

**Sec. 22 1/2-8. Chauffeur's registration.**

(a) It shall be unlawful for any person to drive, operate, or control any motor vehicle, which for the purposes of this section shall include paratransit services' motor vehicles, for compensation over any street in Broward County without first having obtained a chauffeur's registration from the Division pursuant to this section.

(b) Application for such chauffeur's registration shall be on forms provided by the Division and shall be accompanied by the applicant's payment of the Commission-approved fee. The application fee shall be non-refundable. The application shall contain the full name and street address of the applicant and such other information as may be required by the Division to properly identify the applicant and disclose any information as to character, reputation, qualifications, past employment, and conduct. A duplicate chauffeur's registration may be issued upon payment of the Commission-approved fee.

(c) Registration shall be valid for two (2) years or until expiration of the State of Florida driver's license, whichever occurs first. Reinstatement of an expired registration may occur upon payment of the Commission approved fee and compliance with this Chapter.

(d) Additionally, the Division shall examine each applicant and, as a minimum, determine the applicant's knowledge of Broward County's geography and applicable Florida and Broward County laws governing traffic, motor vehicles, and vehicle operations. The Division may issue a temporary chauffeur's registration while the investigation of the application is being made.

(e) Each chauffeur's registration applicant must meet the following minimum requirements:

- (1) Hold either a current driver license issued by the State of Florida; and
  - (2) Speak, read, and write the English language; and
  - (3) Satisfactorily pass all Division required examinations; and
  - (4) Possess the mental and emotional stability, as well as the physical ability, to safely carry out the duties inherent in operating a motor vehicle for hire.
- (f) The Division shall obtain each applicant's photograph, driving record, criminal history, and other information that the Division requires to properly identify the applicant and the applicant's character, reputation, qualifications, past employment, and conduct. The Division, during its investigation, may consider the following when it makes a determination

to deny or refuse to renew the chauffeur's registration of any applicant:

(1) Whether the applicant has failed to meet the minimum registration requirements for obtaining a chauffeur's registration as set forth in this section;

(2) Whether the applicant has misrepresented or failed to disclose a material fact or information requested on the application, renewal application, or replacement application for a chauffeur's registration that bears a substantial relationship to the application for a chauffeur's registration;

(3) Whether the applicant has a record of criminal conviction or convictions (conviction shall mean any judicial finding of convicted, adjudication withheld, or pleas of nolo contendere) that bears a substantial relationship to the application for a chauffeur's registration;

(4) Whether the applicant has a driving record indicating driving under the influence of drugs or intoxicating liquors (DUI), traffic citation(s), infraction(s), or accident(s) within the last five (5) years (not including any time applicant was incarcerated during that period of time) that bears a substantial relationship to the application for a chauffeur's registration;

(5) Whether the applicant has a previous addiction to or abuse of drugs or alcohol that bears a substantial relationship to the application for a chauffeur's registration;

(6) Whether the applicant has pending criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving misuse of alcohol or drugs, violence against another person, fraud, dishonest dealing, or any act of lewd and lascivious conduct that bears a substantial relationship to the application for a chauffeur's registration; or

(7) Whether the applicant has any outstanding civil fines or penalties arising out of any administrative or enforcement action brought by any governmental agency or private person based on conduct involving fraud, dishonest dealing, or any outstanding violation of this Chapter that bears a substantial relationship to the application for a chauffeur's registration. An applicant that is revealed to have pending matters described above in Subsections (6) and (7) may have its application placed on hold by the Division, and such applicant shall be provided written notice of the right to request a hearing before a hearing panel, to determine whether the chauffeur's registration should be granted, granted with conditions, limitations, or restrictions, or not granted at all. Said notice shall contain a statement that the applicant has the right to a hearing before a hearing panel. In order to be

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granted such a hearing, the applicant must file a written request to the Director within thirty (30) calendar days from the date of receipt of the notice of the Division's determination that pending matters, as described in Subsections (6) and (7), exist. If the applicant requests a hearing, the hearing shall be held within thirty (30) calendar days of the date of receipt of the request by the Director unless waived in writing by the applicant. The applicant shall be provided with a notice of hearing, which shall include:

- (1) A statement of the time and place for the hearing; and
- (2) The facts and a reference to the relevant section of the Broward County ordinances and/or regulations upon which the above-referenced pending matters are based. The reasons for the existence of these pending matters shall also be clearly stated.

(g) While the applicant's application is pending before the Division, the applicant shall have the opportunity to present evidence of rehabilitation, and the Division shall consider whether the applicant has become rehabilitated. Chauffeur's registrations may be issued by the Division subject to such conditions, limitations, and restrictions imposed by the Division as the Division deems necessary to protect consumers, provided such conditions, limitations, and restrictions are consistent with the purpose and provisions of this Chapter. A violation of such a condition, limitation, or restriction of a chauffeur's registration imposed by the Division shall be a violation of this Chapter.

(h) Any applicant denied a chauffeur's registration shall be provided with written notice of denial setting forth the facts, law, and reason(s) upon which the denial is predicated. The notice shall also contain a statement that the applicant has the right to a hearing before a Hearing panel. In order to be granted such a hearing, the applicant must file a written request to the Director within thirty (30) days of the date of receipt of the denial and the notice of denial shall so state.

(i) If the applicant requests a hearing, the hearing shall be held within thirty (30) days of receipt of the request by the Director unless waived in writing by the applicant. The applicant shall be provided with a notice of hearing, which shall include:

- (1) A statement of the time and place for the hearing; and
- (2) A reference to the facts and relevant section of the Broward County ordinances or regulations upon which the denial is based. The reason(s) for the denial shall also be clearly stated.

(j) Hearings shall otherwise be conducted in accord with the procedures for Consumer Protection Board hearings.

(k) A hearing panel shall have the authority to grant a chauffeur's registration with conditions, limitations, or restrictions, for the purpose of protecting the public, and any conditions, limitations, or restrictions shall be consistent with the purpose and provisions of this chapter. A violation of any condition, limitation, or restriction of a chauffeur's registration granted by a hearing panel shall be a violation of this chapter. (Ord. No. 2000-32, § 1, 6-27-00; Ord. No. 2007-10, § 1, 5-22-07)