

Taxi and Luxury Sedan Lottery Ordinance

Broward County Code, Section 22 ½-4

Sec. 22 1/2-4. Certificates of public convenience and necessity--Award.

- (a) The certificates of public convenience and necessity shall be awarded by drawing the names of eligible applicants. Each eligible applicant shall be entitled to have its name entered in the drawing once for each available certificate; except, in the taxicab driver only and wheelchair accessible taxicab drawings, where the applicant may enter its name only once. The number of times a name is entered may not exceed the total number of certificates to be issued. A person designated by the Commission shall draw names for the number of certificates available.
- (b) There shall be four (4) separate drawings: a taxicab general; a taxicab driver only; wheelchair accessible taxicab; and luxury sedans. The Commission shall determine the number of approved certificates. Three and five tenths percent (3.5%) of the total number of approved taxicab certificates shall be issued to the wheelchair accessible taxicab category. These certificates may only be used with wheelchair accessible vehicles. One-half (1/2) of the remaining approved taxicab certificates shall be issued to the taxicab general drawing and one-half (1/2) of the remaining approved taxicab certificates shall be issued to the taxicab driver only drawing. In cases of uneven distribution, the additional certificate shall be distributed to the taxicab driver only drawing. Wheelchair accessible taxicab certificate holders shall be awarded an additional taxicab general certificate for each wheelchair certificate awarded, upon payment of the Commission prescribed award fee described in this Section. This distribution shall be reviewed by the Commission for a period of two (2) years, from the effective date of this Ordinance, for a determination of whether or not such allocation creates new opportunities for taxicab drivers and/or increases the motor carrier level of service. Should the number of available taxicab certificates exceed the number of applicants, the remaining certificates will be offered in the general taxicab lottery.
- (c) Any of the public hearings authorized by this section may be continued, deferred, rescheduled, or canceled by the Commission.
- (d) Each certificate issued pursuant to this Chapter shall be signed by the chair or vice-chair of the Commission, attested to by the Broward County clerk, and shall contain, in addition to the name and address of the applicant, a statement of the class of transportation service authorized for the motor vehicles to be used in the rendition of such service. The certificate shall also state such additional terms, restrictions, conditions, provisions, and limitations as the Commission may deem to be in the public's interest.
- (e) The certificate, when issued by the Commission, shall be forwarded to the Director, who shall deliver the certificate to the applicant, upon payment of the prescribed fee within sixty (60) days after award and upon proof of compliance with Section 22 1/2-9C of this Chapter. A copy of each certificate shall be maintained on file with the Division.
- (f) All twenty (20) taxicab general certificates used for wheelchair accessible vehicles as of June 11, 2002, shall be converted to wheelchair accessible certificates and shall remain unalterable. The certificate holders of the twenty (20) wheelchair accessible vehicles shall be awarded additional taxicab general certificates equal to the number of certificates currently being used for wheelchair accessible vehicles, upon payment of the Commission prescribed award fee described in this Section. The number of additional permits awarded pursuant to this Section shall not be considered part of the Commission's determination of the required number of new certificates and accompanying permits available for issuance as prescribed in Section 22 1/2-3.
- (Ord. No. 2000-32, § 1, 6-27-00; Ord. No. 2002-28, § 1, 6-11-02)