

**BROWARD COUNTY ADMINISTRATOR'S
EMERGENCY DIRECTIVE 22-B**

WHEREAS, pursuant to Section 252.38, Florida Statutes, Broward County is under a declared Local State of Emergency as a result of the COVID-19 global pandemic;

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) has designated the B.1.617.2 variant of the COVID-19 virus, known as the “Delta” variant, and the B.1.1.529 variant of the COVID-19 virus, known as the “Omicron” variant, “variants of concern” for which there is evidence of an increased risk, such as increased transmissibility, greater virulence, or reduced effectiveness of treatments or vaccines (see <https://www.cdc.gov/coronavirus/2019-ncov/variants/variant-info.html#Concern>);

WHEREAS, the CDC has rated the level of community transmission in Broward County as “high.” Broward County has experienced more than 100 new cases per 100,000 persons in the past 7 days. The most recent positivity rate for Broward County was 23.41% for a 7-day average;

WHEREAS, during the time period of February 1, 2022, through February 14, 2022, numerous cruise passengers who have tested positive for COVID-19 will be arriving at Port Everglades on cruise ships operated by various cruise lines, and will require transportation to their homes, personal vehicles, or other destinations to complete their isolation or quarantine;

WHEREAS, the cruise lines have indicated that, despite all reasonable efforts, appropriate for-hire ground transportation service providers licensed under Chapter 22½ of the Broward County Code of Ordinances that are able to transport COVID-19 infected passengers cannot be timely arranged; and

WHEREAS, the Broward County Administrator has determined that permitting passengers known to be infected with COVID-19 to transit freely on public transportation, on-demand or prearranged ground transportation services, or other commercial motor carriers poses an increased risk to the Broward County community of further transmission of the virus;

NOW, THEREFORE, I, Bertha Henry, the Broward County Administrator, pursuant to my emergency authority under Sections 8-53 and 8-56 of the Broward County Code of Ordinances, and the authority granted to me by Chapter 252, Florida Statutes, by the Board of County Commissioners and by the Broward County Comprehensive Emergency Management Plan, hereby order as follows:

Section 1. Recitals.

I hereby find and determine that the above recitals are true and correct and such recitals are incorporated herein by reference.

Section 2. Limited Exemption from Chapter 22½ Requirements.

If a cruise line provides written notice to the Broward County Administrator that, despite all reasonable commercial efforts, it has been unable to arrange local transportation with one or more operators of motor carriers licensed in accordance with Chapter 22½ of the Broward County Code of Ordinances, then, for the period of February 1, 2022, through February 14, 2022, the Broward County Consumer Protection Division is hereby delegated authority to grant a limited exemption from the licensing and registration requirements of Chapter 22½ of the Broward County Code of Ordinances to such qualified and designated transportation companies and their drivers solely for the purpose of transporting passengers who are infected with COVID-19 from cruise ships at Port Everglades to their chosen destination limited

to one trip per passenger. Such transportation must be prearranged by the cruise line, and the transportation company names and their drivers' names along with the transportation schedules must be provided by the cruise line in advance to the Broward County Administrator and the Consumer Protection Division.

Section 3. Applicability; Severability.

This Emergency Directive is not, is not intended to be, and shall not be construed as an "emergency order" as defined by Section 252.38(4)(a), Florida Statutes, that limits the rights or liberties of individuals or businesses within Broward County. Any provision(s) within this Emergency Directive that (i) conflict(s) with any state or federal law or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order expressly preempts the substance of this Emergency Directive, shall be deemed inapplicable and deemed to be severed from this Emergency Directive, with the remainder of the Emergency Directive remaining intact and in full force and effect.

Section 4. Effective Date; Duration.

This Emergency Directive shall be effective on February 1, 2022, and shall expire on February 14, 2022.

BROWARD COUNTY, FLORIDA

By: 
Bertha Henry, County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 31 day of January, 2022, at 9:07 a.m./p.m.

