

# PROPOSED

## RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO CONSUMER PROTECTION FEES; AMENDING SECTION 40.50 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AMENDING THE EFFECTIVE DATES FOR AUTOMOBILE TECHNICIAN CERTIFICATIONS, AND TRAINEE AND LUBE AND TIRE SPECIALIST PERMITS; PROVIDING FOR A ONE-TIME ADJUSTMENT TO FEES; REMOVING PROVISIONS RELATING TO TRANSPORTATION NETWORK COMPANIES AND CERTIFIED MOTOR CARRIERS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, Section 40.50 of the Broward County Administrative Code ("Administrative Code") prescribes fees for automobile technician certifications and trainee and lube and tire specialist permits issued by the Broward County Environmental and Consumer Protection Division ("ECPD");

WHEREAS, currently, licenses, certifications, and permits are all renewed annually in September, simultaneously with various other license renewals, causing delays due to the high volume of renewal applicants;

WHEREAS, Section 40.50 also prescribes licensing fees for transportation network companies ("TNCs") and certified motor carriers;

WHEREAS, due to a state preemption, Broward County no longer regulates TNCs and certified motor carriers;

1 WHEREAS, the Broward County Board of County Commissioners (“Board”)  
2 desires to alleviate delays and provide for more evenly distributed renewal dates for  
3 automobile technician certifications and trainee and lube and tire specialist permits by:  
4 (1) making a one-time adjustment to renewal fees to allow the Division to stagger license  
5 renewal dates, and (2) removing the current requirement that licenses, certifications, and  
6 permits be renewed at a time certain to provide the Division with more flexibility in setting  
7 renewal dates;

8  
9 WHEREAS, the Board also desires to remove the provisions related to TNCs and  
10 certified motor carrier licensing fees from the Administrative Code; and

11  
12 WHEREAS, the Board finds that the revisions to the Administrative Code as set  
13 forth herein are in the best interest of Broward County, NOW, THEREFORE,

14  
15 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
16 BROWARD COUNTY, FLORIDA:

17 Section 1. The one-time fees for automobile technician certifications and  
18 trainee and lube and tire specialist permits issued between September 2019 and  
19 February 2020 will be as follows:

20	Automobile technicians	\$75
21	Trainees	\$30
22	Lube and Tire Specialists	\$30

23  
24  
Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

1 For all certificates and permits issued subsequent to  
2 February 28, 2020, the fees shall be as provided in Section 40.50(f) of the Administrative  
3 Code.

4 Section 2. Section 40.50 of the Broward County Administrative Code is hereby  
5 amended to read as follows:

6 **40.50. Environmental and Consumer Protection Fee Schedule.**

7 . . .

8 f. *License Fees for Motor Vehicle Repair Shops and Certification Fees for*  
9 *Technicians, Trainee Permit Fees, and Lube and Tire Specialist Fees.*

10 The Broward County Board of County Commissioners hereby determines, establishes,  
11 and fixes the following fees:

	<i>Fee</i>
14 1. License fee, <del>per year</del> -per shop.....	\$275.00
15 2. Late fees for renewal of license after expiration.....	25.00
16 3. Technician certification fee, <del>per year</del> .....	50.00
17 4. Late fee for renewal of <u>technician</u> certificate after expiration..	10.00
18 5. Trainee permit fee, <del>per year</del> .....	20.00
19 6. Late fee for renewal of <u>trainee</u> permit after expiration.....	5.00
20 7. Lube and tire specialist permit fee, <del>per year</del> .....	20.00
21 8. Late fee for renewal of <u>lube and tire specialist</u> permit after	
22 expiration.....	5.00
23 9. Replacement fee for any license or permit, each occurrence..	10.00
24	

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1        ~~The above fees are annual recurring license fees, technician certification fees,~~  
2 ~~trainee permit fees, and lube and tire specialist fees.~~ Payment of such fees to the County  
3 shall be a condition precedent to the approval and issuance of an initial or renewal license,  
4 technician certification, trainee permit, or lube and tire specialist permit.

5        . . .

6        Section 3.    Section 40.50(i) of the Broward County Administrative Code is  
7 hereby deleted in its entirety.

8        Section 4.    Section 40.50(j) of the Broward County Administrative Code is  
9 hereby deleted in its entirety.

10       Section 5.    Severability.

11       If any portion of this Administrative Code Resolution is determined by any court to  
12 be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
13 of the remainder of this Administrative Code Resolution. If any court determines that this  
14 Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
15 individual, group, entity, property, or circumstance, such determination will not affect the  
16 applicability of this Administrative Code Resolution to any other individual, group, entity,  
17 property, or circumstance.

18       Section 6.    Inclusion in the Broward County Administrative Code.

19       It is the intention of the Board of County Commissioners that the provisions of this  
20 Administrative Code Resolution become part of the Broward County Administrative Code  
21 as of the effective date. The sections of this Administrative Code Resolution may be  
22 renumbered or relettered and the word “resolution” may be changed to “section,” “article,”  
23 or such other appropriate word or phrase to the extent necessary in order to accomplish  
24 such intention.

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                         underscoring type are additions.

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Section 7. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

By /s/ Claudia Capdesuner 01/24/19  
Claudia Capdesuner (date)  
Assistant County Attorney

**PROPOSED**

By /s/ Annika E. Ashton 01/24/19  
Annika E. Ashton (date)  
Senior Assistant County Attorney

CC/mdw  
01/24/19  
Admin Code 40.50 Licensing Fee Reso  
#403371v.6

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