

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**ORANGE COUNTY EMERGENCY MEDICAL SERVICES
PARATRANSIT RULES AND REGULATIONS**

Resolution No. 2014-M-25

WHEREAS, on May 1, 2001, the Orange County Board of County Commissioners ("Board") approved the Orange County Emergency and Non-Emergency Medical Care and Transportation Ordinance ("Ordinance"); and

WHEREAS, Section 20-53 of the Ordinance provides the authorization to adopt by resolution such rules and regulations as are necessary or proper to implement the Ordinance; and

WHEREAS, it is in the best interest of the public health, safety, welfare, convenience and necessity of the citizens and visitors of Orange County to establish the Orange County Emergency Medical Services Paratransit Rules and Regulations.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY:**

Section 1. The Orange County Emergency Medical Services Paratransit Rules and Regulations are established as set forth below.

**ORANGE COUNTY EMERGENCY MEDICAL SERVICES
OFFICE OF THE MEDICAL DIRECTOR
PARATRANSIT RULES AND REGULATIONS 82.50**

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**RULES AND REGULATIONS
PARATRANSIT**

82.50 PURPOSE

These rules and regulations are issued pursuant to Section 20-53, Article III, Chapter 20, Orange County Code, and as amended. The purpose of these rules and regulations is to establish minimum standards for the transportation of persons with disabilities or otherwise incapacitated persons requiring specialized transportation on a nonemergency basis. These rules and regulations must be used in conjunction with Article III Emergency and Nonemergency Medical Care and Transportation, Chapter 20, Orange County Code and as amended thereto to determine complete requirements under the law.

The following rules and regulations are intended to be a complement under Section 20-131 of the Orange County Code. Rules and regulations governing paratransit transport vehicles.

82.51 DEFINITIONS

EMS/OMD – Emergency Medical Services / Office of the Orange County

Medical Director.

Paratransit – Service providing transportation of a client whose functional needs requires the use of a hydraulic or electric lift or ramp, wheelchair lockdowns, or transportation by stretcher when the client’s condition does not require medical supervision, medical equipment, the administration of drugs or the administration of oxygen, etc.

Provider – An approved paratransit service company or provider.

Client – The party for which transport services are rendered.

82.52 INAPPROPRIATE USE OF PARATRANSIT SERVICES

Pursuant to the definition of paratransit medical transportation services listed in Section 20-52, Orange County Code, and the following situations should define instances that are definitely **not appropriate** for paratransit transport services.

1. Any client requiring IV fluid/medication administration.
2. Any client who is ventilator dependent.
3. Any client who is required to be on a cardiac monitor.
4. Any client who requires oxygen administration unless that client is able to independently manage all tanks and equipment.
5. Any client who is uncooperative or who is considered agitated psychiatric clients requiring restraints.
6. Any client who is secured by any orthopedic traction device of any kind.
7. Any client who has a compromised airway of any kind, including the need for suctioning or other assistance by another person to maintain airway patency.
8. Any client displaying an altered level of consciousness.
9. Any client with a suspected or confirmed, acute spinal injury.
10. Any client who has the reasonable potential for needing medical care during the transport.
11. Any client being transported to an emergency department for a primary evaluation.
12. Any client who has received medication that has the potential of rendering

mental obtundation during transport.

82.53 PARATRANSIT TRANSPORT GUIDELINES

The following are a list of guidelines for management of the client during a paratransit transport:

1. In order to engage the 911 system, all paratransit transport vehicles must be equipped with some form of two-way communication.
2. In the event that the client experiences a medical emergency during transport, the driver must immediately stop the vehicle in a safe location and contact the 911 system. The location of the vehicle and nature of the emergency should be immediately described to the 911 call taker after which the driver should render whatever first aid he/she is capable of giving.
3. The paratransit transport provider is responsible for providing the EMS/OMD Services with a written report describing any emergency event that occurs during transport. This report must be submitted within 48-hours of the occurrence.

Failure to comply with these rules and regulations can and will result in penalties to the driver and the licensed operator of the paratransit transport vehicle in a manner consistent with federal, state and local laws, rules and regulations.

82.54 VEHICLE / EQUIPMENT SANITATION AND MAINTENANCE

General requirements for Paratransit Wheelchair and Stretcher type vehicles:

1. All vehicles shall be maintained in accordance with the vehicle manufacturer's recommended service intervals for rugged or severe duty conditions.
2. The provider shall keep a complete vehicle maintenance record for each individual vehicle. Maintenance records shall be available upon request for inspection by a representative of the EMS/OMD during normal business hours. In addition, the provider shall prepare and submit to the EMS/OMD any such vehicle maintenance reports as the may require.
3. At all times, paratransit vehicles must be equipped with a form of two-way communication that insures the ability to directly and immediately contact 911.
4. All vehicles shall have a functioning speedometer and odometer.

5. All vehicles shall have functioning interior lights within the passenger area.
6. All vehicles shall be equipped with adequate heating and cooling system for the driver and passengers. A vehicle without a heating and/or cooling system that is not functioning properly must be removed from service. The interior temperature of the vehicle shall be maintained at a comfortable level for all passengers.
7. All vehicles shall have interior surfaces that are smooth and easily cleaned.
8. All vehicles shall have properly functioning electrical systems.
9. All vehicles shall be free of obvious hazards (including but not limited to; slippery floors, sharp edges, and unpadded interior door headers).
10. All vehicles shall have any and all equipment in passenger compartment safely and adequately secured.
11. All vehicles shall have doors, latches and handles that are working properly.
12. All vehicles interior and exterior shall be kept clean with the exterior free of broken mirrors, windows, excessive grime, rust, damaged or faded paint, major dents or body damage that detracts from the overall appearance of the vehicle. The vehicle shall always display a professional appearance.
13. Minor body damage must be repaired within 72 hours. Vehicles with major body damage must be removed from service until the damage is completely repaired.
14. The vehicle must have a passenger compartment that is clean, free from torn upholstery or torn or excessively worn floor covering. Seats shall not be broken, damaged or have protruding sharp edges and be free of grease, dirt, or litter.
15. All vehicles must be weather tight and free of leaks.
16. Vehicle shall be free of safety hazards, rust and body damage.
17. All vehicles must be provided with a fully equipped first aid "spill kit" including liquid spill absorbent, latex gloves, hazardous waste disposal bags, scrub brush, disinfectant and deodorizer.

18. Each vehicle shall be equipped with all standard equipment safety features including a functioning horn and hazard flashers. All such equipment must remain in good working order at all times.
19. No commercial advertising material shall be placed or posted inside the vehicle, or passed out to passengers by the driver. No advertising material shall be affixed to the outside of the vehicle. EMS/OMD may direct the provider to post, or substitute material relating to operation of the program, in the vehicle.
20. All vehicles shall provide as smooth a ride as possible for all passengers.
21. If the vehicle experiences a breakdown while a client is on-board a complete report must be submitted to EMS/OMD within 48-hours of the event.
22. If a licensed paratransit vehicle is involved in an accident resulting in bodily injury, a copy of the appropriate police report shall be submitted to the EMS/OMD within 24-hours of the event. This will include all accidents, no matter if the vehicle was in transit with a client or not.
23. Providers shall have a written policy dictating that drivers are to immediately call 911 in the event that a client's condition deteriorates during transport.
24. The provider's business name shall be placed on the sides and rear of the vehicle. Lettering on the sides shall be no smaller than four (4) inches in height and clearly state the name of the provider along with a contact phone number. Lettering on the rear of the vehicle shall be a minimum of two (2) inches in height and display similar information as found on the sides of the vehicle. Each vehicle shall be individually numbered on both sides and the rear in lettering of the same size as described above. Any wording, lighting or color scheme which would cause a paratransit vehicle to be mistaken by a prudent layperson as an ambulance is prohibited. The DOT "Star of Life", in any variation, shall not be displayed on paratransit vehicles or literature.

82.55 VEHICLE DESIGN

Wheelchair Vehicles/Design Requirements. Paratransit vehicles which are intended to be used for or are used for the transportation of individuals in wheelchairs shall be designed and equipped as follows:

1. Each vehicle shall have a lift facility which is operated electrically, hydraulically or mechanically, with sufficient capacity to safely and smoothly lift passengers into the vehicle elevating and loading a 600 pound load without causing the outer edge of the lift to sag or tilt downward more than one (1) inch.

2. Each vehicle shall have for each passenger transported four (4) positive means of securely latching or locking to the vehicle the wheelchair in which a passenger will ride. The latching or locking devices shall be designed to prevent any lateral, longitudinal or vertical motion of the passenger conveyance within the vehicle.
3. Each vehicle shall have for each passenger transported restraining belts or straps designed to securely confine passengers to wheelchairs in which they are transported.
4. The lift platform shall be at least thirty (30) inches wide and forty-eight (48) inches long.
5. The lift controls shall be operable and accessible from inside and outside the vehicle, shall be secure from accidental or unauthorized operation and have provision for manual back up in the event of electrical failure.
6. When in storage in the passenger compartment, the lift platform shall not be capable of falling out of or into the vehicle, even if the power should fail.
7. All sharp edges of the lift structure that might be hazardous to passengers shall be padded and all sharp edges should be ground smooth.
8. The lift platform shall be of a non-skid expanded metal mesh or equivalent, to allow for vision through the platform.
9. The lift shall be furnished with reflector tape on each side (except the side adjacent to the vehicle) and all step edges, thresholds and the boarding edge of the lift platform.
10. A wheelchair securement device or ("tie-down") shall be provided that shall securely restrain the wheelchair during transport from movement forward, backward, lateral, and overturning movements in excess of two (2) inches.
11. Restraint system should be adjustable to accommodate any standard wheelchair bases being transported (including pneumatic) and motorized wheelchairs.
12. If a belt system is used, the cargo strap shall be retractable or stored on a mounted clasp or in a storage box when not in use. A tract mounting lock system on the floor for wheelchair securement shall be flush with the floor so as not to be an obstruction or become a tripping hazard. In all cases, the straps shall be stored properly when not in use.
13. The lift operation shall be smooth without any jerking motion.

14. Vehicle entry and exit doors shall be equipped with latching device sufficient to restrain individual passenger conveyances within the passenger compartment of the vehicle. Striker plates will be used in conjunction with latching devices.
15. Each vehicle shall have a smooth floor that has a minimum of voids or pockets at the floor to sidewall areas where water or moisture can become trapped.
16. The floor covering shall be seamless, one piece, permanently applied material and shall extend the full length and width of the client compartment. Where side panel and covering meet at the joints and sidewalls, they shall be sealed and bordered with rustproof, corrosion-resistant cove molding.
17. Each vehicle shall carry in the driver's compartment a 1A-10B: C fire extinguisher as a minimum.
18. The client compartment shall provide a minimum of 50 inches height, measured from the finished floor to the finished ceiling.

Stretcher Vehicle Design/Requirements. Paratransit vehicles that are intended to be used for or are used for the transportation of persons on a stretcher shall be designed and equipped as follows:

1. Each vehicle shall have a crash-stable side or center mounting style litter fastener of the quick release type.
2. At least two (2) strap type-restraining devices shall be provided per stretcher, cot and litter to prevent longitudinal or transverse dislodgment of the client during transit.
3. Each vehicle shall have, in addition to the rear-vision mirror, an inside rear-vision mirror or an acceptable alternative, as approved by the EMS/OMD, which at a minimum, will insure the ability to observe and monitor the passenger compartment.
4. Vehicle entry and exit doors shall be equipped with latching devices sufficient to restrain individual passenger conveyances within the passenger compartment of the vehicle. Striker plates will be used in conjunction with latching devices.
5. Each vehicle must have a smooth floor, which has a minimum of voids or pockets at the floor to sidewall areas where water or moisture can become trapped.

6. The floor covering shall be of material, which can be maintained in a safe, sanitary and odor free manner and shall extend the full length and width of the client compartment.
7. Each vehicle shall carry, in an easily accessible location, a 1A:10B: C fire extinguisher as a minimum.
8. The client compartment shall provide a minimum of fifty (50) inches in height measured from the finished floor to the finished ceiling.

82.56 RECORDS

Licensees providing paratransit services shall maintain records in accordance with Article III, Chapter 20, Orange County Code and as amended thereto and shall maintain the following information:

1. Current personnel records of each employee which shall indicate date of employment and qualifications held by each employee.
2. Vehicle record on each paratransit vehicle operated and vehicle registration record and records safety inspection.
3. Each provider shall keep a trip report upon which shall be recorded:
 - a. Date, time, place and origin, name of passenger, and destination.
 - b. Maintain record of all passengers transported with their own oxygen.
 - c. Each licensee shall retain and preserve all daily trip records for no less than three (3) years.
 - d. Such records shall be available for inspection by the EMS/OMD, upon request, during normal working hours.
4. All records shall be indexed and filed for ready access.

82.57 FEES

Each applicant for paratransit transportation license shall pay to the EMS/OMD the following fees:

1. Paratransit transportation service license: \$200.00, to be paid with the application. Bi-annual renewal fee of \$125.00 to be paid with the application.

2. Paratransit transportation vehicle decal or renewal decal: decals for up to three (3) vehicles are included in the licensure fee set forth above. For each additional vehicle decal, an additional \$30.00 fee will be charged.

82.58 ADVERTISING

All advertising or other solicitation for business by a paratransit service shall emphasize in a conspicuous manner that the service does not provide medical attention and the service provided is designed for those persons whose functional needs render it impractical to use regular, common carrier or taxi services. The term "ambulance" shall not be used to identify any paratransit vehicle or service or be used in any service advertisement.

82.59 PARATRANSIT DRIVER AND STAFF CERTIFICATION REQUIREMENTS

Each licensed paratransit service that operates a decaled vehicle must insure that each driver is trained, qualified and certified to perform the duties required.

In addition, each paratransit provider unit shall be staffed and operated under the following conditions:

1. Drivers for paratransit services shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with the specific passenger, upon pickup of each passenger, except in situations where the driver regularly transports the passenger on a recurring basis.
2. Each driver must have photo identification that is in view of the passenger.
3. No driver shall smoke a cigarette, cigar, pipe or use any other tobacco substance while in or around the vehicle while such vehicle is occupied by a passenger.
4. Each unit shall be staffed by sufficient personnel to ensure safe loading and unloading of wheelchair bound clients.
5. All drivers must meet the requirements established in Florida Statute Chapter 322, and such other requirements of the EMS/OMD.
6. All drivers must have knowledge of all equipment in the vehicle.
7. All drivers must be able to demonstrate operation of wheelchair lifts/stretchers.
8. Drivers should assist passengers, when possible with entry and retrieval into multi-level buildings as long as there are no other passengers

remaining in the vehicle.

9. All employees should be dressed in a professional manner with clean uniforms, etc.
10. When securing wheelchairs and stretchers drivers are to follow all factory recommended procedures.
11. Each paratransit vehicle when transporting a person who is incapacitated or helpless and is confined to a stretcher or is required to be in a supine position during transportation shall have a minimum of two (2) people to insure the safe loading, unloading and movement of the client(s).
12. Should it be necessary for the client to remain on the provider's stretcher, one attendant shall remain with the client at all times.
13. In accordance with Orange County's initiative to greatly increase the number of citizens trained in Cardio/Pulmonary Resuscitation (CPR), providers are encouraged to make CPR training available to all employees. Successful completion of a first-aid course is also recommended.

82.60 INSURANCE

1. To the fullest extent permitted by law, each provider of paratransit services will indemnify and hold harmless Orange County from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of or resulting from the performance of their operations in providing paratransit services.
2. The provider will obtain or possess the following insurance coverage and will provide certificates of insurance coverage and will provide certificates of insurance to the county prior to commencing their operations. The insurance coverage shall contain a provision that forbids any changes or material alternations in the coverage without providing thirty (30) days prior written notice to the county.
3. The Provider of Paratransit services shall:
 - a. Provide coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury. The limits will be not less than \$1,000,000 combined single limit (CSL) or its equivalent.
 - b. Provide coverage for all owned and non-owned vehicles for limits of not less than \$1,000,000 combined single limit (CSL) or its equivalent.
 - c. Provide the statutory requirements for workers' compensation coverage. The limits will be statutory for workers' compensation and \$100,000 for employer's liability.

4. The Board may require additional insurance for any vehicle or provider of paratransit services.

82.61 DISASTER ASSISTANCE AND PREPAREDNESS

Providers with multiple vehicles that can be used during a disaster shall agree to participate in disaster related services as available back-up for the EMS/OMD.

82.62 ENFORCEMENT AND PENALTIES

The rules and regulations shall be enforced by authorized personnel of the EMS/OMD and by the Orange County Board of County Commissioners/County Administration.

Non-compliance with standards. EMS/OMD shall issue providers and/or attendants/drivers, written notice of minor violations and a specified period of time for correction. Serious or repeated violations, EMS/OMD shall issue an official notice (certified letter, return receipt requested).

Any provider, personnel or vehicle found not in compliance with the standards created by these rules and regulations, and federal or state standards may be removed from service immediately until verified by EMS/OMD personnel for correction of deficiencies

82.63 CIVIL ENFORCEMENT

1. Operation of a Paratransit wheelchair/stretchers equipped vehicle without a decal issued herein:

It shall be prohibited for any person to operate, or cause to be operated, drive with the intent to pick up passengers, originate one-way transportation, or provide return service for non-continuous transportation, within the jurisdictional limits or upon public streets of Orange County, Florida without a vehicle decal issued pursuant to the rules.

2. Use of Paratransit vehicle for illegal purposes:

It shall be prohibited for the provider or the driver to permit any person to accompany or use such vehicle for, or to directly take or transport, any other person with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for committing a crime.

3. Unauthorized reproduction or alteration of vehicle decals:

It shall be prohibited for any person to reproduce, alter, manufacture, use, display, or otherwise employ any facsimile or reproduction of the vehicle adopted by the Board.

4. Payment of “kickback” money:

It shall be prohibited for providers or their drivers employee to pay any money or other gratuity including money—commonly referred to a “kickback” – to a provider or driver as consideration for diverting or attempting to divert a passenger or passengers from one facility to another, or particular category of service to another provider, driver, or other category of transportation service.

5. Receipt of “kickback” money:

It shall be prohibited for a hospital, nursing home facility, or doctor office, their agents or employees, to receive or accept any money or other gratuity including money—commonly referred to as “kickback money”—from a vehicle decal-holder or driver as consideration for diverting or attempting to divert a passenger or passengers from one Provider, driver, or particular category of service to another provider, driver, or other category of paratransit service.

82.64 ADMINISTRATIVE ENFORCEMENT AND PENALTIES PROCEDURE

1. Whenever there is a reasonable cause to believe that a provider is violating, or has violated, the provisions of these rules, the EMS/OMD may initiate enforcement proceedings and request a hearing before the Board. The provider shall be advised in writing, of the date, time and place of such hearing, mailed to the address on file with the EMS/OMD. Failure to appear shall result in an automatic suspension of the particular provider license and vehicle decals.
2. Any provider, driver or any person who is determined by the EMS/OMD to have violated any of the prohibitions contained herein, the EMS/OMD may utilize either of two (2) general means of enforcing these rules and regulations:
 - a. Monetary fining of the provider or owner.
 - b. Suspending or revoking the provider’s or owner’s paratransit license.
3. On a case by case basis, EMS/OMD shall develop and provide a deficiency or warning system through which owners/drivers are given written notice of minor violations/vehicle deficiencies and a specified period of time for correction. For more serious or repeated violations, EMS/OMD shall issue official notification.
4. Violations of these rules and regulations shall be punishable by fines suspension and/or revocation of paratransit license:

- a. The first such violation shall be corrected within the time period specified with no fines imposed, failure to correct items recorded on a deficiency report by the deadline shall cause fine to be imposed.
 - b. The second such violation shall be punishable by a fine not to exceed one hundred (\$100.00).
 - c. The third and subsequent violation shall be punishable by fines of not less than two-hundred fifty (\$250.00), and no more than five-hundred (\$500.00).
 - d. Suspensions pursuant to this section for non-compliance shall not exceed six (6) months. Three (3) or more suspensions within any twelve-month period may constitute grounds for revocation of the license and vehicle.
5. Operation without a Paratransit License: If the paratransit provider or its driver(s) knowingly operates without a license, EMS/OMD may enact a ninety (90) day moratorium on processing the application or reapplication for licensure.
6. The following shall constitute grounds for suspension of the provider's license for non-compliance:
- a. Charging of rates inconsistent with the established rates:
 - If a provider charges, receives or obtains any fare from a passenger that is not strictly consistent with any rates and surcharges on file with the EMS/OMD.
 - b. Charging of rates inconsistent with the rates on file with the EMS/OMD:
 - If a driver charges, receives, or obtains any fare from a passenger that is not strictly consistent with any rates on file with the EMS/OMD.
 - c. Driver Trip Reports:
 - If the provider fails to keep and file the applicable trip reports as pursuant to Section 82.56.
 - d. Failure to Satisfy the Minimum Safety and Equipment Standards:
 - If a driver operates, leases, or causes to be operated a vehicle that does not strictly comply with any of the safety and equipment standards in section 82.54.

- e. Failure to Post Informational Sign:
 - If the Board adopts any rate or surcharge for paratransit vehicles and the provider fails to post the informational sign or decal.
- f. Operation under non-approved trade name, color scheme and logo:
 - If a provider operates, leases, or causes to operate a vehicle under a trade name, color scheme or logo not approved by the EMS/OMD.
- g. Non-Compliance with Display and Advertisement Restrictions:
 - If a provider fails to strictly comply with the requirements in Section 82.58.
- h. Payment of “kick-back money”:
 - If a provider pays any money or other gratuity including money—commonly referred to as “kick-back – to any facility as consideration for diverting or attempting to divert a passenger or passengers from one category of transportation company, drivers to its company or drivers.
- i. Receipt of “kick-back money”:
 - If a provider receives or accepts any money or other gratuity including money—commonly referred to as “kick-back”—from a facility as consideration for diverting or attempting to divert a passenger or passengers from one facility to another.
- j. Misleading Passengers:
 - If a provider intentionally or knowingly misleads, by any act or word, a passenger or potential passenger about:
 - i. The time or place of arrival or departure of a train, airplane, any paratransit vehicle or bus, or;
 - ii. The location of any building or place, or the distance between two points, or;
 - iii. The cost or amount of the trip; or information on the cost, availability or quality of another provider/driver.

- k. Operation of a decal vehicle for Paratransit Non-License Service:
 - It shall be unlawful for any driver to operate a decal vehicle in a non-license category.
- l. Operation without public display of vehicle decal:
 - If a vehicle decal-holder operates, allows leases or causes to be operated any vehicle which has been inspected by the EMS/OMD and issued a decal without said decal affixed to vehicle.
- m. Dress Code:
 - If a provider fails to require and enforce the vehicle driver's dress code.
- n. Failure to Submit Current Automobile Liability Insurance Certificate or binder:
 - If a provider fails to supply liability insurance certificate or binder in accordance with Section 82.61.
- o. Unlawful Solicitation:
 - If a paratransit provider engages in the unlawful solicitation of clients.
- p. Failure to produce adequate identification:
 - If a driver operating any vehicle fails to produce his/her driver's license upon request by any client, EMS/OMD or law enforcement officer.
- q. Smoking by Driver:
 - If a driver smokes a cigarette, cigar, pipe or uses other tobacco substance in the vehicle while such vehicle is occupied by a passenger.

Suspension of Vehicle Decal

1. *Time Certain for Suspension:*

If the paratransit provider chooses to suspend a vehicle decal, the paratransit provider shall set a time certain for the period of suspension.

With regards to the violations listed above, the EMS/OMD shall adopt at least a minimum suspension of a suspension of at least three (3) days and no greater than ten (10) days for each vehicle found in violation.

2. *Suspension of Paratransit License:*

During the period of suspension, the license holder shall not operate, or cause to have operated or allow the operation of the vehicles(s) which is/are subject of the suspended vehicle decal(s).

3. *Corrective Action by Paratransit Provider:*

The provider shall correct the violation for which the suspension was ordered and submit proof of said correction to the EMS/OMD prior to the end of the suspension period.

4. *Fee:*

The reinstatement fee for vehicles shall be fifty percent (50%) of the amount of a new decal.

5. *Grounds for Revocation of Paratransit Provider's License:*

The following will constitute grounds for revocation of the paratransit license:

- a. **No Insurance:** If the paratransit provider fails to provide insurance whether by a lapse in coverage or by coverage below the minimum amount.
- b. **Failure to correct during suspension:** If at the end of the suspension period, the violation or violations have not been corrected, or proof thereof has not been submitted to or adopted by the EMS/OMD, the license will be presented to a revocation hearing before the Board.
- c. **Multiple Suspensions:** If a vehicle decal is suspended three (3) or more times in a one-year period.
- d. **Operation of Suspended Vehicle Decal:** If the paratransit provider, its drivers operates or causes to be operated a vehicle which is the subject of a suspended vehicle decal as provided in the section above.

6. *Revocation of Provider License:*

If the Board approves to revoke a paratransit license, the provider removes the vehicle decals from all the vehicles and returns them to the EMS/OMD

within five (5) working days of the date of revocation.

Any provider whose license is revoked shall not be eligible to apply for any category of vehicle decals for six months from the date of revocation. After six months, the former provider shall be required to re-apply as a new applicant in order to obtain any vehicle decal issued herein. The former provider shall be given no preference in the issuance of unused decals and shall pay the full decal fee for any vehicle decals the provider may obtain to replace the decals that were previously revoked.

82.65 APPEALS – GENERAL

1. The decisions of the Board pursuant to this section shall be final decisions and shall not be reviewed by the Board by appeal.
2. Any review of the Board's decision shall be made by petition for certiorari to the Ninth Judicial Circuit Court serving Orange County, Florida as provided by law in accordance with the Florida Appellate Rules. Notice of an intention to file a writ of certiorari must be filed with the Clerk of the Board of County Commissioners within thirty (30) days following the Board's decision.

82.66 TRANSITIONAL PROCESS

1. All active paratransit licenses and vehicle decals issued to the effective date of these rules and regulations shall remain in effect until expiration.
2. All trade names, color schemes, logos, or vehicle designs of an active paratransit license issued prior to the effective date of these Rules and Regulations shall be grand-fathered so long as the paratransit license and vehicle decal has not expired, been revoked or become dormant.
3. All decisions of the Board prior to the effective date of these rules and regulations shall remain in effect to the extent that they are consistent with these rules and regulations. If a decision is inconsistent with the terms of these rules and regulations, these rules and regulations shall control over the specific matters within the decision, and the resolution shall be deemed modified without additional action required by the Board.
4. All paratransit licenses and vehicle decals issued pursuant to this section are after the effective date of March 25, 2014, which is the date the Board approved these rules and regulations hereof.

82.67 PARATRANSIT APPLICATION PROCESS

Investigations for licensure and the issuance of licenses to paratransit providers shall be handled in the same manner as a Certificate of Public Convenience and Necessity per Article III, Chapter 20, Orange County Code, and, as amended.

Section 2. Effective date. This Resolution shall become effective upon the date of approval by the Board of County Commissioners and shall be in effect until further action is taken by the Board.

DONE AND RESOLVED this ____ day of JUN 03 2014, 2014.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs, County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

