

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

Committee/Subcommittee hearing bill: Local Government Affairs Subcommittee

Representative Young offered the following:

Amendment (with directory amendment)

Between lines 278 and 279, insert:

(2) Any person desiring to engage in the business of operating any public vehicle in the county must first acquire a certificate from the commission and must first make written application to the commission on a form provided by the commission for that purpose. Upon receipt of such application, the commission shall investigate the facts stated in the application and fix a date, time, and place for a public hearing on the application. Wrecker and handicab applications are specifically excluded from the public hearing requirement of this section. Not less than 20 days before the public hearing, the commission shall provide notice of the date, time, and place

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18 of such public hearing, to each current certificate holder and
19 notice that the pending application is available for inspection
20 and copying at the office of the commission. Any certificate
21 holder possessing a certificate to operate the same type of
22 service being applied for by the applicant and any certificate
23 holder who can demonstrate financial interest may intervene in
24 the public hearing process by filing a notice of intervention
25 not later than five business days prior to the date of the
26 public hearing and in such form and manner as required by the
27 commission.

28 (a) Such public hearings may be held by the commission as
29 a whole, by a committee made up of its members appointed by the
30 commission for that purpose, or by a hearing officer as further
31 provided by this act and any rules adopted in accordance with
32 this act. The committee or hearing officer shall report findings
33 and recommendations to the commission for approval, disapproval,
34 or modification. The commission may conduct such further
35 hearings and make such additional investigations as it deems
36 necessary before taking final action. If the person applying for
37 such certificate is not operating vehicles in the county at the
38 time this act becomes law, or if such application is for a
39 certificate to operate additional vehicles under a certificate
40 previously issued, the commission shall determine, by the
41 hearings and investigations whether or not public convenience
42 and necessity will be promoted by the additional proposed
43 service, and if the commission determines that public

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44 convenience and necessity will not be promoted by such
45 additional proposed service, then a certificate shall not be
46 granted. If the commission finds that public convenience and
47 necessity requires such additional proposed service, then the
48 certificate shall be granted, subject to the limitations imposed
49 in other sections of this act and any rules adopted in
50 accordance with this act.

51 (b) The applicant has the burden of establishing whether
52 public convenience and necessity require the operation of public
53 vehicles proposed in the application. Handicab applications are
54 specifically excluded from the public convenience and necessity
55 requirements of this section. The Commission by rule will
56 establish reasonable financial, equipment and safety
57 requirements in order to grant a certificate of public need and
58 necessity to operate in the County for handicabs.

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61 **D I R E C T O R Y A M E N D M E N T**

62 Remove lines 276-277 and insert:

63 Section 3. Subsection (2) is amended and subsection (6) is
64 added to section 7 of chapter 2001-299, Laws of Florida, to
65 read: