with a white light and render it clearly legible.
- (10) *Steering Mechanisms.* Steering mechanisms shall neither be worn or jammed, nor shall there be more than two (2) inches play to the left or right of center, measured at the steering wheel rim with the road wheels in a straight ahead position, on wheels up to eighteen (18) inches in diameter, or three (3) inches of play on wheels over eighteen (18) inches.
- (11) *Exhaust Systems.* There shall be no leakage of exhaust gas at the manifold gasket, manifold and exhaust line gasket, muffler and muffler connections or at any other point in the exhaust system as determined through a visual and audible inspection. The tail pipe shall discharge exhaust from the rear or sides of the passenger and luggage compartment. No part of the exhaust system shall pass through or leak into the part of the Vehicle-for-Hire occupied by passengers, as determined by visual inspection.
- (12) *Air Conditioning and Heating.* Every Vehicle-for-Hire, except for Residential Shuttles, shall be equipped with an adequately operating air conditioning and heating system, and windshield defrost or defogging system, which controls the temperature of the interior of the vehicle between 68 and 78 degrees Fahrenheit.
- (13) *Correction of Defects.* Every Vehicle-for-Hire Permit-Holder shall repair or replace any equipment or parts of the vehicle found to be worn out, defective or creating a safety hazard by the vehicle inspection facility as a result of the inspection required in Section 55.21(1)(b), below.
- (14) *Taxicab Meters.* Every Taxicab shall be equipped with mechanical or electronic devices commonly called a "Taxicab meter" or "meter" for registering the fare to be charged. Each Taxicab meter shall be inspected, approved and sealed pursuant to Florida Statutes ch. 531.
  - (a) *Location of Meter.* Every meter in use shall be placed in the Taxicab at a location that will be plainly visible at all times to the passengers of such Taxicabs. Between the hours of sunset and sunrise the dial of the meter shall be illuminated whenever the ignition of the vehicle is on.
  - (b) *Operational Requirements.* Whenever a Taxicab is not hired, the meter shall show no fare. When a Taxicab is hired, the meter shall be in the calculating position. Upon the

completion of service by a Taxicab, the meter shall be returned to the non-calculating position and its dial cleared.

- (c) *Duty of Taxicab Permit-Holder.* It shall be the duty of the Taxicab Permit-Holder to have the meter in good working condition and operating accurately as to the registration of mileage and fare. Such meters shall be sealed in a manner that will prevent any person from tampering with or changing the adjustment of the meter.

No other category of Vehicle-for-Hire shall be equipped, have installed, or possess within its interior a Taxicab meter or meter, whether or not the meter is in operation.

- (15) *Posting of Consumer Signs.* It shall be the duty of the Vehicle Permit-Holder to post the following signs within the interior of every Vehicle-for-Hire:

- (a) a comment/complaint sign on the lower left corner of the right rear door window which states: "If any comments or complaints, call the Company or the City of Orlando at \_\_\_\_\_. The City Permit Number of this Vehicle is #\_\_\_\_\_"; and
- (b) the rate and/or surcharge sign as required in Section 55.17(2)(c), below.

All signs posted shall be at least two (2) inches by three (3) inches in size and approved by the Vehicle-for-Hire Administrator.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 12-14-2009, § 2, 0912141105; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

#### Sec. 55.10. - Driver Dress Code.

Every Vehicle Permit-Holder shall require that every Driver:

- (a) is hygienically clean, with his/her body well-groomed, neat, odor free, and clean in appearance, and the clothing clean and odor free;
- (b) if a beard or mustache is worn, ensure that it is well-groomed and neatly trimmed at all times;
- (c) wear trousers or females may wear skirts or dresses providing that the hem is not more than two (2) inches above the top of the knee joint and is not strapless or halter type, a shirt with a collar and sleeves, shoes and socks and appropriate outer garments, and shall not wear T-shirts, underwear worn as outer garments, tank tops, body shirts, swim wear, jogging or bathing shorts, sweat suits, work out clothing, trunks or suits, or similar types of attire, or outer garments or footwear that is frayed, ragged, holed or open, except that females may wear open toe footwear providing that such footwear is high-heeled and is not clogs, thongs, shower shoes or sandals.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 6, Doc. #0701111008)

#### Sec. 55.11. - Telecommunication Devices.

- (1) *Two-way Radio Required.* All Vehicles-for-Hire shall be equipped with an operational two-way radio or comparable communication devices such that office dispatchers may immediately and effectively notify Drivers of requests for service and such that drivers may immediately and effectively request assistance should assistance be needed.
- (2) *Electronic Devices Prohibited.* Any electrical device such as radar detectors/"fuzz busters," police, two-way or similar scanners, or two-way radio frequency monitors are prohibited within the Vehicle-for-Hire or in the possession of the Driver. Hand-carried AM-FM radios, televisions or other similar entertainment musical devices are allowed.
- (3) *Possession of Monitoring Devices.* No Vehicle Permit-Holder shall possess at its place of business, dispatch operation or in any building or Vehicle-for-Hire any device used for the monitoring of a competitor's radio frequency.

(Ord. of 4-20-1998, Doc. #31157)

Sec. 55.12. - Liability Insurance or Surety Bond.

- (1) *Responsibility of Vehicle Permit-Holder.* The Vehicle Permit-Holder shall possess a liability and property damage insurance policy issued by an insurance company or surety company who is authorized to do business as such in the State of Florida, or who has a current license under federal law as a risk retention group for purposes of insurance.
  - (a) The coverage for each vehicle equipped to carry six (6) or fewer passengers, including the driver, shall be issued, at a minimum, in the amounts required pursuant to section 324.031, Florida Statutes.
  - (b) The coverage for each vehicle equipped to carry seven (7) or more passengers, including the driver, shall be issued in the amount of One Million Dollars (\$1,000,000) combined, single incident, or its equivalent. Any separate policy acquired in order to achieve the higher level of coverage must have the same expiration date as the main policy.
  - (c) The insurance policy shall list the City of Orlando as an additional insured with all notices of any kind (including, but not limited to, termination, cancellation, reduction in coverage, renewal, or non-renewal) sent to the City of Orlando at the address of the Vehicle-for-Hire Administrator. The insurance policy shall contain, at a minimum, a thirty (30) day written notice period prior to the effective date of termination, cancellation, reduction of coverage, renewal or non-renewal.
  - (d) All vehicle permits issued to a Vehicle Permit-Holder shall be covered under one master policy held by that permit-Holder.
- (2) *Self Insurance.* The Vehicle Permit-Holder may self-insure for the requirements in (1) if:
  - (a) the Vehicle Permit-Holder is certified for financial responsibility as a self-insurer, and is current in standing with the Insurance Commissioner of the State of Florida;
  - (b) the retention of exposure by the Vehicle Permit-Holder is no greater than allowed by Florida Statute; and
  - (c) the Excess policies, at a minimum, satisfy the policy limits listed in paragraph (1), above.
- (3) *Cancellation of Insurance.* No policy of insurance or surety bond, as provided for in the preceding section, shall be canceled until the expiration of thirty (30) days after notice of intended cancellation thereof has been given in writing, to the Vehicle-for-Hire Administrator by mail or personal delivery of such notice.
- (4) *Effect of No Insurance.* Should a Vehicle-for-Hire at any time cease to be covered by a policy of insurance or surety bond as required by paragraphs (1) or (2) above, the Vehicle Permit shall be automatically suspended without the need for any action of the City or the Board, and may only be reinstated pursuant to Sections 55.33 through 55.35 below.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 4, Doc. #32438; Ord. of 1-11-2007, § 7, Doc. #0701111008; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

Sec. 55.13. - Trade Name and Color Scheme.

- (1) *Trade Name.* Every Vehicle Permit-Holder shall operate under a trade name which is distinctive from and not substantially similar to any existing business, company or service operated or provided by a Vehicle Permit-Holder. All trade names are subject to approval by the Vehicle-for-Hire Administrator as a condition to the issuance of the permit, pursuant to Section 55.21 below. This Section, however, is not intended to preclude non-Taxicab Vehicle Permit-Holders from contracting with each other or other dispatch services under a collective Trade Name, so long as the Vehicle Permit-Holder informs the Vehicle Administrator in writing of the use of the Collective Trade Name.

- (2) *Color Scheme.* Every Taxicab Permit-Holder shall be required to display a uniform and distinct color scheme on all permitted vehicles. All such color schemes shall be subject to approval by the Vehicle-for-Hire Administrator.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 5, Doc. #32438)

Sec. 55.14. - Display of Trade Name, Color Scheme, etc.

- (1) *Shuttle Service.* Every Shuttle shall:

- (a) have conspicuously and permanently affixed on each vehicle, on each side of the vehicle and in letters not less than six (6) inches in height, the Trade Name approved in Section 55.13
- (b) conspicuously and permanently display a company vehicle number on the front and rear bumpers and on both sides of the outside of the vehicle in figures two (2) to three (3) inches in height and in a color approved by the Vehicle-for-Hire Administrator;
- (c) not place any type or form of light device or other device on the roof, commonly known as a top light or top hat, whether or not permanently or temporarily affixed to the Vehicle, or have within the possession of the interior of the vehicle, except for the area exclusively limited to the storage of baggage behind the rearmost seat; and
- (d) not have the words or a sign with the words "Taxicab," "Taxi," "Cab," "Limousine," "Limo," "Luxury Passenger Vehicle" or "Luxury" or form thereof, placed or affixed permanently or temporarily on any portion of the outside Vehicle, or anywhere within the interior of the vehicle, except in the area exclusively limited to the storage of baggage behind the rearmost seat.

- (2) *Taxicab.* Every Taxicab shall:

- (a) have conspicuously and permanently affixed on such vehicle, on each side of the vehicle and in letters not less than four (4) inches in height, the Trade Name approved in Section 55.13
- (b) be painted with the uniform color scheme approved in Section 55.13
- (c) conspicuously and permanently display a company vehicle number on the front and rear bumpers and on each side of the outside of the vehicle in figures two (2) to three (3) inches in height and in the color approved by the Vehicle-for-Hire Administrator; and
- (d) be equipped with a permanently installed roof mounted device commonly known as a top light which shall be illuminated whenever the meter is on, or when headlights and/or parking lights are illuminated.

- (3) *Limousines.* Every Limousine shall:

- (a) display the Trade Name or the approved Collective Trade Name on the front license plate of the vehicle and the approved City of Orlando vehicle number shall be on the front and rear bumpers of the vehicle in figures two (2) to three (3) inches in height and in the color approved by the Vehicle-for-Hire Administrator;
- (b) not be painted the uniform color or design scheme of any permitted Taxicab Vehicle-for-Hire;
- (c) not have the words or a sign with the words "Taxicab," "Taxi," "Cab," "Shuttle," or "Shuttle Service" or any form or translation thereof, placed or affixed permanently or temporarily on any window or portion of the outside Vehicle, or anywhere within the interior of the vehicle excluding the trunk.

- (4) *Luxury Passenger Vehicles and Custom/Luxury Vans.* Every Luxury Passenger Vehicle or Custom/Luxury Van shall:

- (a) display the Trade Name or the approved Collective Trade Name on the front license plate of the vehicle and the approved City of Orlando vehicle number shall be on the front and rear bumpers of the vehicle in figures two (2) to three (3) inches in height and in the color approved by the Vehicle-for-Hire Administrator;

- (b) not be painted the uniform color or design scheme of any permitted Taxicab Vehicle-for-Hire;
  - (c) not have the words or a sign with the words "Taxicab," "Taxi," "Limousine," "Limo," "Cab," "Shuttle," or "Shuttle Service," or any form or translation thereof, placed or affixed permanently or temporarily on any window or portion of the outside Vehicle, or anywhere within the interior of the vehicle excluding the trunk; and
  - (d) not place any type or form of light device or other device on the roof, commonly known as a top light or top hat, whether or not permanently or temporarily affixed to the Vehicle, or anywhere within the interior of the vehicle, except for the area exclusively limited to the storage of baggage behind the rear-most seat.
- (5) *Residential Shuttle*. Every Residential Shuttle shall:
- (a) conspicuously and visibly display the name of the residential property operating the vehicle and a sign stating "Not for Hire" on each vehicle, in letters not less than four (4) inches in height;
  - (b) conspicuously and visibly display a company vehicle number on the front and rear of the outside of the vehicle in figures two (2) to three (3) inches in height and in a color approved by the Vehicle-for Hire-Administrator;
  - (c) not place any type or form of light device or other device on the roof, commonly known as a top light or top hat, whether or not permanently or temporarily affixed to the Vehicle, or have within the possession of the interior of the vehicle, except for the area exclusively limited to the storage of baggage behind the rearmost seat; and
  - (d) not have the words or a sign with the words "Taxicab," "Taxi," "Cab," "Limousine," "Limo," "Luxury Passenger Vehicle" or "Luxury" or form thereof, placed or affixed permanently or temporarily on any portion of the outside Vehicle, or anywhere within the interior of the vehicle, except in the area exclusively limited to the storage of baggage behind the rearmost seat.
- (6) *Temporary Exemption of Display of Permanent Trade Name—Shuttle Service*. The Vehicle-for-Hire Administrator shall have the authority to authorize a temporary exemption for Shuttle Services from the requirements to permanently display Trade Name as prescribed in Section 55.13 above and this Section. Such exemption shall not exceed twenty-one (21) days, shall be authorized only for current Shuttle Service Permit-Holders, and shall require temporary displays in form as approved by the Vehicle-for-Hire Administrator in lieu of the permanent displays as prescribed in subparagraphs (1)(a) and (c) of this Section. Shuttle Services shall have a temporary exemption in order to come in to compliance with the six (6) inch lettering requirement as set forth in 55.14(1)(a) above. This exemption will expire one hundred twenty (120) days from the passage of this ordinance.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 6, Doc. #32438; Ord. of 1-11-2007, § 8, Doc. #0701111008; Ord. of 12-14-2009, § 2, 0912141105)

Sec. 55.15. - Advertisement Regulations.

- (1) *Mandatory Advertisement in Local Telephone Directory for Taxicab Vehicle Permit-Holders*. Every Taxicab Vehicle Permit-Holder shall obtain, at first opportunity, and thereafter continue to maintain for the duration of the Taxicab Vehicle Permit, a listing in the Taxicab section of the Yellow Pages of the local Bell South Telephone Book, Donnelly Directory or other telephone book distributed to a substantial majority of the residents and businesses within the City of Orlando. The listing shall include the Trade Name approved in Section 55.13 for the Vehicle-for-Hire Operator and phone number(s) where the public can reach the Vehicle Permit-Holder's dispatch in order to obtain Taxicab service.
- (2) *No Affirmative Advertisement Requirement for Non-Taxicab Vehicles-for-Hire*. There shall be no affirmative requirement for a Vehicle Permit-Holder of a non-Taxicab Vehicle Permit to advertise.
- (3) *Advertising Restrictions*. Notwithstanding paragraphs (1) and (2) above, the following requirements shall be strictly complied with by every Vehicle Permit-Holder and Driver in any advertisement for each particular category of Vehicle-for-Hire:

- (a) *Taxicab.* No Taxicab Vehicle Permit-Holder shall advertise, or allow or cause to be advertised, in any telephone directory, newspaper, brochure, bulletin, flyer, radio or television commercial, or hotel leaflet, an advertisement or solicitation for business which includes the word(s) "Shuttle Service," "Limousine," "Limo," "Luxury Passenger Vehicle," "Shuttle" or "Custom/Luxury Van," or any form of these words.
- (b) *Limousine.* No Limousine Vehicle Permit-Holder shall advertise, or allow or cause to be advertised, in any telephone directory, newspaper, brochure, bulletin, flyer, radio or television commercial, or hotel leaflet, an advertisement or solicitation for business which includes the word(s) "Shuttle Service," "Taxicab," "Taxi," "Cab," "Luxury Passenger Vehicle," "Shuttle" or "Custom/Luxury Van," or any form of these words.
- (c) *Luxury Passenger Vehicle.* No Luxury Passenger Vehicle Permit-Holder shall advertise, or allow or cause to be advertised, in any telephone directory, newspaper, brochure, bulletin, flyer, radio or television commercial, or hotel leaflet, an advertisement or solicitation for business which includes the word(s) "Shuttle Service," "Taxicab," "Taxi," "Cab," "Limousine," "Limo," "Shuttle" or "Custom/Luxury Van," or any form of these words.
- (d) *Custom/Luxury Van.* No Custom/Luxury Van Vehicle Permit-Holder shall advertise, or allow or cause to be advertised, in any telephone directory, newspaper, brochure, bulletin, flyer, radio or television commercial, or hotel leaflet, an advertisement or solicitation for business which includes the word(s) "Shuttle Service," "Taxicab," "Taxi," "Cab," "Limousine," "Limo," "Shuttle" or "Luxury Passenger Vehicle," or any form of these words.
- (e) *Shuttle Service.* No Shuttle Service Vehicle Permit Holder shall advertise, or allow or cause to be advertised, in any telephone directory, newspaper, brochure, bulletin, flyer, radio or television commercial, or hotel leaflet, an advertisement or solicitation for business which includes the word(s) "Taxicab," "Taxi," "Cab," "Limousine," "Limo," "Luxury Passenger Vehicle," "Luxury/Custom Van," or any form of these words.
- (f) *Exception for Multi-Category Vehicle Permit-Holder.* A Vehicle Permit-Holder, who has been issued Vehicle Permits for multiple categories, may use in one advertisement the terms for each particular category of Vehicle Permit issued to the Vehicle Permit-Holder, however, consistent with restrictions in subparagraphs (3)(a)—(e).
- (g) If the Vehicle Permit-Holder operates outside the City limits a category of Vehicle-for-Hire service for which no permit has been issued by the City, then the Vehicle Permit-Holder shall segregate the advertisement of the Services into two separate advertisements: one for City service and one for non-City service. In the City advertisement, the restrictions in (a) through (f) above, shall apply. In the non-City advertisement, the Vehicle Permit-Holder shall not use, or allow the use of, the word "Orlando" in the advertisement for the Vehicle-for-Hire service operated outside the City of Orlando.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 9, Doc. #0701111008)

Sec. 55.16. - Vehicles-for-Hire Rates and Fares.

- (1) *Rate Authority.*
  - (a) *Rates.* Subject to the restrictions in Section 55.08(4), and the exception stated in Section 55.08(5) above, and the criteria in subparagraph (2) and (4) below, the Vehicle-for-Hire Administrator is hereby delegated the discretion to recommend changing any hourly, per capita or meter rate for any category of Vehicle-for-Hire.
  - (b) *Surcharges.* The Vehicle-for-Hire Administrator may also recommend changing surcharge amounts for any particular reason for any particular category of Vehicle-for-Hire in accordance with subparagraph (4) below.
- (2) *Establishing Taxicab Meter Rates.* The Vehicle-for-Hire Administrator shall review the meter rates or surcharges charged by a taxicab. The review shall occur at or about the same time the Vehicle-for-Hire Administrator reviews the Public Necessity and Convenience Formula as outlined in Sec. 55.24.

The Administrator shall use the following guidelines in determining future increases or decreases in the Taxi Meter Rates:

- (a) One time per year at a public hearing, the Vehicle-for-Hire Administrator shall determine the percentage change in the Consumer Price Index-All Urban Consumers ("CPI"). Specifically, the CPI used in this comparison shall be the latest index.
  - (b) If the percentage increase in CPI is 6% or greater since the last time the meter rates were increased, the Vehicles-for-Hire Administrator may recommend an increase in the taxicab meter rates. The increase shall be approximately the same percentage as the increase in the CPI referenced in this paragraph.
  - (c) The allocation of any meter rate increase between the taxi per mile rate, drop (minimum charge), and the wait time clock, shall be recommended by the Administrator with input from the Orlando taxicab industry, Vehicle-for-Hire Staff, and by reviewing the charges in other municipalities. It is the intent that the cost of an average taxicab fare increase approximately the same as the increase in CPI as referenced in the above paragraph.
- (3) *Conformance with Rates and Surcharges Adopted by City Council.* Any such rate or surcharge imposed, required or collected by any Vehicle Permit-Holder or Driver shall be in strict conformance with the adopted rates and/or surcharges.
  - (4) *Procedure for Adoption.* All rates and surcharges imposed herein shall be adopted by resolution of the City Council. A meeting for the purpose of adopting the resolution shall be advertised ten (10) days in advance in the Orlando Sentinel and the existing and proposed rates and/or surcharges shall be published in the advertisement. In the resolution, the City Council shall set an effective date for the new rates and/or surcharges.
  - (5) *Emergency Surcharges.* Upon request of the Vehicle-for-Hire Administrator, members of the public, including Vehicle Permit-Holders and Drivers, or Board Members, the City Council may set, adopt or amend, any Emergency Surcharge, for any particular category of Vehicle-for-Hire upon a finding by Council pursuant to the restrictions in 55.08(4) above, and the criteria in subparagraph (2) above. The Emergency Surcharge must be adopted by resolution of Council by a majority vote of a quorum. The term of the Emergency Surcharge shall be established to expire upon a date certain at which time the Emergency Surcharge will automatically expire unless extended by Council. The Emergency Surcharge does not require advanced public notice.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 10, Doc. #0701111008; Ord. of 3-26-2007 § 1, Doc. #0703261002; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

Sec. 55.17. - Posting of Scheduled Rates and Adopted Surcharges.

- (1) *Posting by the City.* The rates and/or any surcharges adopted by City Council shall be filed with the City Clerk and shall be posted by the City Clerk and the Vehicle-for-Hire Administrator.
- (2) *Posting of Rates by Vehicle Permit-Holder and Driver.*
  - (a) Printed schedules of the current applicable rates, and/or surcharges shall be available at all times for inspection in all Vehicles-for-Hire, except Taxicabs.
  - (b) Within each Taxicab, the schedule of the current adopted rates and/or surcharges adopted by City Council shall be permanently posted in a place with a view to the general public within the interior and on each door-side of the outside of the Taxicab.
  - (c) In addition, if City Council adopts any rate or surcharge charge for the particular category of Vehicle-for-Hire, then the Vehicle Permit-Holder shall post a sign or decal at least 2 inches by 3 inches in size at a location, to be determined and approved by the Vehicle-for-Hire Administrator, in the interior, exterior or window of the vehicle, which states:

A Schedule of the Adopted Rates and/or surcharges, on file with the City of Orlando is available from the Driver. The Driver may only charge the Adopted Rates listed thereon.



- (3) *Filing of Rates with the City Vehicle-for-Hire Administrator.* Whether or not City Council adopts any form of rate or surcharge, every Vehicle Permit-holder shall place on file with the Vehicle-for-Hire Administrator the most current rates for its Vehicle-for-Hire Service.
- (4) *Fare Strictly Consistent with the Rates Placed on File with the City.* Any rate or surcharge imposed, required or collected by any Vehicle Permit-holder or Driver shall be in strict conformance to the rate or surcharge filed with the Vehicle-for-Hire Administrator in paragraph (3) above. All tolls shall be the responsibility of the passengers and notice thereof shall be posted in each vehicle in a manner approved by the Vehicle-for-Hire Administrator. However, such tolls, surcharges and other extras shall not be entered into the Taxicab meter until such time as they are incurred.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 12-13-1999, § 14, Doc. #32494; Ord. of 1-11-2007, § 11, Doc. #0701111008; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

#### Sec. 55.18. - Trip Reports.

- (1) *Driver Trip Reports.* The Vehicle Permit-holder shall require that every Driver will keep a trip report which shall show the following minimum information for each trip:
  - (a) Name of Vehicle Permit-holder;
  - (b) The company unit number of the vehicle;
  - (c) The name of the Driver;
  - (d) The date and time of trip origin;
  - (e) The origin and destination of the trip;
  - (f) The fare charged or the voucher number for the trip;
  - (g) The number of passengers transported on the trip.

Each such trip report shall be consecutively numbered and shall be recorded on a form approved by the Vehicle-for-Hire Administrator.

Each Driver shall, on a daily basis, submit said trip reports to the Vehicle Permit-holder who shall keep them for a period of at least ninety (90) days. The trip reports shall be submitted daily, except Drivers who lease the vehicle from the Vehicle Permit-holder for a period longer than one day may submit the trip reports at the end of the lease period or weekly, whichever is shorter.

- (2) *Open to Inspection.* All trip reports shall be at all times open to inspection by the Vehicle-for-Hire Administrator or Officer(s) and shall be produced on demand. The trip reports shall be kept at the business office of the Vehicle Permit-holder.
- (3) *Dispatcher Reports.* If the Vehicle Permit-holder has a Dispatcher(s), the Vehicle Permit-holder shall make a record of each call received, the time it is received, the point of origin, the time the request for service is dispatched, the time of pick-up and the destination, if indicated by the prospective passenger. Such record shall be kept in the dispatch office for a minimum period of ninety (90) days.
- (4) *Taxicab Permit-Holder Record Retention Requirement.* Each Taxicab Permit-holder shall maintain records detailing the following information for a period of no less than two years.
  - (a) The total number of Taxicab trips originating from Orlando International Airport (OIA);
  - (b) The total number of Taxicab service requests dispatched;
  - (c) The total number of Taxicab trips made by all City-permitted Taxicabs excluding those Taxicab trips originating at OIA;
  - (d) The total number of pick-ups that are over 20 minutes from the time dispatched;
  - (e) The total revenues generated for all Taxicab metered miles for all City-permitted Taxicabs excluding those metered miles that originated from OIA;

- (f) The total revenues generated for all Taxicab metered miles for all City-permitted Taxicabs originating from OIA; and
- (g) The total Taxicab metered miles driven for all City-permitted Taxicabs excluding those originating at OIA; and
- (h) The total Taxicab metered miles driven for all City-permitted Taxicabs originating from OIA; and
- (i) The total vehicle miles driven for all City-permitted Taxicabs; and
- (j) The average Taxicab lease rate for a City-permitted Taxicab for one 24-hour period.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 12, Doc. #0701111008; Ord. No. 2013-6, § 3, 2-4-2013, Doc. #1302041203)

### PART III. - VEHICLE PERMIT APPLICATION AND PERMIT PROCEDURE

#### Sec. 55.19. - Application for Vehicle Permit.

- (1) This Section shall apply to the application for a Vehicle Permit for all categories. In addition to the requirements of this Section, applications for Taxicab permits shall be subject to the requirements in Part IV below.
- (2) *Application Fee.* An application for a Vehicle Permit shall be filed with the Vehicle-for-Hire Administrator along with a Five Hundred Dollar (\$500) application fee. The application fee shall not apply to renewal or additional permit applications. Failure to submit the application fee with the completed application shall result in no action on the application until the application fee is paid.
- (3) *Required Information.* The application shall contain all of the following information:
  - (a) The name of the applicant;
  - (b) The name of the applicant's business and trade name under which the business will operate, a copy of the Business Tax Receipt issued by the City of Orlando or if the business is not based in the City of Orlando, the business tax receipt from the county or city in which the business is based;
  - (c) If the business is to be a partnership, whether general or limited, the partnership instrument or certified copy thereof, and the business address of the partnership;
  - (d) If the business is to be a corporation, the certificate of incorporation or certified copies thereof, and the business address of the corporation;
  - (e) If the business is to be conducted under another name than that of the applicant, a copy of the fictitious name certificate, if required;
  - (f) Applicant's business location;
  - (g) Applicant's business mailing address;
  - (h) Applicant's business phone number;
  - (i) Applicant's home address and home phone number;
  - (j) The category and number of permits requested;
  - (k) The seating capacity, make, model, year of manufacture, mileage, equipment and amenities for each vehicle to be permitted;
  - (l) The color scheme of the vehicles the applicant intends to operate;
  - (m) The type and make of radios or communication devices the applicant will be using in the vehicles;

- (n) The names and addresses of any and all persons holding a ten percent (10%) or greater beneficial interest in the applicant's business or company;
- (o) The date the application is filed with the Vehicle-for-Hire Administrator;
- (p) The names, addresses and telephone numbers of at least three (3) references from persons not related to the applicant who have knowledge of the applicant;
- (q) Proposal for submission of appropriate insurance coverage, as required by Section 55.12
- (r) If applicable, a proposed agreement with Bell South or other telephone directory that is distributed within the entire corporate limits of the City of Orlando, indicating required advertising and the telephone number which will be used by customers to contact the business for service;
- (s) A factual statement and documentation indicating the portion(s) of the Vehicle-for-Hire market to be served and such other pertinent information as the applicant may desire to present; and
- (t) Any other information required, as deemed appropriate by the Vehicle-for-Hire Administrator, of any applicant for the particular category of Vehicle-for-Hire service. The additional requirements shall be consistent with the provisions of this Chapter.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 7, Doc. #32438; Ord. of 9-20-2010, § 1, Doc. #1009201104; Ord. No. 2013-6, § 4, 2-4-2013, Doc. #1302041203)

#### Sec. 55.20. - Review of Vehicle Permit Application.

- (1) *Completeness Review.* Within three (3) business days after receipt of an application and evidence of the payment of the application fee, the Administrator shall review the application to insure that the application is complete and all information required has been provided. The Vehicle-for-Hire Administrator shall, with the completeness review, categorize the Vehicle-for-Hire Service in the appropriate classification provided in Section 55.08 above.
- (2) *Final Review.* Permits shall be issued or denied within fifteen (15) days after the date of completeness determination in paragraph (1) above.
- (3) *Automatic Rejection.* Failure to disclose any person holding an interest in the proposed Vehicle Permit as required by paragraph (o) in Section 55.19 shall be grounds for the rejection of the application.
- (4) *Standards.* In making a determination as to whether the Vehicle Permit will be issued to the applicant, the Vehicle-for-Hire Administrator shall consider, on balance, the following criteria:
  - (a) Completeness of the application as required by this chapter;
  - (b) Completeness of the application support documentation as required by this chapter; and
  - (c) Whether the color scheme, logo, trade name and exterior design are sufficiently unique from any other Vehicle Permit-holder as to prevent confusion for the riding public and infringement of an existing Vehicle Permit-holder's color scheme, logo, trade name and exterior design.
- (5) *Additional Permits.* In addition to the requirements in (4) above, the following criteria shall apply for the issuance of new or additional permits to an existing Vehicle Permit-holder:
  - (a) Adherence of the Vehicle Permit-holder, and its Drivers, to the provisions of this Chapter and other applicable Chapters of the Code of the City of Orlando;
  - (b) Whether or not the requirements for issuance of any initial permit as described in this Chapter continue to be met;
  - (c) Any evidence received from citizen complaints or the Vehicle-for-Hire Administrator or Officer, Chief of Police, or City Attorney as to the quality of service provided by the Vehicle Permit-holder and its Drivers and compliance with the terms of this Chapter;
  - (d) Trip reports and business records of the Vehicle Permit-holder and its Drivers; and

- (e) Any other relevant or pertinent information from either the general public, the Vehicle-for-Hire Administrator or Officer, Chief of Police, City Attorney, the Vehicle Permit-holder or any other third party.
- (6) *Denial of Application.* If after review of the application based upon the criteria in (4) above, and in (5) above if applicable, the Vehicle-for-Hire Administrator finds that the applicant does not favorably meet the application requirements and the requirements listed in Section 55.08, the Vehicle-for-Hire Administrator shall deny the application. The denial may be:
  - (a) conditional, and the applicant shall be afforded an opportunity to provide further information or take other action which will result in approval of the applicant by the Vehicle-for-Hire Administrator; or
  - (b) final, as provided for in Section 55.03(4).

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 13, Doc. #0701111008; Ord. No. 2013-6, § 4, 2-4-2013, Doc. #1302041203)

Sec. 55.21. - Issuance of Vehicle Permits.

- (1) *Issuance of Permit.* Upon a determination in Sec. 55.19 and 55.20 above that a Vehicle Permit shall be issued, the Vehicle-for-Hire Administrator shall issue the vehicle permits upon submission of the following documents:
  - (a) Insurance certification proving that the applicant has met the insurance requirements of Section 55.12
  - (b) Vehicle inspection certification from an inspection facility, as designated by City Council, certifying that the vehicle(s) to be permitted meet(s) the safety and equipment standards of Section 55.09; provided, however, any person or company holding permits for 25 vehicles or more and operating a facility for maintaining and repairing said vehicles and such inspections are performed by A.S.E. (Automotive Service Excellence) certified mechanics, may conduct the safety inspections of those vehicles as required by this Chapter. Said certification shall have been issued not more than 30 days prior to the issuance of the permit. This requirement shall be waived for any vehicle with a manufacture date that is less than 365 days from the date such permit is to be issued and which has less than 10,000 miles in mileage. A Vehicle-for-Hire Officer shall conduct an inspection of such vehicle to determine compliance with requirements such as a "Doing Business As" tag and two-way communication device. There will be no cost for this inspection;
  - (c) If required by Section 55.15(1), a receipt or certified copy from Bell South, or other applicable telephone carrier, for advertisement in the upcoming yellow pages;
  - (d) Submission of every vehicle I.D. number, state license plate number, mileage and the original or copy of the State of Florida Registration; and
  - (e) proof of current occupational license(s) including a Business Tax Receipt issued by the City of Orlando or if the business is not based in the City of Orlando, the business tax receipt from the county or city in which the business is based.
- (2) *Permit Fee.* Prior to issuance of the Vehicle Permit(s) by the Vehicle-for-Hire Administrator, the applicant shall pay a permit fee of three hundred dollars (\$300.00) for the first year for each Vehicle Permit for all vehicles, except Vehicle Permits for Green Taxicabs. Prior to the issuance of a Vehicle Permit for a Green Taxicab, the applicant shall pay a permit fee of one hundred-fifty dollars (\$150.00), for the first year.
- (3) *Term of Vehicle Permit.* Subject to paragraph (6) below, said Vehicle Permit shall be valid for one year until the last day of the month in which the permit was issued the year prior.
- (4) *Category of Vehicle Permit.* The issued Vehicle Permit shall be of the category approved by the Vehicle-for-Hire Administrator in Section 55.20 above.

- (5) *Display of Vehicle Permit.* The Permit decal for the Vehicle Permit shall be affixed to each Vehicle-for-Hire in a manner determined by the Vehicle-for-Hire Administrator.
- (6) *Use of Taxicab Permit Required.* Each Taxicab Vehicle Permit-holder shall maintain in active operation a Taxicab for which the Taxicab Vehicle Permit was issued. Any Taxicab Vehicle Permit which remains dormant for more than ninety (90) consecutive days or one-hundred and fifty (150) days in any calendar year may be revoked and declared void by the Vehicle-for-Hire Administrator.
- (7) A Vehicle Permit issued, renewed, awarded or transferred herein shall not vest the Vehicle Permit-holder with any property rights in said Vehicle Permit.
- (8) *Temporary Exemption of Vehicle Inspection Certification Requirements.* The Vehicle-for-Hire Administrator shall have the authority to authorize a temporary exemption from the required filing of the vehicle inspection certification as prescribed by subparagraph (1)(b) of this Section. Such exemption shall not exceed twenty-one (21) days, shall be authorized only for current Vehicle Permit-holders, shall be authorized only for a vehicle that has a manufacturing date that is less than 365 days from the date such permit is to be issued and such vehicle has less than 10,000 miles. The issuance of a Vehicle-for-Hire Permit under this exemption provision in no way is intended to exempt or relieve the Permit-holder's responsibility that such vehicle meet the applicable Vehicle Safety and Equipment Standards as prescribed in Section 55.09

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 8, Doc. #32438; Ord. of 1-11-2007, § 14, Doc. #0701111008; Ord. of 9-20-2010, § 2, Doc. #1009201104; Ord. No. 2013-6, § 4, 2-4-2013, Doc. #1302041203)

#### Sec. 55.22. - Vehicle Permit Renewal.

- (1) *Renewal Time Period.* Sixty (60) days prior to the expiration of the Vehicle Permit, the Vehicle Permit-holder may renew the permit for an additional twelve (12) month term by submitting an application for renewal to the Vehicle-for-Hire Administrator.
- (2) *Renewal Application Requirements.* The Renewal Application shall contain information required in Section 55.19(3)(a) through (t).
- (3) *Review of Renewal Application.* The Vehicle-for-Hire Administrator shall review each application and, within ten (10) days of the receipt of a completed application, either approve or deny it.
- (4) *Issuance of Renewal Permit.* Upon approval of the Renewal Permit in (3) above, the Renewal Permit shall be issued upon the payment of Three Hundred Dollars (\$300) for each vehicle subject of the Permit by the Vehicle Permit-holder.
- (5) *Late Permit Renewals.* Permit-holders who renew a permit after the expiration date shall be assessed a late fee of One Hundred Fifty Dollars (\$150). Permit records shall be deleted if the permit is not renewed within thirty (30) days of expiration. Permit renewals after thirty (30) days shall be processed as an additional permit request at a cost of Six Hundred Dollars (\$600). A late renewal of permit shall be presumptive evidence of operating a for-hire vehicle without a permit in violation of Section 55.32 herein.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 9, Doc. #32438; Ord. of 9-20-2010, § 2, Doc. #1009201104)

#### Sec. 55.23. - Replacement and Transfer of Vehicle Permits.

- (1) *Replacement, Lost or Destroyed Vehicle Permit.* If a decal for the Vehicle Permit is lost or destroyed or a replacement decal is requested, the Vehicle Permit-holder may obtain a duplicate decal upon the payment of a Three Hundred Dollar (\$300) service charge. If the Vehicle Permit-holder presents the prior decal to the City, then the service charge shall be Fifty Dollars (\$50). It shall be a violation of this section for any person to place, or cause another to place, a permit decal on any vehicle other than that vehicle to which the permit decal was assigned by the Vehicle-for-Hire staff.
- (2) *Transfer of Non-Taxicab Vehicle Permits.* The following shall apply to non-Taxicab Vehicle Permits:

- (a) *To Vehicle Permit-Holder.* The transfer from one Vehicle Permit-holder to another shall not be effective until the transfer permit has been issued by the Vehicle-for-Hire Administrator.
  - (b) *To Non-Vehicle Permit-Holder.* The transfer of a Vehicle Permit to a person who is not a current Vehicle Permit-holder licensed herein, shall not be effective until the proposed transferee/assignee submits an application pursuant to Section 55.19, pays the application fees, and obtains approval as provided in Section 55.20 and 55.21
  - (c) *Transfer Fee.* Approved transfers of permits in (a) and (b) above shall be made after payment of a fifty dollar (\$50) transfer fee per decal if the prior decal is returned, or the payment of three hundred dollars (\$300) if the prior decal is not returned. The transferee shall pay all costs for the inspection of the vehicles. Upon submission of documentation verifying destruction of the permit decal, the Vehicle-for-Hire Administrator or the Administrator's designee, may waive the three hundred dollar (\$300) replacement fee.
- (3) *Prohibition Against Transfer of Taxicab Permits.* No Taxicab Permit-holder of new or existing Taxicab Vehicle Permits may sell, bargain, grant, demise, lease, option or assign (hereinafter collectively "transfer") the Taxicab Vehicle Permit except as provided for in subsection (4) herein. Any attempted transfer of any Taxicab Vehicle Permit, not provided for in subsection (4) herein shall result in an automatic revocation of the Vehicle Permit, and the Vehicle Permit shall be subject to distribution as provided in Part IV, herein.
- (4) *Transfer of Taxicab Vehicle Permits.* The following shall apply to the Transfer of Taxicab Vehicle Permits:
- (a) *To Taxicab Permit-Holder.* The transfer from one Taxicab Permit-holder to another Taxicab Permit-holder shall not be effective until approved as provided in Section 55.20 and 55.21
  - (b) *To Non-Taxicab Permit-Holder.* The transfer of a Taxicab Permit to a person who is not a current Taxicab Permit-holder licensed herein, shall not be effective until the proposed transferee/assignee submits an application pursuant to Section 55.19, pays the application fees and obtains approval as provided in Section 55.20 and 55.21
  - (c) *To Different Taxicab Company.* The Transfer of a Taxicab Permit from one Taxicab company to a new or another existing Taxicab company operated by the same Taxicab Permit-holder shall not be effective until approved as provided in Section 55.20 and 55.21
  - (d) Any Taxicab Permit-holder may lease or contract for Taxicab dispatch and vehicle maintenance services with another Taxicab Permit-holder, providing that the Permit-holder is required to operate the Taxicab(s) for which such services are being leased. A Taxicab Permit-holder leasing dispatch or vehicle maintenance services from another Taxicab Permit-holder must operate under the color scheme of the Taxicab Permit-holder that is providing the leased services.
  - (e) *Transfer Fee.* Approved transfers of permits in (a), (b), or (c) above shall be made after payment of a fifty dollar (\$50) transfer fee per decal if the prior decal is returned, or the payment of three hundred dollars (\$300) if the prior decal is not returned. The transferee shall pay all costs for the inspection of the vehicles. Upon submission of documentation verifying destruction of the permit decal, the Vehicle-for-Hire Administrator or Administrator's designee, may waive the three hundred dollar (\$300) replacement fee.
- (5) *Prohibition Against Transfer of M/WBE Taxicab Permits.* No M/WBE Taxicab Permit-holder of new or existing M/WBE Taxicab Vehicle Permits may sell, bargain, grant, demise, lease, loan, option or assign (hereinafter collectively "transfer") the M/WBE Taxicab Vehicle Permit except as provided for in subparagraph (4) above. The transfer of M/WBE Taxicab Permits will only be authorized to another M/WBE. Any attempted transfer of any M/WBE Taxicab Vehicle Permit to any person that is not a M/WBE and is not provided for in subparagraph (4) above shall result in an automatic revocation of the Vehicle Permit, and the Vehicle Permit shall be subject to distribution as provided in Part IV, herein.

- (6) It is the intent of this section to be applicable to Taxicab Vehicle Permits issued prior to and subsequent to the effective date of this Chapter.
- (7) *Temporary Replacement Vehicle Permit.* If a Vehicle Permit-holder requests a replacement permit decal for a vehicle that is to be operated as a Temporary Replacement Vehicle in lieu of, and not in addition to, such Permit-holder's regularly operated Vehicle-for-Hire, then it shall be mandatory that the Vehicle Permit-holder deliver to the custody of the Vehicle-for-Hire Administrator, or the Administrator's designee, the Vehicle Permit decal that is assigned to the vehicle that is to temporarily be replaced. The service charge for such replacement shall be fifty dollars (\$50). Should the holder of a temporary Vehicle Permit apply to convert any such temporary to an annual permit while the temporary permit is valid, the fifty dollar (\$50) temporary permit fee may be credited toward the annual permit fee.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 9-20-2010, § 2, Doc. #1009201104; Ord. No. 2013-6, § 4, 2-4-2013, Doc. #1302041203)

#### PART IV. - DETERMINATION OF TAXICAB LEVEL OF SERVICE AND DISTRIBUTION OF TAXICAB VEHICLE PERMITS

##### Sec. 55.24. - Public Necessity and Convenience Formula For Taxicab Vehicle Permits.

- (1) *Determination of Necessity.* The minimum number of any new Taxicab Vehicle Permits to provide adequate service for the public necessity and convenience shall be determined by the Vehicle-for-Hire Administrator, one time per year at a public hearing, after applying the formula in (2) below, using the criteria listed in (2) below.
- (2) *Informational Inputs for the Formula.* The City's determination made pursuant to this section shall be based upon the following information as of December 31 of the most recently completed calendar year:
  - (a) One Taxicab Vehicle Permit shall be authorized for each 1000 residents of the City of Orlando. The City resident population figure shall be based on the annual census update performed by the City's Director of Planning and Development; and
  - (b) One Taxicab Vehicle Permit shall be authorized for each 60,000 passengers deplaned at Orlando International Airport (OIA). The OIA passengers deplaned figure shall be based on figures compiled annually and maintained by the Greater Orlando Aviation Authority.

The number resulting from adding subparagraphs (a) and (b) above shall be the total number of Taxicab Vehicle Permits needed to provide for public necessity and convenience. The demand for new or additional permits shall be determined by subtracting the current number of Taxicab Vehicle Permits from the total number needed. If the number results in a negative figure, then no new Taxicab Vehicle Permits shall be authorized by the Vehicle-for-Hire Administrator.

(Ord. of 4-20-1998, Doc. #31157; Ord. No. 2013-6, § 5, 2-4-2013, Doc. #1302041203)

##### Sec. 55.25. - Distribution of Available Taxicab Vehicle Permits.

The new, additional, revoked or dormant Taxicab Vehicle Permits (hereinafter "Available Permits") shall be distributed as follows:

- (1) *The Initial Distribution of Available Permits.* Upon adoption and enactment of the amended Public Necessity and Convenience (PNC) Formula any Available Permits shall be distributed as follows:
  - (a) Permits will be distributed in a pro-rata share to the existing M/WBE operators until the City goals of 18% and 6% are met.

(b) The remainder of the Available Permits will be distributed in a pro-rata share to the existing non-M/WBE operators.

(2) *Subsequent Distributions.* After the initial distribution of Available Permits as described in paragraph (1) above, Available Permits shall thereafter be distributed as determined by City Council as being in the best interest of the City and its riding public.

(3) *Dual Purpose Taxicabs.* Each taxicab permit-holder will be entitled to increase its fleet by the addition of Dual Purpose Taxicabs. Such additional Dual Purpose Taxicabs shall not exceed 8% of the total regular active taxicab permits held by that entity. For the purpose of this section, Dual Purpose Taxicabs shall mean, "those taxicabs specifically equipped for transporting handicapped or wheelchair bound passengers". No more than 50% of any permit holder's dual purpose taxicabs shall be permitted to pick up passengers at Orlando International Airport (OIA). These additional permits are not transferable to another permit-holder.

(4) *Green Taxicabs.* Each taxicab permit-holder will be entitled to increase its fleet by the addition of Green Taxicabs. Such Green Taxicabs shall not exceed 10% of the total regular active taxicab permits held by that entity. These additional permits are not transferable to another permit-holder.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 10, Doc. #32438; Ord. of 3-26-2007, § 2, Doc. #0703261002; Ord. No. 2013-6, § 5, 2-4-2013, Doc. #1302041203)

#### Sec. 55.26. - Requirements for Activating Taxicab Vehicle Permits.

(1) *New Entrant.* A New Entrant(s) selected in the New Entrant and Current Permit-holder lottery shall have 180 days from the date of the lottery to place in service all of the new Taxicab Vehicle Permits awarded. Failure to meet this standard shall result in automatic revocation of all awarded new Taxicab Vehicle Permits.

(2) *Existing Taxicab Vehicle Permit-Holder.* Each Taxicab Vehicle Permit-holder awarded one or more Taxicab Vehicle Permits shall have 180 days to activate all such awarded permits. Failure to activate any awarded permits shall result in automatic revocation of the permit(s) not activated.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 15, Doc. #0701111008)

#### Sec. 55.27. - Taxicab Vehicle Permit-Holder Required to Operate as Owner/Operator.

Every Taxicab Vehicle Permit-holder of a new, available or renewed Taxicab Vehicle Permit issued after the effective date of this Ordinance shall be the operator of the Taxicab permit. It is the intent of this Ordinance that Taxicab Vehicle Permit-holders be the operators of the Taxicab permits that have been awarded. Transfer of ownership shall be subject to the provisions and limitations in Section 55.23 above.

(Ord. of 4-20-1998, Doc. #31157)

### PART V. - DRIVER REGULATION

#### Sec. 55.28. - Driver Permit Requirement.

Any person who operates or drives a non-exempt Vehicle-for-Hire within the jurisdiction of or upon any street in the City of Orlando shall first obtain a Driver Permit, as set forth in this Part.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 16, Doc. #0701111008)

#### Sec. 55.29. - Application and Review for Driver Permit.



- (1) Any person being eighteen (18) years of age or older may make application to the Vehicle-for-Hire Administrator or Administrator's designee for a Driver Permit. The written application shall include the following items:
  - (a) Applicant's name, date of birth, social security number, sex, race or national origin, and any aliases or former legal names used during the preceding five year period;
  - (b) Applicant's home address and mailing address;
  - (c) Applicant's home phone number and existing work phone number;
  - (d) Proof that the applicant holds a valid Florida Driver's License;
  - (e) The names, addresses, and phone numbers of the applicant's existing employer;
  - (f) A sworn affidavit by the applicant which states that the applicant has not been convicted, within the past five (5) years, nor have any charges pending against him or her for any of the following crimes:
    - (i) driving under the influence of drugs or alcohol,
    - (ii) reckless driving,
    - (iii) any crime which is designated as a felony,
    - (iv) any crime involving the sale or possession of a controlled substances as defined by Florida Statutes § 893.03, or any crime involving drug paraphernalia as defined by [F.S.]§ 93.145,
    - (v) the Florida RICO Act,
    - (vi) exposure of the sexual organs and any crime defined under Florida Statutes ch. 800, or
    - (vii) any crime defined as Prostitution under Florida Statutes ch. 796, or under Chapter 43 of the Code of the City of Orlando including, but not limited to, assignation or solicitation for prostitution;
  - (i) The name, address and phone number of the Vehicle Permit-holder for which the applicant is working or intends to work;
  - (j) Such other information as the City may require of all applicants, including, but not limited to, an FDLE inquiry;
  - (k) Payment of an application fee, established by the City.
- (2) **Completeness Review.** Upon receipt of an application and evidence of the payment of the application fee, the Vehicle-for-Hire Administrator or the Administrator's designee shall review the application to ensure that the application is complete and all information requested has been provided. The Vehicle-for-Hire Administrator or the Administrator's designee shall determine whether the applicant understands and is reasonably conversant in the English language for the demands of a Driver and the requirements of this Chapter. Any such method shall receive the prior approval of the City.
- (3) **Final Review.** If the application is deemed complete by the Vehicle-for-Hire Administrator or the Administrator's designee and the applicant successfully shows that he/she is reasonably conversant in the English language, then the application and the affidavits shall be verified for accuracy by the Vehicle-for-Hire Administrator or the Administrator's designee.
- (4) **Issuance of a Permit.** A Driver's Permit shall not be issued if:
  - (a) within the last five (5) years immediately preceding application, the applicant has been convicted of, or has pending charges for, any of the following:
    - (i) Driving under the influence of drugs or alcohol,
    - (ii) Reckless driving,
    - (iii) any crime which is designated as a felony,

- (iv) any crime involving the sale or possession of controlled substances as defined by Florida Statutes § 893.03, or any crime involving drug paraphernalia as defined by § 893.145, Florida Statutes,
  - (v) the Florida RICO Act,
  - (vi) exposure of the sexual organs and any crime defined under Florida Statutes ch. 800,
  - (vii) "Prostitution" as defined in Florida Statutes ch. 796, or under Chapter 43 of the Code of the City of Orlando pertaining to prostitution or assignation or loitering for prostitution or
- (b) the applicant has an outstanding debt owed to:
- (i) the City of Orlando, or
  - (ii) the Orange County Clerk of Courts for violations of Chapter 55, Orlando City Code.

(5) *Appeal of Denial of Permit.*

- (a) *Burden, Evidentiary Requirement and Standard.* In addition to the requirements in Section 55.03(4) above, on appeal of the denial of a Driver's Permit, the applicant shall have the burden of proof to show by substantial competent evidence that the applicant has been reformed, rehabilitated, and without any reasonable doubt, does not pose a safety risk to members of the traveling public. Substantial competent evidence shall not include testimony of the applicant without verification by independent sources such as employment records, parole records, evidence of completion of drug and/or alcohol rehabilitation and testimony of third parties. Ten days prior to the hearing, the applicant shall provide a list of the evidence and witnesses to the Vehicle-for-Hire Administrator. Failure to list the evidence or witnesses shall bar the submission of the unlisted evidence or witnesses to the Board.
- (b) *Board Decision.* The Board shall conduct a de novo review using the standard in paragraph (a) above and shall list specific findings for its decision. After review, the Board shall affirm the decision or overturn the decision of the Vehicle-for-Hire Administrator. Re-application may be made after 90 days for a permit which has been denied by the Vehicle-for-Hire Administrator and the Board.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 17, Doc. #0701111008; Ord. No. 2013-6, § 6, 2-4-2013, Doc. #1302041203)

Sec. 55.30. - Driver Permit.

- (1) *Contents of Driver Permit.* The Driver Permit issued pursuant to Sections 55.28 and 55.29 above, shall bear the Driver's name, date of birth, photograph, driver's license number, permit number, and expiration date. The Vehicle-for-Hire Administrator or the Administrator's designee shall keep a photograph of the Driver on file in the Vehicle-for-Hire section.
- (2) *Display of Permit.* Every Driver shall have his/her Driver's Permit visibly displayed on the exterior of the Driver's blouse or shirt or in such vehicle at all times when on duty, and shall produce it upon demand of any passenger, City of Orlando Code Enforcement or Vehicle for Hire Officer(s) or Administrator, or City, County, or State law enforcement officer, or GOAA representative.
- (3) *Term of Permit.* Said permits shall be valid for a period of one (1) year from the date of issuance.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 18, Doc. #0701111008; Ord. No. 2012-37, § 1, 10-1-2012, Doc. #1210011206; Ord. No. 2013-6, § 6, 2-4-2013, Doc. #1302041203)

Sec. 55.31. - Driver Obligations.

- (1) *Update Application Information.* If any of the information supplied by the Driver in the application in Sec. 55.28, is no longer accurate, the Driver shall then provide current and accurate information to the Vehicle-for-Hire Administrator or the Administrator's designee, within ten (10) days of the date the change occurs. The information filed with the Vehicle-for-Hire Administrator or the Administrator's designee, shall be assumed correct and exclusively relied upon as the correct address for all notices

and enforcement proceedings herein. Failure to maintain the accuracy of the application information on file shall result in automatic suspension of said permit.

- (2) *Taxicab Driver Service Requirement.* Unless otherwise prohibited by this Chapter, the City Code or any other applicable law or regulation, no Taxicab Driver shall refuse any request for transportation from any orderly passenger where the destination of the trip is within the Tri-County Area.
- (3) *Fare Payment in Advance; Refusal or Termination of Trip.* Notwithstanding (2) above, any Driver, including a Taxicab Driver, may request or demand advance payment prior to commencement of a trip, and refuse to initiate such trip and may terminate a trip and/or may request payment if (i) the Driver has reason to believe the passenger(s) may cause bodily injury to him/her, or (ii) the passengers become unruly, rowdy or cause physical damage to the vehicle or the Driver.
- (4) *Most Direct Route.* A Taxicab driver shall use the most direct available route on all trips unless the passenger specifically requests to change the route.
- (5) *Providing Change.* A driver shall be able to provide a reasonable and prudent amount of change, and if correct change is not available, no additional charge will be made to the passenger in attempting to secure the change.
- (6) *Receipt to be Given Upon Demand.* If demanded by the passenger, the Driver shall deliver to the person paying for the hiring of the same, at the time of such payment, a receipt therefor in legible writing, containing the trade name of the Vehicle Permit-holder, the company car number and the driver's name, showing upon such receipt all items for which a charge is made, the total amount paid and the date of payment.
- (7) *Taxicab Stands.* A Driver who occupies a Taxicab stand shall occupy it at the end of the line and move into the first out position on the stand in orderly, single file. Once obtaining the first out or loading position, he shall accept the first request for transportation as provided in (2) above, except that a driver shall not be obligated to accept trips terminating beyond the Tri-County Area (Orange, Seminole, and Osceola counties). Such City of Orlando Taxicab stands shall be for exclusive use by City of Orlando permitted taxicabs. The parking on such Taxicab stands by a vehicle that is not a City permitted Taxicab shall be prima facie evidence of a violation of Section 55.32(1) below, and shall be subject to penalty in accordance with Section 55.32(7) herein.
- (8) *Trip Reports.* The Driver shall keep a Trip Report which shall show the following minimum information for each trip:
  - (a) Name of Vehicle Permit-holder;
  - (b) The company unit number of the vehicle;
  - (c) The name of the Driver;
  - (d) The date and time of trip origin;
  - (e) The origin and destination of the trip;
  - (f) The fare charged or the voucher number for the trip; and
  - (g) The number of passengers transported on the trip.

Each such Trip Report shall be consecutively numbered, and shall be recorded on a form approved by the Vehicle-for-Hire Administrator.

Each Driver shall, on a daily basis, submit said Trip Reports to the Vehicle Permit-holder, except for Drivers who lease the vehicle(s) from the Vehicle Permit-holder for a period longer than one day may submit the Trip Reports at the end of the lease period or weekly, whichever is shorter. All Trip Reports shall be at all times open to inspection by representatives of the City of Orlando.

- (9) *Unauthorized Solicitation of Vehicle For Hire Services.*
  - (a) Unauthorized solicitation occurs whenever any person, without being authorized by the City of Orlando, or the Greater Orlando Aviation Authority, or without having made a Prior Agreement

to provide Vehicle-for-Hire services to a specific patron, offers to engage in any business, trade, or commercial transaction involving the rendering to another person of any Vehicle-for-Hire services. Unlawful solicitation occurs when a driver solicits passengers:

- (i) from a location other than the driver's compartment or the immediate vicinity of the driver's Vehicle for Hire;
  - (ii) in a way that annoys or obstructs the movement of a person, or follows any person for the purpose of unlawful soliciting;
  - (iii) in a loud, boisterous or annoying manner of voice, or by sign, or in any other annoying manner; or
  - (iv) by paying an employee of another business to solicit passengers for or give preferential treatment in directing passengers to the driver's Vehicle for Hire.
- (b) No person shall without authorization solicit Vehicle-for-Hire services at any airport operated by the Greater Orlando Aviation Authority, or at any hotel, motel, bed and breakfast, restaurant, retail or wholesale facility, government facility or center, any entertainment facility or center, transportation facility or center, or any other location of public gathering.
- (10) A Driver shall not use obscene or profane language, nor be abusive to passengers.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 11-1-1999, § 11, Doc. #32438; Ord. of 1-11-2007, § 19, Doc. #0701111008; Ord. No. 2013-6, § 6, 2-4-2013, Doc. #1302041203)

#### PART VI. - ENFORCEMENT

##### Sec. 55.32. - Civil Enforcement.

- (1) *Operation of a Vehicle-for-Hire Without a Permit Issued Herein.* Unless exempt under Section 55.06(1) above, it shall be a violation of this section for any person to operate, offer to operate, or cause to be operated, allow to be operated, or drive with the intent to pick up passengers, or originate transportation other than continued services, as a Vehicle-for-Hire within the jurisdictional limits or upon the public streets of the City of Orlando without a Vehicle Permit issued pursuant to this Chapter.
- (2) *Operation of a Vehicle-for-Hire Without a Driver's Permit.* It shall be a violation of this section for any Vehicle-for-Hire Permit-holder or any person to operate, offer to operate, or cause to be operated, allow to be operated, or drive a Vehicle-for-Hire in or upon any street unless and until such person driving the vehicle shall have first obtained a Driver's Permit, as set forth in Part V above.
- (3) *Use of Vehicles for Illegal Purposes.* It shall be a violation of this section for the Vehicle Permit-holder or Driver to permit any person to accompany or use such vehicle for, or to direct, take or transport, any other person with knowledge or reasonable cause to believe that the purpose of such directing, taking, or transporting is for any of the crimes listed in Section 55.29(4), above.
- (4) *Unauthorized Reproduction or Alteration of Vehicle or Driver Permits.* It shall be a violation of this section for any person to reproduce, alter, manufacture, use, display, or otherwise employ any facsimile or reproduction of the Vehicle or Driver Permits adopted by the City.
- (5) *Payment of "Turkey" Money.* It shall be a violation of this section for a hotel, motel, or restaurant, their agents or employees, or any skycaps or bellmen to pay any money or other gratuity including money, commonly referred to as "turkey money," to a Vehicle Permit-holder or a Driver as consideration for diverting or attempting to divert a passenger or passengers from one hotel, motel, or restaurant to another hotel, motel, or restaurant, or from one particular vehicle category to another.

- (6) *Receipt of "Turkey" Money.* It shall be a violation of this section for a hotel, motel, or restaurant, their agents or employees, or skycaps or bellmen to receive or accept any money or other gratuity including money, commonly referred to as "turkey money," from a Vehicle Permit-holder or Driver as consideration for diverting or attempting to divert a passenger or passengers from one transportation company or particular category of Vehicle-for-Hire to another Vehicle Permit-holder company, Driver, or other category of Vehicle-for-Hire service.
- (7) *Penalty.* Any Vehicle Permit-holder, Driver, or any person who is determined by a police officer or code enforcement officer to have violated any of the prohibitions contained in paragraphs (1), (2), and (4) above, shall be issued an Orange County Uniform Code Citation and shall, upon conviction, be punished as provided in Chapter 5 of the Orlando City Code. If the facsimile, altered or reproduced Vehicle or Driver's Permit in (4) above, also contains a facsimile or reproduction of the municipal seal of the City of Orlando, then the person shall be prosecuted under § 831.01 or § 831.02, Florida Statutes, or any other applicable statute or ordinance.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 20, Doc. #0701111008; Ord. No. 2013-6, § 7, 2-4-2013, Doc. #1302041203)

#### Sec. 55.33. - Administrative Enforcement—General.

- (1) *Procedure.* Whenever there is reasonable cause to believe that a Vehicle Permit-holder or Driver is violating, or has violated, the provisions of this Chapter, the Vehicle-for-Hire Officer(s) may initiate enforcement proceedings and request a hearing before the Vehicle-for-Hire Administrator. The Vehicle Permit-holder or Driver shall be advised in writing, of the date, time and place of such hearing, mailed to the address on file with the Vehicle-for-Hire Administrator, no later than fifteen (15) days prior to the date of the hearing. Failure to appear shall result in an automatic suspension of the particular Vehicle Permit or Driver Permit, and may be grounds for revocation of said permit(s). The Vehicle-for-Hire Administrator shall conduct the hearing pursuant to Sections 55.34 and 55.35 below.
- (2) *Impoundment of Vehicle.* In addition to the penalty provisions of paragraph (7) of Section 55.32 above, any citation issued for a violation of paragraphs (1) through (4) of Section 55.32 above, may result in the immediate removal and impoundment of the vehicle by the City. The vehicle shall be released to the Owner upon payment of any tow, storage, inspection costs, and any other fines or penalties.
- (3) *Immediate Removal for Faulty Equipment.*
  - (a) *Authority.* In addition to the suspension powers listed in Section 55.35 below, the Vehicle-for-Hire Administrator or Officer(s) may, at their discretion, temporarily suspend any permitted Vehicle-for-Hire upon a factual determination by the Administrator or Officer(s) that the particular vehicle is unsafe or in substantial non-compliance with Section 55.09 above, or the observation of a patent defect of the vehicle for the transportation of the traveling public. Unsafe shall mean that the condition of the Vehicle, whether one major violation or defect or an aggregate of minor defects, could pose a safety or health risk to the traveling public.
  - (b) The suspension shall take effect immediately upon notice to the Driver of the Vehicle-for-Hire by issuance of a Notice of Suspension. The Vehicle-for-Hire Administrator or Officer(s) shall affix a decal to both door-sides of the particular vehicle which state that the vehicle is suspended pending further investigation and correction of safety and/or equipment violations, and that the vehicle shall not transport any person for hire. The decal shall remain affixed to the vehicle until either the Vehicle Permit-holder corrects (i) the safety and/or equipment violations and has the vehicle inspected by the City pursuant to Section 55.21 above, except that self inspection shall not apply, and pays the reinstatement fee as required by 55.35 below, or (ii) appeals the determination to the Board and has the determination of the Vehicle-for-Hire Administrator or Officer(s) overturned. The operation of a vehicle suspended pursuant to this paragraph or the unauthorized removal or alteration of the decals affixed to the vehicle shall result in revocation of the Vehicle Permit, as provided in Section 55.35 below.

Sec. 55.34. - Administrative Enforcement—Drivers.

- (1) *Specific Grounds for Suspension of Driver's Permit.* Without limiting the generality of Section 55.33 above, the following shall constitute specific grounds for suspension of the Driver's Permit:
  - (a) *Operation Without Public Display of Driver's Permit.* If a Driver who operates any Vehicle-for-Hire fails to visibly display his/her Driver Permit on his/her outer garment or in such vehicle at all times when on duty.
  - (b) *Charging of Rates Inconsistent with Established Rates.* If a Driver charges, receives, or obtains any fare from a passenger that is not strictly consistent with any rates and surcharges approved by the City.
  - (c) *Charging of Rates Inconsistent with Rates on File with the City.* If a Driver charges, receives, or obtains any fare from a passenger that is not strictly consistent with any rates on file with the Vehicle-for-Hire Administrator.
  - (d) *Possession of Prohibited Electronic Devices.* If a Driver is in possession of, or it is located within the interior of the Vehicle, any electrical device such as radar detector/"fuzz buster," police, two-way or similar scanners, or two-way radio frequency monitors.
  - (e) *Failure to Possess Printed Schedules.* If a Driver fails to have printed schedules of the current adopted rates and/or surcharges available at all times for inspection in all Vehicles-for-Hire, except Taxicabs.
  - (f) *Driver Trip Reports.* If the Driver fails to keep updated Trip Reports as required pursuant to Section 55.18 above.
  - (g) *Operation of a Taxicab with Meter in Non-Calculating Position.* If a Driver operates a Taxicab Vehicle-for-Hire with any passenger or occupant when the meter is in the non-calculating position, except when operating on a hourly or trip rate.
  - (h) *Tampering with Taxicab Meter.* If any Driver tampers with or changes the adjustment of a meter.
  - (i) *Operation of a Taxicab with Inaccurate Meter.* If the Driver operates a Taxicab Vehicle-for-Hire with the knowledge that the meter does not accurately register the mileage and the rate as set by the City. Evidence of the breaking of an official meter seal of the Florida Department of Agriculture and Consumer Services shall constitute prima facie evidence that a meter does not accurately register the mileage and rate required by City ordinances.
  - (j) *Failure to Produce Driver's Permit.* If a Driver operating any Vehicle-for-Hire fails to produce his or her Driver Permit upon demand of any passenger, the Vehicle-for-Hire Officer(s) or Administrator, representative or agent of GOAA or law enforcement officer.
  - (k) *Smoking by Driver.* If a Driver smokes a cigarette, cigar, pipe or other tobacco substance in the vehicle while such vehicle is occupied by a passenger, unless the passenger(s) consents otherwise.
  - (l) *Vehicle-for-Hire Limited to Driver and Passengers.* If a Driver allows or permits any person not a passenger, other than the Driver him/herself, to occupy the Vehicle-for-Hire while it is hired.
  - (m) *Hours of Driving.* If a Driver operates one or more Vehicles-for-Hire for more than twelve (12) cumulative hours within any continuous twenty-four (24) hour period.
  - (n) *Payment of "Turkey" Money.* If a Driver pays any money or other gratuity including money, commonly referred to as "turkey money," to a hotel, motel, or restaurant, their agents or employees, skycaps or bellmen as consideration for diverting or attempting to divert a passenger or passengers from one transportation company, or particular category of Vehicle-for-Hire to another, Vehicle Permit-holder company, Driver, or other category of Vehicle-for-Hire services to the Driver's Company or Vehicle.

- (o) *Receipt of "Turkey" Money.* If a Driver receives or accepts any money or other gratuity including money, commonly referred to as "turkey money," from a hotel, motel, or restaurant, their agents or employees, or skycaps or bellmen, as consideration for diverting or attempting to divert a passenger or passengers from one hotel, motel, or restaurant to another hotel, motel, or restaurant.
  - (p) *Misleading Passengers.* If a Driver intentionally or knowingly misleads, by any act or word, a passenger or potential passenger about:
    - (i) the time or place of arrival or departure of a train, airplane, any Vehicle-for-Hire or bus;
    - (ii) the location of any building or place, or the distance between two points;
    - (iii) the cost or amount of the trip; or
    - (iv) information on the cost, availability or quality of another Vehicle Permit-holder or Driver.
  - (q) *Unauthorized Use of Streets.* Except as provided in this Chapter, if a Driver allows the Vehicle-for-Hire to remain, park or occupy any space on the streets for the transaction of business other than the picking up of passengers and letting out of passengers.
  - (r) *Operation of Permitted Vehicle-for-Hire for Non-Permitted Service.* If any Driver, operates, or causes to operate, the permitted Vehicle-for-Hire in a category of vehicle service which is not the category authorized by the Vehicle Permit.
  - (s) *Possession of Sign.* If the Driver violates Section 55.14(1)(d) or (e) or 55.14(3)(c) with the possession of an improper sign or top light.
  - (t) *Failure to Update Application Information on File with City.* If a Driver violates Section 55.31(1) by failing to provide the most current application information to the Vehicle-for-Hire Administrator.
  - (u) *Taxicab Stand Misconduct.* If a Driver violates any of the provisions of Section 55.31(7), regulating conduct of Taxicab stands.
  - (v) *Passenger Receipts.* If a Driver violates Section 55.31(6), regulating the issuance of receipts.
  - (w) *Wrongful Termination or Refusal of Trip.* If the Driver wrongfully terminates or refuses a trip for any reason not listed in Section 55.31(3).
  - (x) *Unlawful Solicitation.* If the Driver engages in the unlawful solicitation of passengers as pursuant to Section 55.31(9) above.
  - (y) *Driver Conduct.* Obscene, profane or abusive behavior by a Driver towards his/her passenger(s).
  - (z) *Failure to Produce Documentation of Prearranged Transportation.* If a Driver operating any Vehicle-for-Hire fails to produce written documentation of prearranged for hire services upon demand of an Orlando Police or Vehicle-for-Hire Officer.
- (2) *Suspension of Driver's Permit.* If the Vehicle-for-Hire Administrator chooses to suspend a Driver's Permit, the Vehicle-for-Hire Administrator shall set a time certain for the period of suspension. During the period of suspension the Driver shall not operate any Vehicle-for-Hire. The reinstatement fee for a suspended Driver's Permit shall be One Hundred Dollars (\$100).
- (3) *Grounds for Revocation of Driver's Permit.* The following shall constitute grounds for revocation of the Driver's Permit:
- (a) *Multiple Suspensions.* If a Driver is suspended three or more times in one 365-day period, then the Driver's Permit shall be revoked.
  - (b) *Altering of Driver's Permit.* If a Driver willfully alters, defaces, obliterates or destroys any Driver's Permit issued herein, or causes the same to be defaced, obliterated or destroyed, then the Driver's Permit shall be revoked.

- (c) *Operation of Vehicle-for-Hire with Suspended Driver's Permit.* If the Driver who has had the Driver's Permit suspended operates a Vehicle-for-Hire, then the Driver's Permit shall be revoked.
  - (d) *Driver Convicted.* If any Driver is convicted of any of the crimes listed in paragraph 55.29(4), then the Driver's Permit shall be revoked.
  - (e) *Failure to Pay Reinstatement Fee.* If a Driver fails to pay the required reinstatement fee by the end of the suspension period pursuant to paragraph 55.34(2) Orlando City Code, then the Driver's Permit shall be automatically revoked.
- (4) *Revocation of Driver's Permit.* If the Vehicle-for-Hire Administrator chooses to revoke a Driver's Permit, the Driver shall return the Driver's Permit to the Vehicle-for-Hire Administrator within five (5) working days of the date of revocation. Any such Driver whose permit or permits are revoked shall not be eligible to apply for a Driver's Permit for twelve (12) months from the date of revocation. After twelve (12) months, the former Driver shall be required to re-apply as a new applicant in order to obtain any Driver's Permit issued herein. The former Driver shall pay the full permit fee for a Driver's Permit.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 22, Doc. #0701111008; Ord. No. 2013-6, § 7, 2-4-2013, Doc. #1302041203)

Sec. 55.35. - Administrative Enforcement—Vehicle Permit-Holder.

- (1) *Grounds for Suspension of Vehicle Permit.* Without limiting the generality of Section 55.33 above, the following shall constitute grounds for suspension of the Vehicle Permit:
- (a) *Operation Without Public Display of Vehicle Permit.* If a Vehicle Permit-holder operates, allows, leases or causes to be operated any Vehicle-for-Hire which has been issued a Vehicle Permit without said Vehicle Permit affixed to the Motor Vehicle.
  - (b) *Charging of Rates Inconsistent with Established Rates.* If a Vehicle Permit-holder charges, receives, or obtains any fare from a passenger that is not strictly consistent with any rates and surcharges approved by the Vehicle-for-Hire Administrator.
  - (c) *Charging of Rates Inconsistent with Rates on File with the City.* If a Vehicle Permit-holder charges, receives, or obtains any fare from a passenger that is not strictly consistent with any rates on file with the Vehicle-for-Hire Administrator.
  - (d) *Possession of Prohibited Electronic Devices.* If a Vehicle Permit-holder gives, leases or borrows to the Driver or installs or equips in the interior of the Vehicle any electrical device such as radar detector/"fuzz buster," police, two-way or similar scanners, or two-way radio frequency monitors.
  - (e) *Failure to Possess Printed Schedules.* If a Vehicle Permit-holder fails to have provided in the Vehicle-for-Hire a printed schedule of the current adopted rates and/or surcharges available at all times for inspection in all Vehicles-for-Hire, except Taxicabs.
  - (f) *Driver Trip Reports.* If the Vehicle Permit-holder fails to keep and file the applicable Trip Reports as required pursuant to Section 55.18 above.
  - (g) *Tampering with Taxicab Meter.* If any Vehicle Permit-holder tampers with or changes the adjustment of a meter.
  - (h) *Operation of Taxicab with Inaccurate Meters.* If the Vehicle Permit-holder operates, leases or causes to operate a Taxicab with the knowledge that the meter does not accurately register the mileage and the rate as set by the Vehicle-for-Hire Administrator. Evidence of the breaking of an official meter seal of the Florida Department of Agriculture and Consumer Services shall constitute prima facie evidence that a meter does not accurately register the mileage and rate required by City ordinances.



- (i) *Two-Way Radio Required.* If the Vehicle Permit-holder fails to equip and maintain every Vehicle-for-Hire with an operational two-way radio or comparable communication devices such that office dispatchers may immediately and effectively notify drivers of requests for service, and such that drivers may immediately and effectively request assistance should assistance be needed.
- (j) *Possession of Monitoring Devices.* If the Vehicle Permit-holder has in its possession at its place of business, dispatch operation or in any building or vehicle under its control and possession any device used for the monitoring of a competitor's radio frequency.
- (k) *Failure to Post Taxicab Rates.* If the Taxicab Permit-holder fails to have permanently posted in a place with a view to the general public within the interior and on each door-side of the outside of each Taxicab Vehicle-for-Hire, the schedule of the current adopted rates, charges and/or surcharges adopted by the Vehicle-for-Hire Administrator.
- (l) *Failure to Satisfy the Minimum Safety and Equipment Standards.* If a Vehicle Permit-holder operates, leases, or causes to be operated a Vehicle-for-Hire that does not strictly comply with any of the Safety and Equipment Standards in Section 55.09
- (m) *Failure to Post Informational Sign.* If the City Council adopts any rate or surcharge for the particular category of Vehicle-for-Hire and the Vehicle Permit-holder fails to post the informational sign or decal as required by Section 55.17(2)(c) above.
- (n) *Operation under Non-Approved Trade Name, Color Scheme and Logo.* If a Vehicle Permit-holder operates, leases, or causes to operate a Vehicle-for-Hire under a Trade Name, color scheme or logo not approved pursuant to Section 55.13 above.
- (o) *Non-Compliance with Display and Advertisement Restrictions.* If a Vehicle Permit-holder fails to strictly comply with the requirements in Sections 55.14 and 55.15 above.
- (p) *Payment of "Turkey" Money.* If a Vehicle Permit-holder pays any money or other gratuity including money, commonly referred to as "turkey money," to a hotel, motel, or restaurant, their agents or employees, or skycaps or bellmen, as consideration for diverting or attempting to divert a passenger or passengers from one category of Vehicle-for-Hire, transportation company, Vehicle Permit-holder or Drivers to its company or Drivers.
- (q) *Receipt of "Turkey" Money.* If a Vehicle Permit-holder receives or accepts any money or other gratuity including money, commonly referred to as "turkey money," from a hotel, motel, or restaurant, their agents or employees, or skycaps or bellmen, as consideration for diverting or attempting to divert a passenger or passengers from one hotel, motel, or restaurant to another hotel, motel, or restaurant.
- (r) *Misleading Passengers.* If a Vehicle Permit-holder intentionally or knowingly misleads, by any act or word, a passenger or potential passenger about:
  - (i) the time or place of arrival or departure of a train, airplane, any Vehicle-for-Hire or bus;
  - (ii) the location of any building or place, or the distance between two points;
  - (iii) the cost or amount of the trip; or
  - (iv) information on the cost, availability or quality of another Vehicle Permit-holder or Driver.
- (s) *Operation of Permitted Vehicle-for-Hire for Non-Permitted Service.* It shall be unlawful for any Vehicle Permit-holder or person to operate, or cause to be operated, a permitted Vehicle-for-Hire in a non-permitted category.
- (t) *Dress Code.* If a Vehicle Permit-holder fails to require and enforce the Driver Dress Code.
- (u) *Possession of Top Lights, Signs, or Other Roof Devices.* If a Vehicle Permit-holder provides, leases, gives, borrows or uses a Taxicab top light, sign, or other roof device in a non-Taxicab Vehicle-for-Hire in violation of Section 55.14

- (v) *Failure to Submit Current Automobile Liability Insurance Certificate.* If a Vehicle Permit-holder fails to supply the Vehicle-for-Hire Section with a current automobile liability insurance certificate or binder in accordance with Section 55.12
  - (w) *Unauthorized Solicitation.* If a Vehicle Permit-holder engages in the unauthorized solicitation of passengers as pursuant to Section 55.31(9) above.
  - (x) Display current Vehicle-for-Hire permit decal only.
  - (y) *Allowing Non Permitted Driver.* If a company knowingly allows a Driver to operate as a vehicle for hire driver without having a valid Driver's Permit as required by this chapter.
- (2) *Suspension of Vehicle Permit.*
- (a) *Time Certain for Suspension.* If the Vehicle-for-Hire Administrator chooses to suspend a Vehicle Permit, the Vehicle-for-Hire Administrator shall set a time certain for the period of suspension.
  - (b) With regard to the violations listed in (1)(m) and (n) above, the Vehicle-for-Hire Administrator shall adopt at least a minimum suspension of seven (7) days for each vehicle found in violation. For any violation in (1)(o) above, the Vehicle-for-Hire Administrator shall levy a suspension of at least three (3) days and no greater than ten (10) days for:
    - (i) five (5) percent or minimum of one permit, whichever is greater, of all permits issued to the Vehicle Permit-holder for the first violation;
    - (ii) twenty-five (25) percent or a minimum of three permits, whichever is greater, of all permits issued to the Vehicle Permit-holder for the second violation within three-hundred and sixty-five (365) days; and
    - (iii) fifty (50) percent or a minimum of six permits, whichever is greater, of all permits issued to the Vehicle Permit-holder for the third violation within three-hundred and sixty-five (365) days.
  - (c) *Suspension of Vehicle-for-Hire Service.* During the period of suspension the Vehicle Permit-holder shall not operate, or cause to have operated or allow the operation of the vehicle(s) which is/are subject of the suspended Vehicle Permit(s).
  - (d) *Corrective Action by Vehicle Permit-Holder.* The Vehicle Permit-holder shall correct the violation for which the suspension was ordered and submit proof of said correction to the Vehicle-for-Hire Administrator prior to the end of the suspension period.
  - (e) *Fee.* The reinstatement fee for a suspended permit shall be \$250 for safety related offenses, more particularly, subsections 1(i), 1(l), 1(r), 1(s), and 1(v) of this section and \$500.00 for suspensions involving lapse in required insurance coverage. The reinstatement fee for all other offenses shall be fifty percent (50%) of the amount of a new permit.
- (3) *Grounds for Revocation of Vehicle Permit.* The following shall constitute grounds for revocation of the Vehicle Permit:
- (a) *No Insurance.* If the Vehicle Permit-holder fails to provide the insurance required in Section 55.12 whether by a lapse in coverage or coverage below the minimum amount.
  - (b) *Failure to Correct During Suspension.* If, at the end of the suspension period, the violation or violations have not been corrected, or proof thereof has not been submitted to or accepted by the Vehicle-for-Hire Administrator, the Vehicle Permit will be automatically revoked.
  - (c) *Multiple Suspensions.* If a Vehicle Permit is suspended three or more times in one 365 day period.
  - (d) *Operation of Suspended Vehicle Permit.* If the Vehicle Permit-holder, its agent or employee operates or causes to be operated a vehicle which is the subject of a suspended Vehicle Permit as provided in Section 55.33(3) or Section 55.35(2).

- (e) *Loss of M/WBE Certification Status.* If, for any reason, an M/WBE permit-holder loses M/WBE certification status, the Vehicle Permit shall be automatically revoked. All revoked vehicle permits shall be distributed as provided in Section 55.25 herein.
- (4) *Revocation of Vehicle Permit.* If the Vehicle-for-Hire Administrator chooses to revoke a Vehicle Permit, the Vehicle Permit-holder shall scrape the Vehicle Permit decal from the vehicle and return it to the Vehicle-for-Hire Administrator within five (5) working days of the date of revocation. Any Vehicle Permit-holder whose permit or permits are revoked shall not be eligible to apply for any category of Vehicle Permits for six (6) months from the date of revocation. After six months, the former Vehicle Permit-holder shall be required to re-apply as a new applicant in order to obtain any Vehicle Permit issued herein. The former Vehicle Permit-holder shall be given no preference in the issuance of unused permits and shall pay the full permit fee for any Vehicle Permits he or she may obtain to replace the ones that were previously revoked.
- (5) *Appeals—General.* The decisions of the Board pursuant to Section 55.32 through 55.35, shall be final decisions, shall not be reviewed by the City Council by appeal in Section 55.04(6), and shall constitute the final agency action of the City of Orlando with respect to the decision. Any review of the decision shall be made by writ for petition for certiorari to the circuit court as provided by law.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 23, Doc. #0701111008; Ord. No. 2013-6, § 7, 2-4-2013, Doc. #1302041203)

Sec. 55.36. - Transitional Provisions.

- (1) All Trade Names, color schemes, logos, or vehicle designs of an active Vehicle Permit issued prior to the effective date of this Ordinance shall be grandfathered so long as the Vehicle Permit has not expired, been revoked or become dormant.
- (2) All resolutions of the Board prior to the effective date of this ordinance shall remain in effect to the extent that the resolutions are consistent with this Chapter. If a resolution is inconsistent with the terms of this Chapter, this Chapter shall control over the specific matters within the resolution, and the resolution shall be deemed modified without action required by the Board.

(Ord. of 4-20-1998, Doc. #31157; Ord. of 1-11-2007, § 23, Doc. #0701111008)

Sec. 55.37. - Administrative Enforcement—All Provisions of this Chapter.

Notwithstanding and without limiting the general or specific enforcement authority of Sections 55.32—55.35 herein, any violation of any section of this Chapter by either a Vehicle or Driver Permit-holder shall subject said Permit-holder to revocation or suspension of said Vehicle or Driver Permit.

(Ord. of 4-20-1998, Doc. #31157)

ARTICLE II. - NON-MOTORIZED VEHICLES

Sec. 55.100. - Definitions.

The definitions in Article I, Section 55.02, and any subsequent amendment thereto are hereby made applicable, in whole or in part, where appropriate to this Article.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this section:

*Decal* means the numbered permit issued pursuant to this Article which allows the operation of a non-motorized vehicle within the city limits of the City of Orlando.

*Driver* means a person who operates a non-motorized vehicle within the city limits of the City of Orlando.

*Driver's permit* means a permit issued pursuant to this Article which entitles a person to operate a non-motorized vehicle within the jurisdictional limits of the City of Orlando.

*Non-motorized vehicle* means any vehicle propelled by human power which is used for transporting passengers if the driver receives direct or indirect compensation for providing such transportation and includes any vehicle to which a decal has been issued pursuant to this Chapter.

*Street* means any public street, avenue, road, alley, lane, highway, public park, sidewalk, or other public place located in the City of Orlando.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

#### Sec. 55.101. - Establishment of Prohibited Streets.

The Vehicle for Hire Administrator shall establish a list of streets upon which travel by non-motorized vehicles is prohibited. Such list shall be provided to each driver along with the driver's permit. Should changes be made to the list at any time, a corrected copy of the list will be furnished to each driver by registered mail. Enforcement of any newly added prohibited streets will not be effective until ten business days after the new list has been mailed.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

### PART I. - VEHICLE REGULATIONS

#### Sec. 55.102. - Non-motorized Vehicle Decal.

- (1) It shall be a violation for any person to operate any non-motorized vehicle upon the public streets of the City of Orlando unless the owner of that non-motorized vehicle has first obtained a non-motorized vehicle decal issued by the Chief of Police.
- (2) Such decal shall, at all times during the period for which it is valid, be securely attached to a conspicuous place on the left rear portion of the non-motorized vehicle for which it was issued.
- (3) Each decal shall be valid for one year from the beginning of the month issued. A fee shall be paid in advance for each decal. The fee shall be set by the Chief of Police and shall reasonably represent the costs, work, time, and process necessary to perform such administrative task.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

#### Sec. 55.103. - Liability Insurance.

The owner of each decal shall maintain a liability and property damage insurance policy insuring the non-motorized vehicle, in the amount of five hundred thousand dollars (\$500,000.00) combined single limit for each accident, or bodily injury, death, and/or property damage written by a company authorized to transact business in the State of Florida and be rated B+ VI or higher by A.M. Best. Such policy indicating the liability amounts and the policy period must be provided to the Vehicle-for-Hire Section prior to issuance or renewal of any permit. Each separate part of the non-motorized vehicle shall have a serial number affixed thereto and shall be listed on the insurance certificate. All such policies shall be kept in full force and effect at all times while any non-motorized vehicle is operated within the City, and must cover a minimum period of 12 months. Proof of such insurance must be maintained within the vehicle at all times when operated within the City of Orlando.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

#### Sec. 55.104. - Rates to be Displayed.

Each non-motorized vehicle operated within the City of Orlando shall prominently display, in a frame covered with clear plastic, a card or sign, printed in plain, legible letters or numbers which shall state

whether gratuities or donations are accepted or contain the schedule of rates for the transportation services furnished by the driver; the City decal number of such non-motorized vehicle, and the name and work address of both the decal owner and the driver of such vehicle. No Driver of any non-motorized vehicle may charge a fee which is not so posted.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

Sec. 55.105. - Vehicle Safety and Equipment Standards.

- (1) Non-motorized vehicles shall be not operated within the City of Orlando except in compliance with all laws of the State of Florida in Chapter 316 of the Florida Statutes applicable to bicycles.
- (2) The Vehicles-for-Hire Administrator and any law enforcement officer shall have the right to inspect or cause to be inspected any non-motorized vehicle as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this Article.
- (3) No driver shall operate a non-motorized vehicle on any street unless the vehicle meets the following safety and equipment standards:
  - (a) *Tires.* Tires shall be of the size appropriate for the non-motorized Vehicle-for-Hire and with no mismatched tires. There shall be no cuts into the tire or localized worn spots that expose the ply. No tire is permitted when the tire has tread wear indicators that are visible.
  - (b) *Operational horn.* The Vehicle-for-Hire shall be equipped with an operational horn or bell.
  - (c) *Brakes.* Each non-motorized vehicle shall be equipped with an operational brake or brakes which will enable its driver to stop the vehicle within 15 feet from a speed of ten miles per hour on dry, level, clean pavement. The brake systems shall demonstrate a reasonable total braking force when tested, using the "quick stop method."
  - (d) *Headlights, Tail Lights, Mirrors, Turn Signals and Other Requirements.* Every Vehicle-for-Hire shall be equipped with the following operational equipment:
    - (i) a headlight capable of projecting a beam of white light for a distance at a minimum of 500 feet, which shall be clearly visible between the hours of sunset and sunrise and which must be illuminated at all times during operation;
    - (ii) a red taillight affixed to the rear of the passenger compartment, which shall be clearly visible between the hours of sunset and sunrise from a distance of 600 feet to the rear of the non-motorized vehicle and which must be illuminated at all times during operation;
    - (iii) a side mounted mirror affixed to the non-motorized vehicle to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the non-motorized passenger vehicle;
    - (iv) a slow moving vehicle triangle on the rear of the vehicle or reflective tape which outlines the rear of the non-motorized vehicle from edge to edge;
    - (v) turn signals lamps which indicators must be visible for a distance of at least 500 feet from the rear of the vehicle indicating right and left turns and which must be utilized when turning;
  - (e) Reserved.
  - (f) Reserved.
  - (g) *Company Name.* The company or trade name and unit number shall be conspicuously displayed on the exterior of each non-motorized passenger vehicle;
  - (h) *Trailer or sidecar.* No more than one trailer or sidecar may be attached to any vehicle. Any such trailer or sidecar must be attached in a manner that meets the requirements of F.S. § 316.530(2).

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

## PART II. - DRIVER REGULATION

### Sec. 55.106. - Driver Permit.

- (1) It shall be a violation for any person to operate a non-motorized vehicle in or upon any street in the City of Orlando unless such person has first obtained from the Chief of Police a driver's permit and has a valid Florida driver's license or complies with F.S. § 322.04 and is, at a minimum 18 years of age.
- (2) The driver's permit shall be affixed to the non-motorized vehicle in a location clearly visible from the passenger compartment of the vehicle.
- (3) Each driver shall maintain a current mailing address on file at all times with the Vehicle-for-Hire Section.
- (4) Each permit shall be valid for one year from the beginning of the month issued. A fee shall be paid in advance for each permit. The fee shall be set by the Chief of Police and shall reasonably represent the costs, work, time, and process necessary to perform such administrative task.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

### Sec. 55.107. - Prohibited Conduct.

The following acts by any driver are prohibited:

- (1) *To operate a non-motorized vehicle:* (a) while carrying more than four passengers, (b) while carrying a number of passengers that exceeds the number of passenger seats which such vehicle was designed to accommodate, or (c) while any passenger is standing or while any passenger is sitting anywhere other than in the passenger seat thereof; provided, however, that children aged 5 years old or younger, may be seated in the lap of another passenger and will not count as an additional passenger.
- (2) To collect fares, make change, or embark or disembark passengers while the non-motorized vehicle is in motion.
- (3) To operate, park, stand, or stop the non-motorized vehicle in a manner which violates any City ordinance or state law or disrupts the flow of vehicular traffic on public streets.
- (4) To operate, maneuver, incline, spin, tilt, tip, slope, or position a human-powered non-motorized vehicle in any manner that would unnecessarily place a passenger in other than an upright, seated position.
- (5) To operate a non-motorized vehicle upon the sidewalk portion of a public right-of-way, except at the direction of a police officer.
- (6) To operate a non-motorized vehicle on any street listed on the prohibited streets list established by the Vehicle-for-Hire Administrator or on any street posted at a speed greater than 30 miles per hour.
- (7) To operate a non-motorized vehicle with sound produced by a radio, tape player, CD player, DVD player, or other mechanical sound making device or instrument from the non-motorized vehicle so that the sound is plainly audible at a distance of 25 feet or more from such vehicle. Non-motorized vehicles shall not be eligible for a loudspeaker permit.
- (8) To operate or ride more than two abreast, except when overtaking and passing a bicycle or vehicle proceeding in the same direction.
- (9) To use indecent or profane language while operating a non-motorized vehicle.

- (10) To allow any passenger or occupant of the non-motorized vehicle to drink or consume alcoholic beverages or to possess an open container of alcoholic beverages.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

Sec. 55.108. - Receipt provided upon demand.

If requested by the passenger, the driver of a non-motorized vehicle shall deliver to the person paying for the hiring of the same, at the time of such payment, a receipt therefore in legible writing containing the name of the driver, the vehicle decal number, the total amount paid, and the date of payment.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

PART III. - ENFORCEMENT

Sec. 55.109. - Appeals.

All decisions of the Vehicle-for-Hire Administrator or the Chief of Police herein are final and binding decisions until changed or altered by the appropriate appellate authority. An applicant for a decal or driver's permit, or any other aggrieved person, may appeal a decision rendered by the Vehicle-for-Hire Administrator or Chief of Police. Such an appeal must be filed in writing with the Secretary of the Vehicle-for-Hire Appeal Board within ten days of the date the decision to be appealed was rendered. The Secretary shall set a hearing to be heard by the Vehicle-for-Hire Appeal Board in accordance with the procedures set forth in Chapter 55.03(4). At the hearing, the burden of proof shall be upon the applicant or aggrieved party. Failure to file the Notice of Appeal within the ten day period shall operate as a bar for review. The Vehicle-for-Hire Appeal Board shall issue a written order either affirming or reversing the decision of the Vehicle-for-Hire Administrator. All decisions by the Board are final and binding unless appealed to City Council pursuant to subsection 55.04(6); provided, however, Board action on an appeal of a decision rendered pursuant to Section 55.111 or Section 55.113 (Administrative Penalties or Impoundment) shall constitute final agency action of the City of Orlando and shall not be reviewed by City Council.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

Sec. 55.110. - Civil Penalty.

Any person who violates subsection 55.102(1) or subsection 55.106(1), shall be issued an Orange County Uniform Code Citation and shall, upon conviction, be punished as provided in Chapter 5 of the Orlando City Code.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

Sec. 55.111. - Administrative Penalty.

- (1) Whenever a vehicle for hire officer or law enforcement officer has reasonable cause to believe that a driver has committed a violation of this Article, other than subsections 55.102(1) or 55.106(1), that officer shall issue to the driver a notice of violation. The notice of violation will include the date, time, and place where a hearing will be held by the Vehicle-For-Hire Administrator. Failure to appear, unless a continuance has been granted in writing by the Vehicle-For-Hire Administrator, shall result in an automatic suspension of the Driver's Permit.
- (2) Whenever a Vehicle-For-Hire officer or law enforcement officer has reasonable cause to believe that a non-motorized vehicle owner has committed a violation of section 55.103, he shall initiate enforcement proceedings by scheduling a hearing before the Vehicle-for-Hire Administrator. The non-motorized vehicle owner shall be advised in writing of the date, time, and place of such hearing, mailed to the address on file with the Vehicle-for-Hire Administrator, no later than 15 days prior to the

date of the hearing. Failure to appear, unless a continuance has been granted in writing by the Vehicle-For-Hire Administrator, shall result in an automatic suspension of the non-motorized vehicle owner's decal(s).

- (3) The Vehicle-For-Hire Administrator, after a hearing, shall make a determination as to whether a violation of this Article has been committed. Should the Vehicle-For-Hire Administrator find that a violation was committed by a driver, the administrator shall levy a suspension from one day to one year of the Driver's Permit. Should the Vehicle-For-Hire Administrator find that a violation was committed by a non-motorized vehicle owner, the administrator shall levy a suspension from one day to one year of that owners decal(s).
- (4) During the period of any suspension of a Driver permit, the Driver shall not operate any non-motorized vehicle. During the period of any suspension of a Vehicle Decal, the non-motorized vehicle shall not operate within the City.
- (5) If the Vehicle-for-Hire Administrator suspends a Driver's Permit or Vehicle Decal for ten days or more, the Driver Permit or Vehicle Decal owner shall return the Driver's Permit or Vehicle Decal to the Vehicle-for-Hire Administrator within five working days of the date of the suspension. The reinstatement fee for a suspended Driver's Permit or Vehicle Decal shall be fifty (50) percent of the amount of a new permit; provided, however, the reinstatement fee for a suspended Driver's Permit or Vehicle Decal will be the full fee for a Driver's Permit or Vehicle Decal which has been suspended for more than six (6) months.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

#### Sec. 55.112. - Criminal Enforcement.

Any person who willfully refuses to sign or accept a Notice of Violation issued for any violation of this chapter shall be subject to the penalty provided in Section 1.08 of the Code of the City of Orlando. Nothing herein shall prohibit the enforcement of any provision of state law which may apply to non-motorized vehicles or their operators, including any provision of the state traffic laws.

(Ord. of 8-20-2007, § 2, Doc. #0708201201)

#### Sec. 55.113. - Impoundment fees.

Any non-motorized vehicle operated in violation of subsection 55.102(1) or subsection 55.105(3) may be seized and impounded. The vehicle will be released to the lawful owner after all towing and storage fees have been satisfied. Any decal on the vehicle shall be removed and will be reissued only upon payment of one-half ( $\frac{1}{2}$ ) the fee for issuance set pursuant to subsection 55.102(3) and upon confirmation by the Vehicle For Hire Administrator that the vehicle is in compliance with the requirements of subsection 55.105(3).

(Ord. of 8-20-2007, § 2, Doc. #0708201201)