

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS SUPERSEDING RESOLUTION NO. 2014-M-25

regarding

ORANGE COUNTY EMERGENCY MEDICAL SERVICES PARATRANSIT RULES AND REGULATIONS

Resolution No. 2026-_____

WHEREAS, Section 20-53 of the Orange County Code of Ordinances authorizes the Board of County Commissioners to adopt, by resolution, rules and regulations as necessary to implement Chapter 20, Article III, of the Code, which includes provisions related to alternative transportation services (or Paratransit); and

WHEREAS, on June 3, 2014, the Board adopted Resolution No. 2014-M-25 establishing the Orange County Emergency Medical Services Paratransit Rules and Regulations; and

WHEREAS, the Board now desires to amend the Paratransit Rules and Regulations by modifying the vehicle design requirements, fee requirements, driver and staff certification requirements, insurance requirements, and the administrative enforcement process and penalties; and

WHEREAS, the Board also desires to create new rules and regulations related to vehicle and equipment condition and vehicle permits; and

WHEREAS, accordingly, the Board desires for this Resolution to supersede Resolution No. 2014-M-25.

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 hereby established as set forth below.

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

TABLE OF CONTENTS

R. 82.50	Purpose.....	3
R. 82.51	Definitions.....	3
R. 82.52	Inappropriate Use of Paratransit Services.....	3
R. 82.53	Paratransit Transport Guidelines.....	4
R. 82.54	Vehicle / Equipment Sanitation and Maintenance.....	5
R. 82.55	Vehicle Design.....	7
R. 82.56	Records	9
R. 82.57	Fees	10
R. 82.58	Advertising.....	10
R. 82.59	Paratransit Driver and Staff Certification Requirements	10
R. 82.60	Insurance.....	12
R. 82.61	Disaster Assistance and Preparedness	13
R. 82.62	Enforcement and Penalties.....	13
R. 82.63	Civil Enforcement.....	13
R. 82.64	Administrative Enforcement and Penalties Procedure	14
R. 82.65	Appeals – General.....	19
R. 82.66	Transitional Process	19
R. 82.67	Paratransit Application Process	19
R. 82.68	Vehicle and Equipment Condition.....	20

**RULES AND REGULATIONS
PARATRANSIT**

82.50 PURPOSE

These Rules and Regulations (“Rules”) are issued pursuant to Section 20-53 of the Orange County Code (“Code”). The purpose of these Rules 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 must be read and used in conjunction with Chapter 20, Article III of the Code to determine the complete requirements under the law.

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 require the use of a lift, wheelchair lockdowns, or transportation by stretcher when the client’s condition does not require medical supervision, medical equipment, the administration of drugs, the administration of oxygen, or other basic or advanced life support transport services.

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 listed in Section 20-51 of the Code, the following includes a non-exhaustive list of instances that are **not appropriate** for paratransit:

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 is a list of guidelines for managing clients 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 the driver 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 incident's occurrence.

Failure to comply with these Rules 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 EMS/OMD may require.
3. At all times, paratransit vehicles must be equipped with a form of two-way communication that ensures 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 systems for the driver and passengers. A vehicle without a heating and cooling system, or a 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 compartments safely and adequately secured.
11. All vehicles shall have doors, latches and handles that are working properly.
12. Each vehicle's 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. Vehicles shall be free of safety hazards, rust and body damage.
17. All vehicles must contain 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, then 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 that are intended to be used for or are used for the transportation of individuals in wheelchairs shall be designed and equipped as follows:

1. Paratransit vehicles permitted by the County for the first time on or after June 1, 2026, must have an automatic lift facility that is operated electrically, hydraulically or mechanically, with sufficient capacity to safely and smoothly lift passengers into the vehicle and elevate and load a 600-pound load without causing the outer edge of the lift to sag or tilt downward more than one (1) inch. Manual ramps alone are not sufficient to meet this requirement. All other paratransit vehicles permitted by the County must meet this requirement by June 1, 2028.
2. Each vehicle shall have four (4) positive means of securely latching or locking a wheelchair to the vehicle in which a passenger will ride for each passenger transported. 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 restraining belts or straps for each passenger transported 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 retract 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 5-pound ABC 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 ensure 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 5-pound ABC 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

Licensed paratransit providers shall maintain records including the following information:

1. Current personnel records of each employee including the date of employment and qualifications held by each employee.
2. Vehicle records for each paratransit vehicle operated, vehicle registration records, and safety inspection records.

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 five (5) years.
4. All records shall be indexed and filed for ready access. Such records shall be available for inspection by the EMS/OMD, upon request, during normal working hours.

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. Biennial renewal fee of \$125.00 to be paid with the application.
2. Paratransit transportation vehicle decal or renewal decal: \$30.00 per decal.

Paratransit services owned and operated by governmental agencies shall be exempt from the fee requirements contained in this Rule 82.57.

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 ensure that each driver is trained, qualified and certified to perform the duties required.

In addition, each paratransit provider unit shall be staffed and operated as follows:

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, e-cigarette, vape, 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 Chapter 322, Florida Statutes, 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.
10. When securing wheelchairs and stretchers, drivers are to follow all factory recommended procedures.
11. When transporting a person who is incapacitated or helpless and confined to a stretcher or required to be in a supine position during transportation, each paratransit vehicle shall have a minimum of two (2) people to ensure 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 paratransit provider 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 to the county prior to commencing their operations. The insurance coverage shall contain a provision that forbids any changes or material alterations in the coverage without providing thirty (30) days prior written notice to the county.
3. Paratransit providers shall:
 - a. Provide commercial general liability coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury. The limit must not be less than \$1,000,000 per occurrence. Orange County, Florida must be named as an additional insured.

Certificate Holder must read:

Orange County, Florida
Risk Management Division
109 E. Church Street, Suite 200
Orlando, FL 32801

- b. Provide coverage for all owned, hired, and non-owned vehicles. The limit must not be less than \$300,000 combined single limit (CSL).
 - c. Provide the statutory requirements for workers' compensation coverage. The limits must be statutory for workers' compensation and \$100,000 for employer's liability.
4. The Board may require additional insurance, or modify the coverage listed in these Rules, 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 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. For serious or repeated violations, EMS/OMD will 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, or federal or state standards, may be immediately suspended 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 these 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 decal.

4. Payment of “kickback” money:

It shall be prohibited for paratransit providers or their drivers or employees to pay any money or other gratuity (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 (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, these Rules, the EMS/OMD may initiate enforcement proceedings.
2. The EMS/OMD may utilize either or both of the following two (2) means of enforcing these Rules upon finding that a provider, driver or any other person is in violation:
 - 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 monetary fines, suspensions, or revocations in accordance with these Rules.
4. Violations of these Rules are punishable by fines, suspension, and/or revocation of paratransit licensure:
 - 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 a fine to be imposed.
 - b. The second such violation shall be punishable by a fine not to exceed one hundred dollars (\$100.00).
 - c. The third and subsequent violations shall be punishable by fines of not less than two-hundred fifty dollars (\$250.00), and no more than five-

hundred dollars (\$500.00).

- d. Suspensions pursuant to non-compliance with these Rules 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 one hundred eighty (180) day moratorium on processing the application or reapplication for licensure. Should the unlicensed operation continue during the moratorium, EMS/OMD may impose an additional one hundred eighty (180) day moratorium on processing the application or reapplication for licensure.
 6. The following shall constitute grounds for suspending a provider's paratransit license:
 - 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. Driver Trip Reports:

If the provider fails to keep and file the applicable trip reports required by Rule 82.56.
 - c. 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 Rules 82.54 or 82.68.
 - d. 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.
 - e. Operation under non-approved trade name, color scheme, or 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.

- f. Non-Compliance with Display and Advertisement Restrictions:

If a provider fails to strictly comply with the requirements in Rule 82.58.
- g. Payment of “kick-back money”:

If a provider pays any money or other gratuity (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.
- h. 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.
- i. Misleading Passengers:

If a provider intentionally or knowingly misleads, by any act or word, a passenger or potential passenger about:
 - 1. The time or place of arrival or departure of a train, airplane, any paratransit vehicle or bus; or
 - 2. The location of any building or place, or the distance between two points; or
 - 3. The cost or amount of the trip, or information on the cost, availability or quality of another provider/driver.
- j. 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-licensed category.
- k. 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.
- l. Dress Code:

If a provider fails to require and enforce the vehicle driver's dress code.

- m. Failure to Submit Current Automobile Liability Insurance Certificate or binder:

If a provider fails to supply liability insurance certificate or binder in accordance with Rule 82.60.

- n. Unlawful Solicitation:

If a paratransit provider engages in the unlawful solicitation of clients.

- o. Failure to produce adequate identification:

If a driver operating any paratransit vehicle fails to produce their driver's license upon request by any client, EMS/OMD, or law enforcement officer.

- p. Smoking by Driver:

If a driver smokes a cigarette, e-cigarette, vape, cigar, pipe or uses other tobacco substance in the vehicle while such vehicle is occupied by a passenger.

- 7. A provider may appeal an administrative fine issued by EMS/OMD to a hearing officer by filing a request for appeal with EMS/OMD within ten (10) days of receiving the fine. Any such appeal will follow the same process as the one for appealing a license suspension/revocation described in Section 20-137 of the Orange County Code.

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 suspend vehicle decals for at least three (3) days and no more 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) that is subject to suspension.

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 shall constitute grounds for revoking a paratransit license:

- a. **No Insurance:** If the paratransit provider fails to maintain adequate 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 a suspension period, a violation has not been corrected, or proof thereof has not been submitted to or approved by the EMS/OMD, then the license may be revoked.
- 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 EMS/OMD revokes a paratransit license, the provider must remove the vehicle decals from all vehicles and return the decals to the EMS/OMD within five (5) business days of the date of revocation.

Any provider whose license is revoked shall not be eligible to apply for a paratransit license or any category of vehicle decals for six (6) months from the date of revocation. After six (6) months, the former provider shall be required to re-apply for a paratransit license 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 or hearing officer pursuant to these Rules are final decisions.
2. Any review of the Board's or hearing officer'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 as of the effective date of these Rules shall remain in effect until expiration. Any request to renew a paratransit license or vehicle decal must be submitted in accordance with these Rules.
2. All trade names, color schemes, logos, or vehicle designs of an active paratransit license issued prior to the effective date of these Rules shall be grandfathered 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 shall remain in effect to the extent that they are consistent with these Rules. If a decision is inconsistent with the terms of these Rules, these Rules shall control over the specific matters within the decision.

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 Chapter 20, Article III of the Code, as amended.

82.68 VEHICLE AND EQUIPMENT CONDITION

Every paratransit vehicle shall meet the following minimum safety and equipment standards:

1. *Tires.* Tires shall be of the size appropriate for the paratransit vehicle and with no mismatched tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply. No tire is permitted with less than 2/32 inches remaining when measured in any two (2) grooves at three (3) equally spaced intervals around the circumference of the tire, or when the tire has tread wear indicators that are visible.
2. *Operational Horn.* The paratransit vehicle shall be equipped with an operational horn with the actuating button mounted in the location designated by the vehicle manufacturer and operated in the manner designed and assembled by the vehicle manufacturer.
3. *Windows.* The windshield, side, and rear windows shall operate as designed and be assembled with no breakage, cracks or pits that may impair visibility or hinder the safety of passengers. No windows on paratransit vehicles shall be composed of, covered by, or treated with, any material which would cause the vehicle to be in violation of Section 316.295, Florida Statutes.
4. *Doors.* All doors must have operating handles that allow opening from the inside and outside. Handles, knobs and armrests are to be free of breaks and must be securely mounted. Door hinges and hold stops must function correctly. Door seals and gaskets must be intact and operating to seal water and odors from entering the passenger compartment from outside. All door panels must be intact to prevent accidental injuries on door and window mechanisms.
5. *Interior Condition.*
 - a. *General Condition.* All standard interior equipment shall be complete and intact, including, but not limited to interior lights, headliner, dashboard, head rests, window cranks, and gear shifts.
 - b. *Seat Condition.* Seat covers shall be permanently attached or fixed to all seats in the paratransit vehicles, and have no exposed wire or sharp edges either from metal or hardened vinyl. The rear seat must be of a type, size and mounting approved by the vehicle manufacturer. No broken springs, sagging or horizontal slippage is allowed in any seat.
 - c. *Floor Condition.* Floor covering material shall be secure and contain no rips or loose folds. The floorboard of the paratransit vehicles shall be free of rust and holes.
 - d. *Loose Objects.* No loose or moving objects or externally mounted speakers shall be placed on the deck behind the rear seat, or on the

front dashboard. No decorations or other objects will be permitted to hang from permanently mounted fixtures in a paratransit vehicle.

6. *Seat Belts.* Each paratransit vehicle shall have seat belts available for passengers in all seats except jump seats, spaces designed to accommodate wheelchairs or where the seat belts are not required by law. Seat belts shall be provided in operating condition and easily accessible by all passengers. Seat belts shall also be clean and free of grease and other objectionable substances. For the purpose of this Rule, seat belts which are placed under the seat or between the lower and upper portions of the seat are deemed not easily accessible.
7. *Windshield Wipers.* Each paratransit vehicle shall have standard operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the paratransit vehicle. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn.
8. *Brakes.* Each paratransit vehicle shall contain an operational parking brake and a primary brake system which acts on all four (4) vehicle wheels. There shall be no visible leaks in the brake line, wheel cylinder or any part of the brake system and no frayed cables. All primary brake systems shall demonstrate a reasonable total braking force when tested, using the “quick stop method” and with the paratransit vehicle operating at a speed of at least twenty (20) miles per hour. Brake linings and/or disc pads, when measured at the thinnest point shall not be less than one-sixteenth (1/16) of an inch. Brake linings and/or pads shall also be firmly attached to the brake shoe and/or disk coupler. Disc brake rotors and brake drums shall be of a size and type appropriate for the vehicle, with no cracks or other damage which change or impair the functional surface.
9. *Headlights, Turn Signals, Brake Lights and Tail Lamps.* Every paratransit vehicle shall be equipped with operational State of Florida-approved headlights, and turn indicating lamps or devices on the front and rear of the vehicle and a foot brake activated stop light on the rear of the vehicle. Each paratransit vehicle shall also have a tail lamp so situated on the vehicle as to illuminate the rear license plate with a white light and render it clearly legible.
10. *Steering Mechanisms.* Steering mechanisms shall neither be worn nor jammed, nor shall there be more than two (2) inches play to the left or right of center, measured at the steering wheel rim with the road wheels in a straight ahead position, on wheels up to eighteen (18) inches in diameter, or three (3) inches of play on wheels over eighteen (18) inches.

11. *Exhaust Systems.* There shall be no leakage of exhaust gas at the manifold gasket, manifold and exhaust line gasket, muffler and muffler connections or at any other point in the exhaust system as determined through a visual and audible inspection. The tail pipe shall discharge exhaust from the rear or sides of the passenger and luggage compartment. No part of the exhaust system shall pass through or leak into the part of the paratransit vehicle occupied by passengers, as determined by visual inspection.
12. *Air Conditioning and Heating.* Every paratransit vehicle shall be equipped with an adequately operating air conditioning and heating system, and windshield defrost or defogging system, which controls the temperature of the interior of the vehicle between 68 and 78 degrees Fahrenheit.
13. *Correction of Defects.* Every licensed paratransit provider shall repair or replace any equipment or parts of the vehicle found to be worn out, defective or creating a safety hazard by the vehicle inspection facility as a result of the inspection required in Rule 82.69, below.

82.69 VEHICLE PERMIT

Prior to receiving a new or renewed vehicle permit from the County, each paratransit vehicle must be inspected and certified as further described in this Rule 82.69. The inspections and certifications must be performed and issued no more than thirty (30) days prior to the submission of a complete, new or renewal vehicle permit application.

1. An A.S.E. (Automotive Service Excellence) certified mechanic must inspect and certify that each paratransit vehicle meets the requirements of Rule 82.68.
2. EMS/OMD must inspect and certify that each paratransit vehicle complies with, at a minimum, the two-way communication and spill kit requirements described in these Rules. EMS/OMD may inspect for, and certify to, compliance with the other requirements of these Rules at the discretion of EMS/OMD.

Paratransit vehicles with less than ten thousand (10,000) miles and manufactured within three hundred sixty-five (365) days of the submission of a complete, new or renewal vehicle permit application are exempt from the inspection and certification requirements contained in this Rule 82.69.

Section 2. Effect of Resolution. This Resolution replaces and supersedes Resolution No.

2014-M-25.

Section 3. Effective Date. This Resolution shall become effective upon the date of adoption.

ADOPTED THIS 19TH DAY OF MAY, 2026.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk