

1 Introduced by Council Members Crescimbeni and Becton and Co-  
2 Sponsored by Council Members Anderson, Wilson, Ferraro, R. Gaffney,  
3 Morgan and Gulliford and amended by the Transportation, Energy and  
4 Utilities Committee:

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7 **ORDINANCE 2019-183-E**

8 AN ORDINANCE REGARDING VEHICLES FOR HIRE;  
9 REPEALING CHAPTER 220 (VEHICLES FOR HIRE),  
10 *ORDINANCE CODE*, IN ITS ENTIRETY; CREATING A  
11 NEW CHAPTER 220 (VEHICLES FOR HIRE), *ORDINANCE*  
12 *CODE*, TO PROVIDE FOR VEHICLES FOR HIRE  
13 BACKGROUND CHECKS, INSURANCE, STANDARDS OF  
14 SERVICES, RATES AND ADMINISTRATION; AMENDING  
15 CITY OF JACKSONVILLE FEES AT  
16 [HTTP://WWW.COJ.NET/FEES](http://www.coj.net/fees) TO REMOVE THE VEHICLE  
17 FOR HIRE FEES; PROVIDING FOR A DIRECTIVE TO  
18 THE LEGISLATIVE SERVICES DIVISION TO CIRCULATE  
19 ENACTED LEGISLATION TO THE WEBMASTER FOR  
20 IMMEDIATE UPDATE OF FEES ONLINE; PROVIDING AN  
21 EFFECTIVE DATE.

22  
23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Repealing Chapter 220 (Vehicles for Hire),**  
25 **Ordinance Code.** Chapter 220 (Vehicles for Hire), *Ordinance Code*, a  
26 copy of which is **On File** with the Legislative Services Division, is  
27 hereby repealed in its entirety.

28 **Section 2. Creating a new Chapter 220 (Vehicles for**  
29 **Hire), Ordinance Code.** Chapter 220 (Vehicles for Hire), *Ordinance*  
30 *Code*, is hereby created to read as follows:

31 **CHAPTER 220 - VEHICLES FOR HIRE.**

**PART 1. GENERAL PROVISIONS.**

**Sec. 220.100. - Exercise of County Powers.**

This Chapter shall apply to the General Services District, less Urban Services Districts 2, 3, 4 and 5, which said areas include the entire City of Jacksonville, except the Cities of Jacksonville Beach, Atlantic Beach, Neptune Beach, and the Town of Baldwin.

**Sec. 220.101. - Responsibility for Administration of Chapter; Rules.**

The Director of Finance and Administration is vested with the responsibility of administering this Chapter but this responsibility may be delegated to one or more employees of the Department.

**Sec. 220.102. - Legislative findings and determinations.**

The Council finds and determines that:

- (a) Taxicabs, shuttle vehicles and other vehicles for hire exist and are being offered for service in the city.
- (b) These vehicles for hire use the public streets and highways to provide their services.
- (c) Except for taxicabs, which have been regulated for many years, these vehicles for hire are not subject to any law regulating service to the public, the safety of the vehicles and the fitness of their drivers.
- (d) The public constantly use these vehicles for hire and are entitled to be able to ride in them with assurance that they meet minimum standards of service and safety.
- (e) Regulation, however, should involve as little governmental influence as is consistent with the public health, safety and welfare, leaving to the play of free enterprise and market forces such matters as the number of vehicles for hire, the fares they charge and the business organization and

1 identification they use.

2 (f) In order to provide for this minimal governmental regulation  
3 and to restore and encourage free enterprise in the vehicle-  
4 for-hire industry, it is determined that free market with  
5 limited government oversight of insurance and driver  
6 background check is the most effective method.

7 **Sec. 220.103. - Definitions.**

8 As used in this Chapter:

9 (a) *Cruising* means driving on, over or along the streets and  
10 around businesses of the General Services District (except  
11 within the Second, Third, Fourth and Fifth Urban Services  
12 Districts) soliciting passengers for hire or parking for the  
13 purpose of soliciting fares.

14 (b) *Department* means the vehicle-for-hire regulatory activity of  
15 the Finance and Administration Department.

16 (c) *Director* means the Director of the Finance and Administration  
17 Department.

18 (d) *Dispatch Service* means a business or company that contracts  
19 with a licensed vehicle-for-hire business or company to  
20 provide dispatch service of limousines, sedans or prearranged  
21 contractual carriers to members of the public who seek  
22 transportation service, via a computer, a mobile phone  
23 application, text, email or Web-based reservation, by advance  
24 reservation.

25 (e) *For-hire business* means an entity operating one or more  
26 vehicles for hire other than as a for-hire driver, regardless  
27 of the form of organization of the entity and regardless of  
28 whether the vehicles so operated are owned or leased by the  
29 entity or are owned by individual members of the entity.

30 (f) *For-hire driver* means a person holding a valid driver's  
31 license, background check and insurance.

1 (g) *Limousine* means a specialized vehicle not equipped with a  
2 taximeter and for hire only by prearrangement at an estimated  
3 rate, or fixed in advance, and provided also that each such  
4 vehicle for hire is: (1) chauffeured, (2) a luxury class  
5 passenger vehicle built or modified for the purpose of a  
6 limousine as defined and recognized by the limousine industry  
7 or a Smart way vehicle certified by the United States  
8 Environmental Protection Agency. The Smart way vehicle shall  
9 have a minimum wheel base requirements of 105 inches. A  
10 vehicle which is held out to be a limousine or which has an  
11 appearance deceptively similar to a limousine is a limousine  
12 for the purposes of this Chapter. A limousine may also be  
13 used to provide dispatch transportation service as defined in  
14 subsection (d) of this Part.

15 (h) *Owner* means the person in whose name a vehicle for hire is  
16 registered, as shown on the motor vehicle tag registration  
17 issued by the Tax Collector.

18 (i) *Pre-arranged contractual carrier* means a vehicle for hire  
19 which is not equipped with a taximeter and is not used as a  
20 taxicab, and which charges passengers a fare based on a  
21 written or electronically transmitted agreement to provide  
22 transportation to the customer in advance of boarding from a  
23 specific location. Notwithstanding anything to the contrary,  
24 pre-arranged contractual carrier includes vehicles used for  
25 the sole purpose of transporting guests or customers of a  
26 lodging facility, resort or rental car company. A pre-  
27 arranged contractual carrier may also be used to provide  
28 dispatch transportation service as defined in subsection (d)  
29 of this Part.

30 (j) *Shuttle vehicle* means a vehicle for hire with a capacity of  
31 at least eight persons, including the driver, which is not

1 equipped with a taximeter and is not used as a taxicab or for  
2 cruising, except:

3 (1) Sight-seeing cars and buses,

4 (2) Ambulances and funeral home shuttle vehicles, and

5 (3) Motor vehicles operated exclusively by private contract  
6 carriers under written contracts for the transportation  
7 solely of employees of one or more business concerns;

8 And operating to and from fixed points of pickup and  
9 discharge for a fixed rate or fare. Excluded from this  
10 definition is a vehicle which is a luxury motor vehicle  
11 equipped to carry not more than four persons, including  
12 the driver, wherein the vehicle is hired for a fixed  
13 period of time and at a fixed contractual rate or charge.

14 A vehicle which is held out to be a shuttle vehicle or  
15 which has an appearance deceptively similar to a shuttle  
16 vehicle is a shuttle vehicle for the purposes of this  
17 Chapter.

18 (4) School buses and church buses meeting the following  
19 requirements:

20 (i) School buses used for the transportation of pupils to  
21 and from school or to and from school activities, and  
22 which are owned, operated, rented or leased by the  
23 Duval County School Board or any private school in  
24 Duval County; and

25 (ii) Church buses used for the transportation of persons  
26 to and from church or to and from church activities,  
27 and which are owned, operated, rented or leased by any  
28 church in Duval County.

29 (k) *Taxicab* means a vehicle for hire with a capacity of not more  
30 than eight persons, including the driver, except:

31 (1) Sight-seeing cars and buses,

1 (2) Ambulances and funeral home shuttle vehicles, and  
2 (3) Motor vehicles operated exclusively by private contract  
3 carriers under written contracts for the transportation  
4 solely of employees of one or more business concerns;

5 And may operate over a fixed or defined route and may be  
6 routed under the direction of the person hiring the vehicle.  
7 A vehicle which is held out to be a taxicab or which has an  
8 appearance deceptively similar to a taxicab is a taxicab for  
9 the purposes of this Chapter.

10 (l) *Taximeter* means a mechanical or electronic device which  
11 calculates and displays a predetermined rate and indicates  
12 the charge for the hire of a taxicab and which may also  
13 record and indicate a fare, rate or charge based on waiting  
14 time, extra passengers, initial charge and other fares, rates  
15 or charges as are permitted or required by this Chapter.

16 (m) *Taxi stand*, unless the context indicates otherwise, includes  
17 taxi stands exclusively for use by metered taxicabs,  
18 exclusively for use by unmetered taxicabs and for use by both  
19 metered and unmetered taxicabs.

20 (n) *Van* means a passenger vehicle recognized as either a full-  
21 size passenger van or a passenger vehicle on a van or truck  
22 chassis. The term shall not include a cargo or panel van.

23 (o) *Vehicle for hire* means any taxicab, shuttle, prearranged  
24 limousine and any other motor vehicle with driver  
25 transporting passengers for a fare, fee, or other charge in  
26 Duval County. The term vehicle for hire, by definition,  
27 excludes:

- 28 (1) School and church buses;  
29 (2) Sightseeing cars and buses;  
30 (3) Ambulances;  
31 (4) Funeral home vehicles;

- 1 (5) Interstate buses;
- 2 (6) Horse-drawn carriages; and
- 3 (7) Jacksonville Transportation Authority vehicles.

4 **PART 2. DRIVER BACKGROUND CHECK.**

5 **Sec. 220.201. - Investigation of applicants; criteria for**  
6 **evaluation of services.**

7 (a) Before an individual is authorized to operate a vehicle for  
8 hire:

- 9 1. The individual must submit an application to the vehicle for  
10 hire business which includes information regarding his or her  
11 address, age, driver license, motor vehicle registration, and  
12 other information required by the vehicle for hire business;
- 13 2. The vehicle for hire business must conduct, or have a third  
14 party conduct, a local and national criminal background check  
15 that includes:
  - 16 a. A search of the Multi-State/Multi-Jurisdiction Criminal  
17 Records Locator or other similar commercial nationwide  
18 database with validation of any records through primary  
19 source search; and
  - 20 b. A search of the National Sex Offender Public Website  
21 maintained by the United States Department of Justice; and
- 22 3. The vehicle for hire business must obtain and review, or have  
23 a third party obtain and review, a driving history research  
24 report for the applicant.

25 (b) The vehicle for hire business shall conduct the background check  
26 required by this Part for a vehicle for hire driver every 3  
27 years.

28 (c) The vehicle for hire business may not authorize an individual to  
29 act as a vehicle for hire driver if the driving history research  
30 report conducted reveals that the individual has had more than  
31 three moving violations in the prior 3-year period.

1 (d) The vehicle for hire business may not authorize an individual to  
2 act as a vehicle for hire driver if the background check  
3 conducted reveals that the individual:

4 1. Has been convicted, within the past 5 years, of:

5 a. A felony;

6 b. A misdemeanor for driving under the influence of drugs or  
7 alcohol, for reckless driving, for hit and run, or for  
8 fleeing or attempting to elude a law enforcement officer;

9 or

10 c. A misdemeanor for a violent offense or sexual battery, or  
11 a crime of lewdness or indecent exposure under chapter  
12 800;

13 2. Has been convicted, within the past 3 years, of driving with  
14 a suspended or revoked license;

15 3. Is a match in the National Sex Offender Public Website  
16 maintained by the United States Department of Justice;

17 4. Does not possess a valid driver license; or

18 5. Does not possess proof of registration for the motor vehicle  
19 used to provide prearranged rides.

20 **PART 3. INSURANCE.**

21 **Sec. 220.301. - Liability insurance.**

22 (a) Every owner or registrant of a motor vehicle used as a taxicab  
23 shall maintain security as required under §324.032(1), F.S., and  
24 §627.737, F.S., shall not apply to any motor vehicle used as a  
25 taxicab.

26 (b) Insurance required under this subsection must be provided by an  
27 insurer authorized to do business in this state which is a  
28 member of the Florida Insurance Guaranty Association or an  
29 eligible surplus lines insurer that has a superior, excellent,  
30 exceptional, or equivalent financial strength rating by a rating  
31 agency acceptable to the Office of Insurance Regulation of the

1 Financial Services Commission.

2 (c) A vehicle for hire driver shall carry proof of insurance  
3 coverage with him or her at all times during his or her use of a  
4 vehicle for hire vehicle in connection with a vehicle for hire  
5 business. In the event of an accident, a vehicle for hire driver  
6 shall provide this insurance coverage information to any party  
7 directly involved in the accident or the party's designated  
8 representative, automobile insurers, and investigating police  
9 officers. Proof of financial responsibility may be presented  
10 through an electronic device, such as a digital phone  
11 application, under s. 316.646. Upon request, a vehicle for hire  
12 driver shall also disclose to any party directly involved in the  
13 accident or the party's designated representative, automobile  
14 insurers, and investigating police officers whether or not he or  
15 she was employed by the vehicle for hire business and engaged in  
16 a prearranged ride at the time of the accident.

17 (d) If a vehicle for hire's insurer makes a payment for a claim  
18 covered under comprehensive coverage or collision coverage, the  
19 vehicle for hire shall cause its insurer to issue the payment  
20 directly to the business repairing the vehicle or jointly to the  
21 owner of the vehicle and the primary lienholder on the covered  
22 vehicle.

23 **PART 4. - STANDARDS OF SERVICE; FARES, RATES AND CHARGES.**

24 **SUBPART A. - STANDARDS OF SERVICE.**

25 **Sec. 220.401. - Refusal to convey passenger; exception.**

26 No for-hire driver shall refuse to convey a passenger to any  
27 part of the city over paved streets, under tender of legal fare,  
28 unless the passenger is obviously under the influence of alcohol,  
29 narcotics or drugs or otherwise not in control of his faculties to  
30 an extent that constitutes an immediate hazard to the safety or  
31 operation of the vehicle for hire or the safety of the for-hire

1 driver or other occupants of the vehicle.

2 **Sec. 220.402. - Maximum number of passengers.**

3 It shall be unlawful for a for-hire driver to permit more  
4 passengers to occupy a vehicle for hire at one time than the number  
5 of passengers which the vehicle for hire was designed or designated  
6 by the manufacturer of the vehicle to carry.

7 **Sec. 220.403. - Receipts furnished passengers upon request.**

8 Every for-hire driver of a vehicle for hire, upon the request  
9 of a passenger, shall supply the passenger with a written or  
10 electronic receipt showing the place the passenger was picked up by  
11 the vehicle, the passenger's destination, the fare paid by the  
12 passenger and the date of the transaction. Notice of the provisions  
13 of this Section shall be conspicuously posted in each taxicab or  
14 shuttle.

15 **Sec. 220.404. - Items lost and found.**

16 Each for-hire driver shall examine his vehicle for hire at the  
17 end of his shift and turn over to the owner of the vehicle items  
18 left by a passenger in the vehicle. The owner shall maintain a  
19 written record of all items turned over to him, in a form approved  
20 by the Director, containing a description of the item, the date it  
21 was turned in, the vehicle for hire in which it was found and the  
22 for-hire driver who turned the item in. The item shall be examined  
23 and the owner identified and notified, if possible. If the item is  
24 claimed, a record shall be made of the name and address of the  
25 claimant. No item shall be disposed of, other than by return to its  
26 owner, within 90 days of the date it is turned in and, when  
27 disposed of, a record shall be made of its disposition.

28 **Sec. 220.405. - Designation of taxi stands; change.**

29 (a) The Department, subject to the approval of the Sheriff and the  
30 City Highway Engineer, is empowered to designate the location of  
31 and extent of space for stands on the streets within the city to

1 be known as taxi stands and whether a taxi stand is reserved for  
2 metered or unmetered taxicabs or may be used by both metered and  
3 unmetered taxicabs. The boundaries of each taxi stand shall be  
4 designated by a sign which clearly states that the taxi stand is  
5 for use by taxicabs only. The Department shall file a complete  
6 list of the locations with the Council Secretary and shall file  
7 semiannual reports of changes required to maintain the list in a  
8 current status.

9 (b) A taxi stand may be enlarged, restricted, changed, relocated or  
10 abolished by the Department, with the consent of the Sheriff and  
11 the City Highway Engineer, if in its judgment, public necessity,  
12 safety or convenience requires this action. Before this action  
13 becomes effective, the Department shall notify all owners of the  
14 proposed action and request them to file objections that they  
15 may have with it within ten days from the date of the notice. If  
16 no objections are timely filed, the proposed action shall become  
17 effective at the time prescribed by the Department. If  
18 objections are timely filed, the Department shall give the  
19 objecting owners an opportunity to present their objections,  
20 comments and recommendations to it, the Sheriff and the City  
21 Highway Engineer within a reasonable time after the objections  
22 are filed. Thereafter, the Department, with the concurrence of  
23 the Sheriff and the City Highway Engineer, shall confirm, modify  
24 or abandon the proposed action and so notify all owners.

25 **Sec. 220.406. - Prohibition of use of taxi stands.**

26 No automobile or other means of conveyance, except a taxicab,  
27 shall be permitted to use a taxi stand at any time.

28 **Sec. 220.407. - Manner of entering and leaving taxi stand.**

29 A for-hire driver shall enter and park a taxicab in a taxi  
30 stand in an orderly manner and shall not attempt to enter or park  
31 in a taxi stand until there is an unoccupied space therein in

1 accordance with the number of taxicabs which the taxi stand is  
2 designated to accommodate. Taxicabs shall enter a taxi stand at the  
3 rear thereof and shall leave therefrom in their respective order of  
4 entrance; provided, that a taxicab may leave a taxi stand at a  
5 time:

6 (a) That there is no passenger in the taxicab.

7 (b) That the for-hire driver takes on a passenger whose fare will  
8 be paid by means of a charge account established with the  
9 owner of the taxicab.

10 **Sec. 220.408. - Depriving others of use of taxi stands.**

11 It shall be unlawful for an owner or a for-hire driver to use  
12 a taxi stand in a manner which will deprive another owner or  
13 another for-hire driver of the use thereof, if lawfully entitled to  
14 do so by this Chapter or the rules or administrative orders issued  
15 by the Director.

16 **Sec. 220.409. - Compensation for use of taxi stands**  
17 **prohibited.**

18 It shall be unlawful for a person holding title to or having  
19 possession or control of real property which abuts or is adjacent  
20 to a public street on which a taxi stand is located to demand or  
21 receive from an owner or a for-hire driver a charge or compensation  
22 of any kind whatsoever as consideration for the use of the public  
23 street space as a taxi stand.

24 **Sec. 220.410. - Operation of for-hire business records.**

25 A vehicle for hire shall maintain the following records:

26 (a) Individual ride records for at least 1 year after the date  
27 on which each ride is provided; and

28 (b) Individual records of vehicle for hire drivers for at  
29 least 1 year after the date on which the vehicle for hire  
30 driver's relationship with the vehicle for hire ends.

31 **Sec. 220.411. - Posting and exhibition of Driver and license**

1 **plate number.**

2 The vehicle for hire's digital network must display a photograph  
3 of the vehicle for hire driver and the license plate number of the  
4 vehicle for hire vehicle used for providing the prearranged ride  
5 before the rider enters the vehicle for hire driver's vehicle.

6 **SUBPART B. - RATES, FARES AND CHARGES.**

7 **Sec. 220.414. - Posting of rates.**

8 Each taxicab or shuttle owner shall place a suitable card in  
9 large type, easily readable, in each vehicle for hire explaining  
10 and describing the fare, rate or charge for the use of the vehicle.  
11 A for-hire business doing business by reservation only and which  
12 does not offer taxicab service except by prior reservation is not  
13 required to comply with this Section.

14 **PART 5. - ADMINISTRATION; ENFORCEMENT.**

15 **Sec. 220.501. - Certified Reporting.**

16 (a) No later than January 1 of every other year beginning in 2020, a  
17 vehicle for hire business shall submit to the Department of  
18 Finance and Administration an examination report prepared by an  
19 independent certified public accountant for the sole purpose of  
20 verifying that the vehicle for hire has maintained compliance  
21 with Part 2 (Driver Background Check) and Part 3 (Insurance) on  
22 a continual basis for either the preceding 2 years or for the  
23 timeframe that the vehicle for hire has been operating in this  
24 state if that timeframe is less than 2 years. The report shall  
25 expressly state whether the vehicle for hire business was  
26 compliant or noncompliant. The report must be prepared in  
27 accordance with applicable attestation standards established by  
28 the American Institute of Certified Public Accountants. The  
29 vehicle for hire shall bear all costs associated with the  
30 preparation and submission of the report.

31 (b) The Department of Finance and Administration, within 30 days

1 after receipt of the report required under paragraph (a), shall  
2 impose a fine of \$10,000 if the report includes a finding that  
3 the vehicle for hire has been noncompliant with Part 2 (Driver  
4 Background Check), Part 3 (Insurance), or both. A vehicle for  
5 hire that has been found to be noncompliant shall submit another  
6 examination report prepared by an independent certified public  
7 accountant to the department no later than January 1 of the  
8 following year. This subsequent report shall evaluate the  
9 records of the vehicle for hire business for the timeframe since  
10 the independent certified public accountant last reviewed the  
11 records of the vehicle for hire to determine whether the vehicle  
12 for hire has been compliant with Part 2 (Driver Background  
13 Check), Part 3 (Insurance), or both on a continual basis. The  
14 department, within 30 days after receipt of the subsequent  
15 report required by this paragraph, shall impose a fine of  
16 \$20,000 if the subsequent report includes a finding that the  
17 vehicle for hire has been noncompliant with Part 2 (Driver  
18 Background Check), Part 3 (Insurance), or both. Failure to  
19 timely submit any report required under this Chapter shall  
20 result in the imposition of an additional fine of \$10,000 for  
21 noncompliance. Any fine imposed by the Department shall be  
22 payable within 21 days after receipt of notice from the  
23 Department. The moneys so received may be deposited by the  
24 Department for use in defraying the expenses of the Department  
25 in the discharge of its administrative and regulatory duties  
26 under this subsection. The Vehicles for Hire business may file a  
27 written request for hearing with a special magistrate,  
28 established within the Office of General Counsel, within 7 days  
29 of receipt of the notice to challenge the City's determination  
30 regarding compliance with this section. The Department may,  
31 pursuant to the Florida Rules of Civil Procedure, seek

1 injunctive relief against a vehicle for hire business that fails  
2 to comply with the requirements of this Chapter. The Department  
3 may adopt rules to implement the provisions of this Chapter.

4 (c) Unless otherwise explicitly provided, this subsection does not  
5 extinguish any claim otherwise available under common law or any  
6 other statute.

7 **Section 3. Amending City of Jacksonville Fees.** The City  
8 of Jacksonville's fees reflected online at <http://www.coj.net/fees>  
9 are hereby amended to remove the Vehicle for Hire fees, as  
10 identified in **Exhibit 1** attached hereto.

11 **Section 4. Directive to Legislative Services Division.**  
12 The Chief of Legislative Services is hereby directed to forward a  
13 copy of the enacted legislation to the City webmaster at  
14 webmaster@coj.net for immediate fee updates to  
15 <http://www.coj.net/fees>.

16 **Section 5. Effective Date.** This ordinance shall become  
17 effective upon signature by the Mayor or upon becoming effective  
18 without the Mayor's signature.

19  
20 Form Approved:

21  
22 /s/ *Margaret M. Sidman*

23 Office of General Counsel

24 Legislation Prepared By: Margaret M. Sidman

25 GC-#1275363-v1-2019-183-E  
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