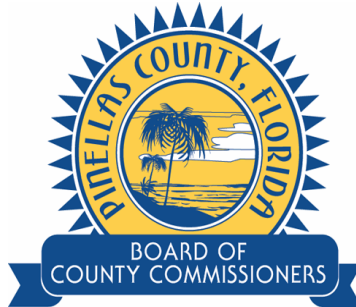


# Pinellas County



## Minutes - Final

Tuesday, October 18, 2016

5:30 PM

Pinellas Park City Hall, 5141 78th Ave N, Pinellas Park

## Board of County Commissioners - Work Session

*Charlie Justice, Chairman*  
*Janet C. Long, Vice-Chairman*  
*Dave Eggers*  
*Pat Gerard*  
*John Morroni*  
*Karen Williams Seel*  
*Kenneth T. Welch*

**ROLL CALL - 5:31 P.M.**

**Members Present:** Charlie Justice, Chairman; Janet C. Long, Vice-Chairman; Dave Eggers; Pat Gerard; and Karen Williams Seel.

**Members Absent:** John Morroni and Kenneth T. Welch.

**Others Present:** James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Other Interested Individuals, and Lynn M. Abbott, Board Reporter, Deputy Clerk. Minutes by Helen Groves.

**1. Welcome - Pinellas Park Mayor Sandra Bradbury**

Mayor Sandra Bradbury welcomed the members to the City of Pinellas Park. She expressed appreciation that the Board of County Commissioners (BCC) is reaching out to the citizens and holding some of their meetings in the communities; whereupon, she suggested that they meet more often in Pinellas Park, noting it is the center of the county.

The members thanked Pinellas Park for hosting the BCC in their city; whereupon, Chairman Justice related that Commissioner Morroni had requested that a work session be held to discuss vehicles for hire, as the issue is being discussed throughout the state; and that pertinent parties and experts have been invited to share their knowledge and to express their viewpoints on the matter.

**2. Vehicles for Hire - State Legislative Update**

-Martha J. Edenfield, Attorney at Law, Dean Mead Attorneys at Law

Attorney Edenfield provided an overview of how vehicles for hire are currently regulated, noting that the majority of the regulation is controlled by local governments. She related that the state addresses certain insurance and Workers' Compensation issues related to vehicles for hire, and discussed the insurance limits required.

Attorney Edenfield stated that current Florida law does not recognize transportation network companies (TNCs), but some local governments are attempting to regulate them. She reviewed House Bill 508 and Senate Bill 1118 introduced during the 2016 legislative session that would have preempted to the state from local governments the regulation of transportation network companies and would have created a regulatory framework, including requirements for permits, background checks, and insurance.

Attorney Edenfield related that the bills were opposed by the Florida Association of Counties, the Florida League of Cities, and the taxi and limousine for hire industries and supported by the Florida Chambers of Commerce and the Associated Industries of Florida, representing the insurance industry. She related that House Bill 509 passed 108 to 10, but died in the Senate and Senate Bill 1118 passed all committees, but died

on the special order calendar on the last day of the session; whereupon, she advised that recent developments point to the issue coming up again during the 2017 legislative session; and that from all indications, it seems the Senate as well as the House will support legislation specifically preempting local governments.

3. Vehicles for Hire - Industry Perspective

- Cesar Fernandez, Senior Public Affairs Associate, Uber
- Nick Cambas, CEO, United Taxi
- Steven A. Anderson, Regulatory Legal Counsel, Lyft
- To Be Determined, Carey Limousine of Tampa Bay

Cesar Fernandez, Uber

Mr. Fernandez indicated that he launched Uber as a business in Pinellas County about two years ago and millions of Pinellas County residents have enjoyed safe and reliable transportation since then. He related that:

- Uber is especially proud of reducing the number of drunk drivers on the road, as confirmed by a study sponsored by Uber and Mothers Against Drunk Driving.
- Uber provides significant economic impact, with over 40,000 Florida drivers taking home over \$80 million in income in a 12-month period.
- Thirty-six states have passed statewide regulations. It is difficult to do business in multiple municipal jurisdictions with different regulations.
- Uber is working with the Pinellas Suncoast Transit Authority (PSTA) to solve the issues of the transportation disadvantaged and the low-income population, as well as connectivity difficulties with public transportation.

Thereupon, Mr. Fernandez stated that the issue will be addressed in the Florida Legislature in 2017; and opined that Uber will prevail this time.

Nick Cambas, United Taxi

Mr. Cambas indicated that he operated the Yellow Cab Company in the 1970s, 80s, and 90s, and now owns United Taxi; and that he partners with Uber and the PSTA. He provided a 2012 Memorandum titled *Review of Vehicle for Hire Regulation* from Pinellas County Justice and Consumer Services Director Tim Burns, a copy of which has been filed and made a part of the record, and provided a historical overview of vehicle-for-hire transportation in the area, indicating that it has always been difficult to do business with Hillsborough County, as there is no reciprocity with Pinellas due to its lack of standard guidelines.

Mr. Cambas indicated that the industry would appreciate some type of parity and standard guidelines that would be the same across the county, either background checks, insurance, or licensing, or some combination of the three, pointing out that there

is a base guideline for doing business with the County, but the City of St. Petersburg is the only municipality that has guidelines and enforces them. He indicated that Pinellas County has three types of vehicle-for-hire business models: (1) full taxi fleet, (2) non-affiliated drivers, and (3) transportation network companies; whereupon, he described each type and suggested that if the County makes any changes to its guidelines or regulations, the three business models be taken into consideration.

In response to queries by Commissioners Long and Gerard, Mr. Cambas described the enforcement mechanism in place in St. Petersburg, and indicated that he does not know the number of complaints the city receives; and that it is considering changing the ordinance to make it more flexible, but would still require a company to be "certified." He discussed how the lack of reciprocity with Hillsborough County affects Pinellas County drivers and passengers, explaining that Pinellas County companies can take people to Hillsborough but cannot return to bring them back, yet Pinellas County does not put any restriction on drivers from Hillsborough.

Responding to queries by Commissioners Gerard and Seel, Mr. Cambas indicated that he would have no objection if the state provided guidelines across the board for the transportation network companies similar to the guidelines it has for the taxi industry. He discussed how the non-affiliated taxi drivers operate, opining that it could be compared to the passenger hitchhiking; whereupon, Commissioner Seel expressed support for the state enacting legislation regulating the industry in a manner that is fair to all, commenting that she would prefer it be done without additional cost to the drivers.

#### Attorney Steven Anderson, Lyft

Attorney Anderson asked that the Board allow the state to handle the vehicles-for-hire issue, noting that if the County applies regulations, the negatives would far outweigh any benefits; whereupon, he compared the issue to the situation with the cable industry before the state stepped in and adopted a statewide franchise. He provided information about Lyft, noting that Uber is much larger but Lyft is a \$6.5 billion company; that Lyft does not consider the taxi industry an enemy and feels that competition has elevated the performance of the industry; and that safety has not been compromised, as there is no cash involved in the Lyft and Uber service, and many safeguards have been built in.

Thereupon, Attorney Anderson asked that Pinellas County not emulate the way Hillsborough County is handling the issue, as it benefits no one, and Chairman Justice commented that the BCC has no plans to act at this time.

In response to query by Commissioner Eggers, Attorney Anderson requested that when the BCC meets with the legislative delegation, it urge them to minimize regulation. He related that if standards are initiated, two areas would be appropriate: (1) insurance, pointing out that both Lyft and Uber already have insurance programs that far exceed anything that has been proposed; and (2) vehicle inspections, pointing out that both Lyft and Uber have set age limits for cars and require that they be well-maintained.

Attorney Anderson stated that there is no need for fingerprinting, relating that none of the 36 states or cities comparable in size to Tampa that have adopted statewide regulation of transportation network companies require fingerprinting, and discussed the extensive electronic background check that Lyft requires of its drivers. Mr. Fernandez provided input, noting that the providers used by Uber and Lyft are accredited by the National Association of Professional Background Screeners; whereupon, he suggested that the BCC ask the legislative delegation to review the current regulations on the taxi industry, stating that some of them are unnecessary.

Carey Limousine of Tampa Bay - Not represented.

Discussion

County Administrator Woodard referenced a report prepared by staff a few years ago, and discussed the difficulties encountered and why it concluded that the Board would be well served to wait until the state adopted a uniform framework; whereupon, he recommended that the Board wait until the state takes action, as it seems imminent, and then decide if the County needs to do anything further, and Commissioners Gerard and Long concurred. During discussion and in response to queries by Commissioner Eggers regarding unaffiliated drivers, Mr. Fernandez asked that any new legislation not hamper local law enforcement from doing its job, noting that drivers stopped should be required to present insurance documents. Commissioner Long related that no one in the community has complained to her about the unaffiliated drivers, and queried whether a problem actually exists.

**4. Public Comment**

No one appeared in response to the Chairman's call for citizens wishing to be heard.

**ADJOURNMENT - 6:25 P.M.**