

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Young offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsections (12), (16), (17), (24), and (30) of section 3 of chapter 2001-299, Laws of Florida, are amended to read:

Section 3. Definitions.—As used in this act:

(12) "For hire" means use of any motor vehicle in the county to transport ~~transporting~~ persons for compensation, including a low-speed vehicle, as defined in s. 320.01, Florida Statutes, operating within the Downtown Tampa Special District created pursuant to Tampa City Council Resolution No. 93-123, August 19, 1993.

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

15 (16) "Liability insurance" means insurance against legal
16 liability for the death of, or bodily ~~injury to, a person, or~~
17 ~~disability of any human being,~~ or for damage to property, ~~with~~
18 ~~provision for medical, hospital, and surgical benefits to the~~
19 ~~injured person.~~

20 (17) "Limousine" means any motor vehicle for hire not
21 equipped with a taximeter, with a capacity for 15 passengers or
22 less, including the driver. The term does not include a low-
23 speed vehicle, as defined in s. 320.01, Florida Statutes,
24 operating within the Downtown Tampa Special District created
25 pursuant to Tampa City Council Resolution No. 93-123, August 19,
26 1993.

27 (24) "Public vehicle" means a taxicab, van, limousine,
28 handicab, basic life support ambulance, or and wrecker. The term
29 does not include sightseeing cars or buses, streetcars, motor
30 buses operated pursuant to franchise, or low-speed vehicles as
31 defined in s. 320.01, Florida Statutes, operating within the
32 Downtown Tampa Special District created pursuant to Tampa City
33 Council Resolution No. 93-123, August 19, 1993.

34 (30) "Taxicab" means any motor-driven vehicle, equipped
35 with a taximeter, with a capacity for 9 or less passengers,
36 including the driver, for the transportation of for hire
37 passengers, which operates within Hillsborough County, but does
38 not include sight-seeing cars or buses, streetcars, ~~or~~ motor
39 buses operated pursuant to franchise, or low-speed vehicles as
40 defined in s. 320.01, Florida Statutes, operating within the

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

41 Downtown Tampa Special District created pursuant to Tampa City
42 Council Resolution No. 93-123, August 19, 1993.

43 Section 2. Paragraph (m) of subsection (1) of section 5 of
44 chapter 2001-299, Laws of Florida, is amended to read:

45 Section 5. Commission powers, mandatory and
46 discretionary.—

47 (1) The commission shall:

48 (m) Adopt rules for safety and equipment requirements for
49 ~~taxicabs, limousine, vans, handicabs, and basic life support~~
50 ~~ambulances and for voice communications equipment for all public~~
51 vehicles.

52 Section 3. Subsection (2) of section 7 of chapter 2001-
53 299, Laws of Florida, is amended to read:

54 Section 7. Application for certificate.—

55 (2) Any person desiring to engage in the business of
56 operating any public vehicle in the county must first acquire a
57 certificate from the commission and must first make written
58 application to the commission on a form provided by the
59 commission for that purpose. Upon receipt of such application,
60 the commission shall investigate the facts stated in the
61 application and fix a date, time, and place for a public hearing
62 on the application. Wrecker applications are specifically
63 excluded from the public hearing requirement of this section.
64 Not less than 20 days before the public hearing, the commission
65 shall provide notice of the date, time, and place of such public
66 hearing, to each current certificate holder and notice that the

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

67 pending application is available for inspection and copying at
68 the office of the commission. Any certificate holder possessing
69 a certificate to operate the same type of service being applied
70 for by the applicant and any certificate holder who can
71 demonstrate financial interest may intervene in the public
72 hearing process by filing a notice of intervention not later
73 than five business days prior to the date of the public hearing
74 and in such form and manner as required by the commission.

75 (a) Such public hearings may be held by the commission as
76 a whole, by a committee made up of its members appointed by the
77 commission for that purpose, or by a hearing officer as further
78 provided by this act and any rules adopted in accordance with
79 this act. The committee or hearing officer shall report findings
80 and recommendations to the commission for approval, disapproval,
81 or modification. The commission may conduct such further
82 hearings and make such additional investigations as it deems
83 necessary before taking final action. If the person applying for
84 such certificate is not operating vehicles in the county at the
85 time this act becomes law, or if such application is for a
86 certificate to operate additional vehicles under a certificate
87 previously issued, the commission shall determine, by the
88 hearings and investigations whether or not public convenience
89 and necessity will be promoted by the additional proposed
90 service, and if the commission determines that public
91 convenience and necessity will not be promoted by such
92 additional proposed service, then a certificate shall not be

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

93 granted. If the commission finds that public convenience and
94 necessity requires such additional proposed service, then the
95 certificate shall be granted, subject to the limitations imposed
96 in other sections of this act and any rules adopted in
97 accordance with this act.

98 (b) The applicant has the burden of establishing whether
99 public convenience and necessity require the operation of public
100 vehicles proposed in the application. Handicab applications are
101 specifically excluded from the public convenience and necessity
102 requirements of this section. The commission shall establish, by
103 rule, reasonable financial, equipment, and safety requirements
104 for an applicant to be granted a certificate of public need and
105 necessity to operate a handicab in the county.

106 (c) In making a determination of public convenience and
107 necessity, the commission must consider:

108 1. The adequacy of existing service and other forms of
109 transportation for passengers.

110 2. The probable permanence and quality of the service
111 offered by the applicant.

112 3. The character of service proposed by the applicant as
113 demonstrated by the proposed use of any two-way voice
114 communications, the proposed use of terminals and private and
115 public hack stands, the time of day and night when service is to
116 be offered, and the proposed number and character of vehicles.

117 4. The financial status, character, and responsibility of
118 the applicant as demonstrated by the applicant's ability to

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

119 provide, maintain, and operate the number of vehicles proposed
120 to be operated in accordance with the type of service proposed
121 in the application, the applicant's criminal and traffic record,
122 and the applicant's credit record if any.

123 5. The experience of the applicant in the operation as an
124 owner or manager or as a driver for the type of service
125 proposed.

126 6. Any other facts or circumstances that would indicate
127 whether the proposed service is in the public interest.

128 Section 4. Subsection (2) of section 9 of chapter 2001-
129 299, Laws of Florida, is amended to read:

130 Section 9. Additional safety and equipment requirements
131 and prohibitions.

132 (2) All marks or identification of each taxicab, wrecker,
133 handicab, and basic life support ambulance ~~public vehicle~~ shall
134 be permanent and clearly legible at all times.

135 Section 5. This act shall take effect upon becoming a law.

137 -----

T I T L E A M E N D M E N T

138 Remove everything before the enacting clause and insert:

139 A bill to be entitled

140 An act relating to the Hillsborough County Public
141 Transportation Commission; amending chapter 2001-299,
142 Laws of Florida, as amended; revising definitions;
143 revising the application and certification
144

677637

Approved For Filing: 3/3/2016 1:37:57 PM

Amendment No.

145 requirements to engage in the business of operating
146 handicabs in the county; providing an effective date.

677637

Approved For Filing: 3/3/2016 1:37:57 PM