

## Bataille, Mario

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**From:** Miller C., Renee  
**Sent:** Tuesday, July 14, 2015 1:03 PM  
**To:** Bataille, Mario  
**Subject:** FW: Transportation Network Companies  
**Attachments:** ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; 2015\_7\_13 Cole Letter Re Municipal TNC Regulation.pdf; ATT00005.htm

FYI -

### *Renee C. Miller*

City Manager  
400 S. Federal Highway  
Hallandale Beach, FL 33009  
954-457-1300

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**From:** Cooper, Joy  
**Sent:** Tuesday, July 14, 2015 1:00 PM  
**To:** Miller C., Renee; Whitfield, Lynn  
**Subject:** Fwd: Transportation Network Companies

Please prepare info for next agenda . Thanks my goal is to support

Sent from my iPhone

Begin forwarded message:

**From:** "Daniel J. Stermer" <[dstermer@westonfl.org](mailto:dstermer@westonfl.org)>  
**To:** "[btooley@coconutcreek.net](mailto:btooley@coconutcreek.net)" <[btooley@coconutcreek.net](mailto:btooley@coconutcreek.net)>, "[Mayor\\_Ross@CooperCityFL.org](mailto:Mayor_Ross@CooperCityFL.org)" <[Mayor\\_Ross@CooperCityFL.org](mailto:Mayor_Ross@CooperCityFL.org)>, "[wcampbell@coralsprings.org](mailto:wcampbell@coralsprings.org)" <[wcampbell@coralsprings.org](mailto:wcampbell@coralsprings.org)>, "[msalvino@ci.dania-beach.fl.us](mailto:msalvino@ci.dania-beach.fl.us)" <[msalvino@ci.dania-beach.fl.us](mailto:msalvino@ci.dania-beach.fl.us)>, "[judy\\_paul@davie-fl.gov](mailto:judy_paul@davie-fl.gov)" <[judy\\_paul@davie-fl.gov](mailto:judy_paul@davie-fl.gov)>, "[web.commission@Deerfield-Beach.com](mailto:web.commission@Deerfield-Beach.com)" <[web.commission@Deerfield-Beach.com](mailto:web.commission@Deerfield-Beach.com)>, "[jack.seiler@fortlauderdale.gov](mailto:jack.seiler@fortlauderdale.gov)" <[jack.seiler@fortlauderdale.gov](mailto:jack.seiler@fortlauderdale.gov)>, "Cooper, Joy" <[jcooper@hallandalebeachfl.gov](mailto:jcooper@hallandalebeachfl.gov)>, "[mayormaggiore@townofhillsborobeach.com](mailto:mayormaggiore@townofhillsborobeach.com)" <[mayormaggiore@townofhillsborobeach.com](mailto:mayormaggiore@townofhillsborobeach.com)>, "[pbober@hollywoodfl.org](mailto:pbober@hollywoodfl.org)" <[pbober@hollywoodfl.org](mailto:pbober@hollywoodfl.org)>, "[scotsasser@lauderdalebythesea-fl.gov](mailto:scotsasser@lauderdalebythesea-fl.gov)" <[scotsasser@lauderdalebythesea-fl.gov](mailto:scotsasser@lauderdalebythesea-fl.gov)>, "[barringtonr@lauderdalelakes.org](mailto:barringtonr@lauderdalelakes.org)" <[barringtonr@lauderdalelakes.org](mailto:barringtonr@lauderdalelakes.org)>, "[rkaplan@lauderhill-fl.gov](mailto:rkaplan@lauderhill-fl.gov)" <[rkaplan@lauderhill-fl.gov](mailto:rkaplan@lauderhill-fl.gov)>, "[gtroast@lighthousepoint.com](mailto:gtroast@lighthousepoint.com)" <[gtroast@lighthousepoint.com](mailto:gtroast@lighthousepoint.com)>, "[jsimone@margatefl.com](mailto:jsimone@margatefl.com)" <[jsimone@margatefl.com](mailto:jsimone@margatefl.com)>, "[wmessam@miramarfl.gov](mailto:wmessam@miramarfl.gov)" <[wmessam@miramarfl.gov](mailto:wmessam@miramarfl.gov)>, "[jbrady@nlauderdale.org](mailto:jbrady@nlauderdale.org)" <[jbrady@nlauderdale.org](mailto:jbrady@nlauderdale.org)>, "[jeds@oaklandparkfl.gov](mailto:jeds@oaklandparkfl.gov)" <[jeds@oaklandparkfl.gov](mailto:jeds@oaklandparkfl.gov)>, "[mudine@cityofparkland.org](mailto:mudine@cityofparkland.org)" <[mudine@cityofparkland.org](mailto:mudine@cityofparkland.org)>, "[townclerk@townofpembrokepark.com](mailto:townclerk@townofpembrokepark.com)" <[townclerk@townofpembrokepark.com](mailto:townclerk@townofpembrokepark.com)>, "[fortis@ppines.com](mailto:fortis@ppines.com)" <[fortis@ppines.com](mailto:fortis@ppines.com)>, "[mayor@plantation.org](mailto:mayor@plantation.org)" <[mayor@plantation.org](mailto:mayor@plantation.org)>, "[lamar.fisher@copbfl.com](mailto:lamar.fisher@copbfl.com)" <[lamar.fisher@copbfl.com](mailto:lamar.fisher@copbfl.com)>, "[alexander@sotolawgroup.com](mailto:alexander@sotolawgroup.com)"

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**Cc:** "John R. Flint" <[JFlint@westonfl.org](mailto:JFlint@westonfl.org)>, "Jamie Cole" <[Jcole@WSH-Law.com](mailto:Jcole@WSH-Law.com)>  
**Subject: RE: Transportation Network Companies**

*Mayors:*

*I hope all is well and that everyone has been keeping up with the events surrounding TNCs, whether in Broward County and/or in Tallahassee and their City Commission action last week. As you are aware, there has been lots of media coverage, statements issued, and discussions had about this issue.*

*At the close of my email of last Tuesday morning, I told you all that I would provide you with the opinion issued by our City Attorney once it was issued. Attached please find the letter issued by our City Attorney a short time ago, which attaches and references the Memo authored/issued by County Attorney Coffey last Friday to Mayor Ryan on this issue.*

*Our City Attorney states: "Accordingly, we believe that the City has a strong position that it is authorized to adopt an ordinance regulating TNCs operating within the City, and the ordinance would prevail in the event of a conflict with the County's TNC ordinance." See pages 2 and 9.*

*As you can see when reading the Opinion, there are a number of issues reviewed relative to this issue some of which date back some years.*

*As I stated in my communication to the County Commission last week, my preference, as I would think would be many of yours, would be for the Broward County Commission to resolve their differences with the ride sharing/transportation network companies, including Uber and Lyft, to ensure a consistent regulatory scheme for everyone in Broward County and full coverage throughout Broward County and that my further hope was that they would do so upon your return on August 11th at your their next scheduled Commission meeting.*

*I still feel this way and do hope that the County Commission hears the voices and/or reads the emails from their residents across Broward County who appear to want this issue resolved so that the TNCs operate in Broward County.*

*The question is: what if they do not.*

*As always. . .*

*Daniel J. Stermer*

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**From:** Daniel J. Stermer  
**Sent:** Tuesday, July 07, 2015 8:33 PM  
**To:** [btooley@coconutcreek.net](mailto:btooley@coconutcreek.net); [Mayor\\_Ross@CooperCityFL.org](mailto:Mayor_Ross@CooperCityFL.org); [wcampbell@coralsprings.org](mailto:wcampbell@coralsprings.org);  
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[EJones@cityofwestpark.org](mailto:EJones@cityofwestpark.org); [gresnick@wiltonmanors.com](mailto:gresnick@wiltonmanors.com)  
**Cc:** John R. Flint; Jamie Cole  
**Subject:** RE: Transportation Network Companies

*Mayors:*

*The County issued the following this afternoon relative to the Uber announcement:*

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**From:** Maroe, Kimberly [<mailto:KMAROE@broward.org>]  
**Sent:** Tuesday, July 07, 2015 4:37 PM  
**To:** Maroe, Kimberly  
**Subject:** Broward Commissioner News - Broward Commissioners Respond to Uber Announcement

## **Broward Commissioners Respond to Uber Announcement**

**DATE:** July 7, 2015  
**CONTACT:** Kimberly Maroe  
Public Information Manager, Broward Commission  
**PHONE:** 954-357-8053  
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In April Broward County Commissioners approved an ordinance that prioritized public safety and allowed transportation network companies (TNCs) to legally operate in Broward County. The action followed months of debate, public comment and input from companies and individuals who provide transportation services.

The ordinance requires that TNCs be licensed by Broward County and requires drivers to undergo a national and state background check, carry state mandated insurance and have their vehicles inspected by a licensed mechanic. The Commission did not set limitations on the number of transportation network company vehicles operating in the county or regulate TNC fares.

On Monday, one transportation network company, Uber, issued a media announcement stating that the company would suspend operations as of July 31<sup>st</sup> in Broward County.

"The news that Uber will be discontinuing its service in Broward County at the end of the month is both surprising and disappointing. Uber and other ridesharing companies offer a good service that should be an option for Broward consumers. We worked for many months to develop simple, reasonable consumer protections - driver background checks, vehicle inspections and insurance requirements - to make sure our residents and visitors are safe when they get in a car for hire, whether it is operated by a ridesharing company like Uber or a taxi cab company. Uber is already complying with similar regulations in other markets, so it is difficult to understand why they would walk away from the Broward market. I am confident there are other entrepreneurs who will recognize the opportunity our market offers, and will step in to fill the gap and bring ridesharing service to Broward County," said Mayor Tim Ryan.

"This is about public safety and making sure that any person using the services of a transportation network company is safe and that the company is operating legally. This is our responsibility. We're allowing TNCs to operate as many vehicles as they want and have set no limitations on the fares they can charge. Asking Uber to comply with state insurance laws, allowing background checks on drivers and inspecting the safety of vehicles on the road is in the best interest of the public. Broward County welcomes transportation network companies who want to do business here legally with passenger safety as a priority," said Commissioner Barbara Sharief.

"When it comes to the health and safety of Broward County's residents and visitors, I will not be bullied by a \$50 billion San Francisco company which wages guerrilla warfare against local governments all across the country. While I recognize the value and convenience of Uber's technology and service, it needs to work with us," said Commissioner Stacy Ritter.

"After countless meetings with Uber management it became painfully clear to me that the preferred company model had little to no regulation by local government. I fully support the ordinance passed unanimously by the Commission which included a master license for TNCs, level two background checks, complying with State insurance law and vehicle inspections. When any car for hire picks up a passenger, drops them off and they get a percentage of the fee charged that is a service and like all such services should be regulated," said Commissioner Lois Wexler.

"Uber has been misrepresenting the facts and is not truthful. The only thing we want is a background check on the drivers and to make sure they comply with state insurance law. We do this for bus drivers, taxi drivers, limo drivers, companies operating vans and many other professions. It's difficult to understand why Uber won't allow us to do background checks on their drivers and why they won't comply with state insurance laws. Most of the Commissioners like the service that Uber provides and I've used Uber many times in many different states. If they want to conduct business in Broward County they can do so by allowing us to do background checks on their drivers and applying for the appropriate license, like every other company doing business in Broward County. We hope Uber will conduct itself as every other business does in Florida," said Commissioner Mark Bogen.

"We passed an ordinance with the best interest of our community in mind. Allowing transportation companies to do what they want to do is unjust, especially for the people who have been following rules and regulations for years no matter what it cost. Transportation network companies can't operate illegally, without oversight, outside the scope of the law," said Commissioner Dale V.C. Holness.

"I am disappointed in Uber's decision to temporarily cease operations in Broward County. I have been a supporter of this technology from the beginning. I have consistently worked to find the sweet spot between the need for common sense regulation and free enterprise. The fact is that we are very close to getting there. I will keep trying to move this process along until we get it right. I know this is a service that people want. It's a welcome addition to our choices for transportation. This is a work in progress and progressive legislation takes time. I believe that we can and should make it happen," said Commissioner Beam Furr.

In June, Broward County Commissioners established fines and civil penalties for all for hire vehicle operators who violate county laws. The fines range from \$250 for first time offenders and incrementally increase up to \$1000 for four or more violations.

Commissioners also authorized the County Attorney to file litigation, as and when appropriate, against TNCs that fail to comply with Broward County's regulations. Vice Mayor Marty Kiar and Commissioner Chip LaMarca voted against legal action.

"I am a supporter of Uber which is why I recently voted against having the county attorney seek legal action against Uber and other ride sharing companies. I believe our residents and tourists benefit by having a variety of car service options for them to choose from. I hope that Uber reconsiders it's decision to suspend services in Broward County as I am hopeful that the few outstanding issues remaining between Uber and the county can be worked out," said Vice Mayor Marty Kiar.

"I have been supportive of Broward County residents and visitors having the opportunity to utilize all modes of transportation for hire. For me this has never been about politics - only public safety. Both the riders and drivers agreed that we should know who is driving our loved ones around. However, when regulations become so onerous that it appears as if government is looking to exact a punishment against those who look to make their lives better, then I have to break with the majority. I did that by voting against these over-reaching regulations. Our goal should be to bring back this ordinance and make the necessary changes that allow for open competition without jeopardizing public safety," said Commissioner Chip LaMarca.

Information on the Broward County Motor Carriers Ordinance governing TNCs can be found at <http://www.broward.org/PermittingAndLicensing/TransportationNetworkCos/Pages/default.aspx>

### ***Release Properties***

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*Daniel J. Stermer*

