



Memorandum



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To: The Honorable Carlos Gimenez, Mayor, Miami-Dade County
The Honorable Audrey M. Edmonson, Chairwoman
and Members, Board of County Commissioners, Miami-Dade County

From: Mary T. Cagle, Inspector General

Date: February 25, 2020

Subject: Receipt of Status Report and Closure of OIG Inspection Relating to the Self-Certification of Special Transportation Services Vehicles, Ref: IG 18-0005A

As you may recall, on October 29, 2019, the Office of the Inspector General (OIG) issued a final report concerning the recently enacted legislation for the self-certification of Special Transportation Services (STS) vehicles.¹ That report contained six recommendations, all of which were accepted by the Department of Transportation and Public Works (DTPW). In our final report, we requested that DTPW provide a 90-day status report advising of the implementation status of the recommendations. We received DTPW's report and are satisfied that the recommendations are being fully implemented (see attached).

The OIG's inspection was precipitated by the passage of Ordinance No. 18-94 (hereinafter the STS Ordinance) by the Board of County Commissioners (BCC) in September 2018. The STS Ordinance allowed STS operators the option to self-certify that their vehicles comply with the vehicle standards set forth in the Code of Miami-Dade County in lieu of having the vehicles inspected at the County facility. Operators electing to self-certify must have their vehicles inspected and certified by an American Advanced Technicians Institute (AATI) or National Institute for Automotive Service Excellence (ASE) certified master mechanic or an automobile technician at a licensed and state registered auto repair shop.

Similar ordinances already passed by the BCC for the Taxi, Limousine, and the Passenger Motor Carrier (PMC) industries provided a basis for comparison and assessment of the STS Ordinance. Accordingly, the OIG focused on the Passenger Transportation Regulatory Division's (PTRD) experience with PMC operators electing self-certification. Specifically, the language of that ordinance closely mirrored the STS Ordinance, and PTRD had already been regulating the PMC operators opting for self-certification under that ordinance for approximately one year. Also, Supernice STS Inc. d/b/a Transportation America (TA), the County's STS contract operator, likewise operated

¹ <https://www.miamidade.gov/resources-oig/pdf/Reports2019/OIGFinalReportreSelf-CertificationofSTSVehicles.pdf>

a large PMC fleet comprised of shuttle buses, trolleys, and circulators, and had previously opted for self-certification under the PMC self-certification ordinance.²

DTPW's 90-day status report details several new procedures adopted as a result of our inspection. For example, the OIG's inspection identified that TA was initially non-compliant with the PMC and STS Ordinances' self-certification requirements because the inspections were not performed by an AATI or ASE certified master mechanic, nor were they performed at a licensed or state registered auto repair shop. Additionally, TA's facilities lacked adequate brake testing equipment, so it could not assure brake tests within allowable parameters. These non-compliances were immediately brought to DTPW's attention, who in turn, immediately required TA to remediate them. In its recent status report, DTPW advised that it has revised its procedures to require that prospective certificate and permit holders, electing to self-certify their vehicles, identify the auto repair shop where vehicle inspections will be conducted. Additionally, PTRD will verify that the auto repair shop is equipped with brake testing equipment capable of determining braking parameters as provided by test equipment readings for stopping effectiveness.

In the course of our inspection, OIG representatives shadowed PTRD officers in the field to observe how enforcement activities have been affected by the new self-certification protocols. The OIG observed inconsistent enforcement activities between county-inspected and self-certified vehicles. As such, the OIG recommended that PTRD enhance its procedures to ensure a uniform approach regarding field enforcements of county-inspected and self-certified vehicles. In response to this recommendation, effective January 1, 2020, PTRD enforcement officers will remove a vehicle's self-certification decal depending on the type of violation—a practice they were not doing before. Furthermore, PTRD, in adopting another OIG recommendation, will pre-approve all vehicle inspection decals created and used by operators electing self-certification.

STS serves a vulnerable population of our community and the delivery of efficient services without compromising safety is of paramount concern for all parties involved. As such, the Paratransit Operations Division hired two quality assurance (QA) monitors whose job responsibility involves resolving service complaints, as well as conducting random vehicle inspections in the field. OIG representatives also shadowed the QA monitors and found their work to be very effective. Even so, we recommended that the QA monitors' inspection protocol include a review of the self-certification inspection forms required to be carried in self-certified STS vehicles. In agreement with the OIG's recommendations, in November 2019, the QA monitors' inspection procedures now require that STS drivers produce the self-certification inspection form upon request.

The OIG is satisfied that DTPW has sufficiently implemented our recommendations and, as such, this inspection is closed.

² The PMC fleet is operated by Limousines of South Florida, d/b/a Transportation America.

Attachment


cc: Jennifer Moon, Deputy Mayor
Alice Bravo, Director, Department of Transportation and Public Works
Cathy Jackson, Director, Audit and Management Services Department
Yinka Majekodunmi, Commission Auditor

Memorandum



Date: January 27, 2020

To: Mary T. Cagle, Inspector General
Office of the Inspector General

From:  Alice N. Bravo, P.E., Director
Department of Transportation and Public Works

Subject: Implementation Status Report - Assessment of the Special Transportation Services (STS) Self-Certification Process Report - IG18-0005-A

This memorandum is provided as a status report regarding the implementation of the recommendations included in the Office of the Inspector General's (OIG) report regarding the self-certification inspections of Special Transportation Services (STS) vehicles. As of today, the Department of Transportation and Public Works (DPTW) has taken several actions to meet the report's recommendations which are listed below.

Recommendation 1: For any prospective certificate and permit holders opting in to the self-certification process, DPTW, and specifically PTRD, must ensure that vehicle inspections are conducted at a licensed or state registered auto repair shop or are being conducted by an AATI or ASE certified master mechanic and that the inspectional facility is equipped with the proper vehicle testing equipment.

Passenger Transportation Regulatory Division (PTRD) revised its vehicle inspection self-certification licensing procedures. The new procedures include that the company, upon request for self-certification, must provide specific information about the auto repair shop where vehicle inspections will be conducted. As part of the review of the company's request for self-certification, PTRD will verify that inspections are to be conducted by either an AATI or ASE certified master mechanic or by an automobile technician at a licensed or state-registered auto repair shop; and that the shop is equipped with brake testing equipment capable of determining braking parameters as provided by test equipment readings for stopping effectiveness. See Attachment A.

Recommendation 2: DPTW, and more specifically PTRD, should seek a legal opinion from the County Attorney's Office as to the level of participation required of the certified master mechanic, in order to satisfy the statutory requirement that the safety inspection was "conducted by" the certified master mechanic, in order to execute the self-certification form.

On October 23, 2019, staff from PTRD met with Assistant County Attorneys Bruce Libhaber and Dale Clark to review the report's recommendation regarding the level of participation required of the certified master mechanic in the inspection process. Staff was advised that by having the master mechanic overseeing the inspection process, including review of the results of the testing machine and the signing of inspection forms, the company is compliance with the provisions of the Code.

Recommendation 3: PTRD should administratively require that all operators, opting-in to the self-certification process, create their own self-certification inspection decal modeled after the County's inspection decal. PTRD should approve all decals prior to use. PTRD should also dictate where the decal must be placed on the windshield. Furthermore, in light of the fact that TA is already utilizing its self-created vehicle inspection decal, PTRD should assess and retroactively approve TA's current decal.

A letter requesting that all vehicles display an inspection decal approved by the PTRD prior to December 31, 2019 was sent to all operators that opted to the self-certification process. In addition, staff requested a sample of the decal to be kept in the CAVU database which is accessed by enforcement personnel during field inspections. All companies complied with this request and effective January 1, 2020 vehicles not displaying the inspection decal will be suspended from service.

Recommendation 4: DPTW enforcement officers should cite and enforce violations of self-certified vehicles no differently that how it cites county inspected vehicles by 1) removing the vehicle's self-certification decal, and 2) replacing it with a red (suspension) or green (warning) decal, as appropriate.

Following this recommendation, PTRD amended the enforcement procedure for self-certified vehicles to include the removal of the vehicle's self-certification decal if safety and non-safety violations are observed. In addition, this decal will be replaced with a red or green decal depending on the type of violation. In December 2019, PTRD's enforcement officers were trained on the new procedure and the companies were also informed about the new procedure. This procedure was effective on January 1, 2020.

Recommendation 5: DPTW should explore ways for PTRD enforcement officers and POD QA monitors to communicate the status of (Field Enforcement Reports) FER's and 8CC citations more seamlessly. For example, if a POD QA monitor was made aware of a red decal FER against a certain vehicle, yet that same vehicle remained on the Trapeze schedule of trips for the next day, the QA monitor could plan his daily itinerary with that knowledge in hand.

Currently, Paratransit Operations Division (POD) and PTRD communicate immediately when PTRD officers identify a violation. This procedure was implemented on November 1, 2019.

Recommendation 6: POD should include among QA monitors' inspection protocol a request to see the self-certification inspection forms that the STS Ordinance requires to be kept in each vehicle. If the driver cannot provide a copy of that form, the vehicle should be taken out of service until the self-certification inspection form can be produced or until a re-inspection of the vehicle is performed.

Effective November 1, 2019 Quality Assurance (QA) monitors started checking the self-certification inspection form. The QA Monitoring Form was modified on November 15, 2019, to reflect pass/fail status. See Attachment B.

DTPW is thankful for your assistance during this process. The maintenance of a safe and efficient STS program continues to be one of DTPW's priorities. We believe that the procedural changes adopted by both PTRD and POD in response to the OIG's recommendations will contribute to the continued success of the STS program. Should you have any additional questions, please do not hesitate to contact me at (786) 469-5406.

- C: Jennifer Moon, Deputy Mayor/Budget Director
Raul A. Gonzalez, Division Chief, Passenger Transportation Regulatory Division
Ruben Legra, Division Chief, Paratransit Operations Division
Eric Muntan, Chief, Office of Safety and Security



ATTACHMENT A



Department of Transportation & Public Works

PTRD Licensing Procedure # 002
For-Hire Vehicle Self Certification Process

Prepared by: Raul A. Gonzalez

Version control:

Version	Date	Author	Change description
1.0	07/13/16	Pedro Orelle	Original Draft
2.0	10/17/19	Pedro Orelle	Amended procedures.

Purpose: To create a standardized procedure for vehicle self-certification process.

Scope: PTRD Licensing Section.

Procedure: Listed below are the procedures used within the Department of Transportation and Public Works, Passenger Transportation Regulatory Division (PTRD) Licensing Section when allowing a passenger motor carrier, special transportation service, taxicab or limousine license holder to self-certify for-hire vehicles.

A license holder who chooses to self-certify for-hire vehicles must submit the following documents

- **Submit as attachment #1,** written notification must be provided from an authorized representative notifying Department of Transportation & Public Works, (DTPW) Passenger Transportation Regulatory Division, (PTRD) he/she wishes to self-certify the companies for-hire vehicles. Request provided must indicate shop(s) inspecting vehicles and a sample of the inspection decal to be utilized. Shop provided must be equipped with brake testing equipment capable of determining braking parameters as provided by test equipment readings for stopping effectiveness. Upon review a conditional approval letter will be sent requesting attachments #2 through #6.
- **Submit as attachment #2,** a complete Miami-Dade County For-Hire Vehicle Self Inspection Form. Taxicabs, passenger motor carriers and limousines shall not be more than 10 years of age. STS vehicles shall not be more than 5 years of age as per the STS contract. Taxicabs must have a clean title, no rebuilt or salvage titled vehicles are accepted.
- **Submit as attachment #3,** a certificate of insurance which complies with the Code requirements as provided in chapter 31 of the Miami-Dade County Code.
- **Submit as attachment #4,** a complete Vehicle Operating Permit Application Form (TD42).
- **Submit as attachment #5,** A final rendering of the inspection decal to be utilized.



**Department of Transportation &
Public Works (DTPW)
Paratransit Division**

- **Submit as attachment #6**, any additional limousine, passenger motor carrier vehicle or special transportation service vehicle added to a must pay an operating permit fee. Payment must be made by check, cashier's check or money order payable to Miami-Dade County. Credit card payments may be made using a credit authorization form which may be requested via email. Please refer to the operating permit fee schedule below:

Limousine Vehicle Operating Permit Fees

May	\$350.00	Sept	\$233.36	Jan	\$116.68
June	\$320.87	Oct	\$204.19	Feb	\$87.51
July	\$291.70	Nov	\$175.02	Mar	\$58.34
Aug	\$262.53	Dec	\$145.85	April	\$29.17

PMC and STS Vehicle Operating Permit Fees

April	\$625.00	Aug	\$416.80	Dec	\$208.40
May	\$573.10	Sept	\$364.70	Jan	\$156.30
June	\$521.00	Oct	\$312.60	Feb	\$104.20
July	\$468.90	Nov	\$260.50	Mar	\$52.10

- Upon receipt of all the documents required PTRD shall enter any new for-hire vehicle into CAVU. PTRD shall submit in person or by mail an operating permit (if applicable). The license holder shall provide an additional \$5.00 payment if he/she wishes to have the operating permit mailed. All forms submitted in person must be provided Monday through Friday 8:00 am to 12:00 pm.



ATTACHMENT B

QUALITY ASSURANCE (QA) MONITORING FORM

DTPW STAFF: TIME OF ARRIVAL. _____ AM / PM

DATE: _____

PROVIDER: _____

VEHICLE No. _____ AMB. [] WC. [] VIN #: _____

LOCATION: _____

INSPECTION CERT No. _____ EXP. DATE: _____

PERMIT TYPE: STS []

PMC [] NE []

No. OF PASSENGERS: _____ DO: [] PU: []

DRIVER'S NAME: _____ DRIVER'S HACK No. _____ DISPLAYED:

YES [] NO []

APPEARANCE / ATTIRE: COMPLIANCE [] NON-COMPLIANCE []

CLIENT ID# / NAME: _____ CLIENT ID# / NAME:

VEHICLE STANDARDS	PASS	FAIL	VEHICLE STANDARDS	PASS	FAIL
Horn			Exterior Conditions		
Windshield Wipers			Interior Conditions		
Windows / Door Mechanism			RFID		
Tires: Left F / R			WHEELCHAIR CLIENT SECUREMENT		
Tires: Right F / R			Interlock		
Fire Extinguisher			Lap Belt		
Air Conditioner			Shoulder Strap		
STS/County Signage			Tie Down		
Lights Head / Brake / Tail			Facing Forward		
Mobil Data Terminal (MDT)			Seat Belts		
Self-Inspection					

COMMENTS:

QA'S NAME: _____