

ORDINANCE NO.: 2025-

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III (EMERGENCY AND NON-EMERGENCY MEDICAL TRANSPORTATION), SECTIONS 15-81 THROUGH 15-95, HERNANDO COUNTY ORDINANCES, ESTABLISHING THE HERNANDO COUNTY AMBULANCE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ORDINANCE; REPEALING CHAPTER 21 (HEALTH AND SANITATION) ARTICLE X (AMBULANCE TRANSPORTATION SERVICES); RESERVING SECTIONS 21-163—21-186 OF THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Raymond H. Alexander, M.D., Emergency Medical Transportation Act (Chapter 401, Part III, Florida Statutes) (“the Act”) places responsibility for the improvement and regulation of basic and advanced life support systems in the State of Florida with the Florida Department of Health (“the Department”), except for the issuance of COPCNs which the Act declares is the responsibility of the various counties; and

WHEREAS, the Act requires applicants to the Department for licensure as a basic life support or an advanced life support service to obtain a COPCN from each county in which the applicant will operate; and

1 **WHEREAS**, it is in Hernando County's best interests to regulate the application process for,
2 and issuance of, COPCNs according to the needs of Hernando County citizens pursuant to §
3 401.25(2)(d), Florida Statutes, to comport with the Act; and

4 **WHEREAS**, consistency dictates that the best location for the Hernando County Ambulance
5 Certificate of Public Convenience and Necessity Ordinance is Chapter 15, Article III, which is titled
6 Emergency and Non-Emergency Medical Transportation; and

7 **WHEREAS**, notice of the public hearing on the matter of amending this ordinance was
8 properly and timely published; and

9 **WHEREAS**, the County has considered the record of the public hearing.

10 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
11 **COMMISSIONERS OF HERNANDO COUNTY:**

12 **Section 1.** Chapter 15 (Health and Sanitation), Article III (Emergency and Non-Medical
13 Emergency Medical Transportation), Sections 15-81 through 15-95, which are currently reserved,
14 are amended to read as follows with the underlined matter added and struck-through matter deleted:

15 **Sec. 15-81. Short title.**

16 This article may be cited as the "Hernando County Ambulance Certificate of
17 Public Convenience and Necessity Ordinance."

18 **Sec. 15-82. Primary EMS Provider and First Responder for Emergency**
19 **Medical Services.**

1 Hernando County Fire and Emergency Services (also known as Hernando
2 County Fire Rescue) is the primary emergency medical services provider and the first
3 responder for emergency medical services in Hernando County.

4 **Sec. 15-83. Definitions.**

5 The following definitions shall apply to this article:

6 *Advanced life support* means assessment or treatment by a person qualified
7 by the department through the use of techniques such as endotracheal intubation, the
8 administration of drugs or intravenous fluids, telemetry, cardiac monitoring, cardiac
9 defibrillation, and other techniques described in the EMT-Paramedic National
10 Standard Curriculum or the National EMS Education Standards, pursuant to the rules
11 of the department.

12 *Advanced life support service* means any emergency medical transport or
13 non-transport service which uses advanced life support techniques as defined in this
14 article and Chapter 401, Florida Statutes.

15 *Ambulance or emergency medical services vehicle* means any privately or
16 publicly owned land or water vehicle that is designed, constructed, reconstructed,
17 maintained, equipped, or operated for, and is used for, or intended to be used for,
18 land or water transportation of sick or injured persons requiring or likely to require
19 medical attention during transport.

1 Applicant means a person or entity who makes application for a COPCN as
2 hereinafter described.

3 Basic life support means the assessment or treatment by a person qualified by
4 the department through the use of techniques described in the EMT-Basic National
5 Standard Curriculum or the National EMS Education Standards of the United States
6 Department of Transportation and approved by the department. The term includes the
7 administration of oxygen and other techniques that have been approved and are
8 performed under conditions specified by rules of the department.

9 Board means the Board of County Commissioners of Hernando County,
10 Florida.

11 COPCN means a certificate of public convenience and necessity as issued by
12 the board.

13 County means all incorporated and unincorporated areas within the territorial
14 limits of Hernando County, Florida.

15 Department means the Florida Department of Health.

16 EMS means emergency medical services.

17 Operator means any person owning or acting as agent for the owner of any
18 business or service which furnishes, operates, conducts, maintains, advertises,

1 engages in, proposes to engage in, or professes to engage in a business or service
2 which offers advanced life support or basic life support service in Hernando County.

3 Permit means any authorization issued by the department for a vehicle to be
4 operated as basic life support or advanced life support transport vehicle or an
5 advanced life support non-transport vehicle providing basic or advanced life support
6 services.

7 Person means and includes any individual, firm, corporation, association,
8 partnership, or governmental entity.

9 State means the State of Florida.

10 **Sec. 15-84. COPCN required.**

11 (a) All providers of the services described in this Article must comply
12 with this Article's requirements to provide said services. Every person or operator
13 owning or acting as agent for the owner of any business or service which furnishes,
14 operates, conducts, maintains, advertises, engages in, proposes to engage in, or
15 professes to engage in an advanced life support transport service, basic life support
16 transport service, or any other licensed EMS provider pursuant to chapter 401,
17 Florida Statutes, or chapter 64J-1 of the Florida Administrative Code, as amended
18 from time to time, within Hernando County shall first obtain a COPCN as an
19 advanced life support service, basic life support service or other licensed EMS

1 provider, as applicable, prior to offering such services to the public. The application
2 for a COPCN shall be in a form provided by the board and shall be in writing, signed
3 and sworn to by the applicant, and shall be filed with the Hernando County
4 Attorney's Office.

5 (b) The application shall provide proof that the applicant has met all
6 appropriate requirements and obtained all appropriate certificates, licenses and
7 permits from the state as provided for by chapter 401, Florida Statutes, chapter 64J-1
8 of the Florida Administrative Code and all other applicable state or federal laws.

9 (c) The COPCN required hereunder shall be in addition to all certificates,
10 licenses and permits required by chapter 401, Florida Statutes.

11 (d) A fee (which has been set by resolution) will accompany each
12 application to offset administrative costs incurred in processing the application.

13 **Sec. 15-85. Application for COPCN.**

14 Every application for a COPCN under this article shall contain the following:

15 (a) The name and business address of the owner or operator of the
16 advanced life support or basic life support service, or proposed service;

17 (b) The name under which the applicant will operate;

18 (c) A list of the names and addresses of all officers, directors, members

1 and shareholders of applicant;

2 (d) The territory the applicant desires to serve; number of vehicles; a brief
3 description of the kind or type, passenger capacity, arrangement, size, and gross
4 weight of each vehicle;

5 (e) The location and description of each place from which applicant's
6 service is intended to operate;

7 (f) The training and experience of the applicant in the transportation and
8 care of patients;

9 (g) A description of each vehicle to be used in the applicant's business or
10 service, including the make, model, year of manufacture, mileage and vehicle
11 identification number (VIN); state or federal aviation or marine agency registration
12 number, where applicable; and the color scheme, insignia, name, monogram, or other
13 distinguishing characteristics to be used to designate the applicant's vehicle or
14 vehicles;

15 (h) The names and addresses of at least three (3) residents of the county
16 available as references;

17 (i) A written agreement of the applicant to file, in event that the
18 application is granted and prior to its effectiveness, copies of public liability, property
19 damage and malpractice insurance or a surety bond conditioned for the payment and

1 satisfaction of any final judgment as required or provided for in this article and
2 chapter 401, Florida Statutes;

3 (j) A written statement certifying that the applicant will provide
4 continuous service on a 24-hour-day, seven-day-week basis, and that the minimum
5 level of patient care rendered and will always be advanced life support, basic life
6 support or other EMS service, as applicable, with the exception of disasters or
7 extraordinary circumstances (advanced life support applicants only);

8 (k) Such other information as the board deems necessary to determine
9 compliance with this article.

10 **Sec. 15-86. Suitable vehicle.**

11 The applicant shall provide with its application for a COPCN evidence that
12 its vehicle(s) comply with § 401.26(2)(a) through (f), Florida Statutes. Failure to
13 provide such evidence may result in denial of the application.

14 **Sec. 15-87. Investigation of applicant's insurance.**

15 Upon receipt of an application for a COPCN under this article, the board may
16 cause an investigation to be made of the character and reputation of the applicant as
17 a law abiding citizen; the financial ability of the applicant to render safe and
18 comfortable service and to maintain or replace equipment for such service; the
19 financial responsibility of the applicant to maintain insurance for the payment of

1 personal injury, death and property damage claims and of such other pertinent facts
2 which the board deems relevant in determining the fitness of the applicant to assume
3 the occupation of an operator. All insurance policy coverage must be in an amount
4 acceptable to the county's current insurance carrier and must name Hernando County
5 as an additional insured. All such insurance policies shall provide for a thirty-day
6 cancellation notice to be sent to the board.

7 **Sec. 15-88. Hearings on applications; issuance or denial.**

8 The board will schedule a public hearing regarding the initial issuance of any
9 COPCN. The board shall give an applicant and all COPCN holders notice of any
10 public hearing affecting COPCNs prior to the date of the public hearing. At the time
11 and place specified in the notice, the board shall accord all persons attending an
12 opportunity to be heard. The board may, in its sole discretion, issue or refuse to issue
13 a COPCN as applied for or may modify the terms and conditions of a COPCN
14 applied for as the public convenience and necessity may require. After reviewing an
15 application for a COPCN and after receiving public input at a public hearing and
16 after reviewing financial, technical and character qualifications of the applicant the
17 board may issue a COPCN.

18 Factors that the board may consider in the issuance of a COPCN include the
19 following:

1 (a) Whether existing emergency medical transportation services are
2 adequate to meet reasonable public needs.

3 (b) The present necessity for the COPCN in relation to the volume of
4 existing or projected future emergency calls within the area to be served.

5 (c) The financial ability of the applicant to furnish continuous and
6 uninterrupted service at the times required therefor and to meet the financial
7 obligations of the service which the operator proposes to perform.

8 (d) The effect on existing medical transportation facilities and services
9 of all kinds, and particularly whether the granting of such COPCN will or may
10 seriously impair essential public service provided by existing service operators.

11 (e) The qualifications of the applicant to properly perform the proposed
12 service and to conform to provisions of this article.

13 (f) Any objections received from operators provided notice of the
14 application.

15 (g) Any of the matters set out in section 15-85.

16 **Sec. 15-89. Form and content of COCPNs.**

17 (a) Every COPCN issued under this article shall state the service territory
18 authorized and such conditions and limitations the board deems necessary for

1 protecting the public interest.

2 (b) The COPCN and any and all renewals thereof shall be valid for a
3 period of two (2) years from the date of issuance unless earlier suspended, revoked
4 or terminated.

5 (c) The application for renewal must be submitted to the county attorney's
6 office no later than ninety (90) days before expiration and the board shall review all
7 COPCNs within sixty (60) days of their expiration and, without the necessity of a
8 public hearing, may issue renewals when such renewal supports public convenience
9 and necessity.

10 (d) Should the board determine not to renew a COPCN, it shall notify the
11 holder in writing within thirty (30) days of the expiration of the COPCN of its
12 intended action and the reasons for non-renewal.

13 **Sec. 15-90. Grounds for revocation, alteration or suspension.**

14 (a) Every COPCN issued under this article shall be subject to revocation,
15 alteration or suspension by the board when it appears that:

16 (1) The operator has failed or neglected to render all services
17 authorized by his/her COPCN for a period of three (3) consecutive days
18 during any calendar year without reasonable cause;

1 (2) The operator has been convicted of a felony or any criminal
2 offense involving moral turpitude;

3 (3) The COPCN was obtained through an application in which
4 any material fact was omitted or falsely stated;

5 (4) The operator has permitted any vehicle to be operated in
6 violation of the laws of Florida or this article, which violation results in a
7 conviction of the driver or operator of the vehicle of a misdemeanor in the
8 second degree or greater;

9 (5) The operator has permitted any person or employee to provide
10 service under his COPCN without that person possessing the appropriate
11 license, certificate or permit as required by this article and chapter 401,
12 Florida Statutes;

13 (6) The operator has failed to comply with any of the provisions
14 of this article, chapter 401, Florida Statutes, or chapter 64J-1 of the Florida
15 Administrative Code, as amended from time to time;

16 (7) The operator, his agents or employees have been found guilty
17 of malpractice or negligence in the operation of the service;

18 (8) The operator knowingly allows his agents or employees to
19 violate the provisions of this article, chapter 401, Florida Statutes or chapter

1 64J-1 of the Florida Administrative Code, as amended from time to time or
2 any other applicable state or federal law.

3 (9) Any other good cause, or as provided for otherwise in this
4 article.

5 (b) Proceedings for investigation and recommending of revocation,
6 alteration or suspension of a COPCN, and any hearing to be held based upon this
7 investigation, shall be undertaken by the board. All complaints shall be investigated
8 within forty-five (45) days and a report thereon made to the board, together with
9 findings and recommendations. If revocation, alteration or suspension of any COPCN
10 appears warranted, the board shall give fifteen (15) days' notice to the operator
11 holding the COPCN that the same will be considered at a specific board meeting,
12 provided the date of such meeting shall not be less than five (5) days from the date
13 of the notice. The board shall thereupon undertake to consider the complaint and
14 either revoke, alter or suspend the COPCN or dismiss the complaint.

15 **Sec. 15-91. Transfer or assignment.**

16 No COPCN issued under this article shall be assigned or transferred by the
17 person to whom it is issued except upon approval of the board. Such approval shall
18 be granted in the same manner and subject to the same application requirements and
19 procedures as original applications for COPCNs. Any majority transfer of shares of

1 stock or interest of any person or operator so as to cause a change in the directors,
2 officers, majority stockholders or managers of such person or operator shall be
3 deemed a transfer or assignment as contemplated by this article and subject to the
4 same rules and regulations as any other transfer or assignment. Further, and in
5 addition to this definition of an event constituting a transfer, any action as stated
6 under chapter 401, Florida Statutes, which defines an assignment and/or transfer shall
7 be deemed by the board to be a transfer or assignment.

8 **Sec. 15-92. Daily record.**

9 Every operator shall maintain a daily record in which shall be recorded the
10 place of origin, time of call, time of dispatch, time of arrival at scene, time left for
11 destination, and charges for each trip made, along with such operating and patient
12 information required by the board. Pursuant to § 401.30, Fla. Stat., the names of
13 patients and other patient-identifying information is confidential and exempt from the
14 provisions of Chapter 119, Florida Statutes, and may not be disclosed without the
15 consent of the patient except as provided in § 401.30(4), Florida Statutes. Every
16 operator shall retain and preserve all daily logs for at least five (5) years and such
17 logs shall be available for inspection by the board upon request, subject to the
18 confidentiality and exemption provisions of Chapters 119 and 401, Florida Statutes.
19 Falsification of a record shall be grounds for revocation, alteration or suspension of

1 the operator's COPCN.

2 **Sec. 15-93. Maintenance of records.**

3 Each operator shall keep accurate records of receipts for service rendered,
4 operating and other expenses, capital expenditures and such other operating and
5 patient information required by the board or under the provisions of chapter 401,
6 Florida Statutes, and chapter 64J-1 of the Florida Administrative Code. Pursuant to
7 § 401.30, Florida Statutes, the names of patients and other patient-identifying
8 information is confidential and exempt from the provisions of Chapter 119, Florida
9 Statutes, and may not be disclosed without the consent of the patient except as
10 provided in § 401.30(4), Florida Statutes.

11 **Sec. 15-94. Administration and enforcement of ordinance.**

12 Responsibility for the administration and enforcement of the provisions of
13 this article is vested in the county administrator. The operator's failure to comply with
14 this article will result in a report by the county administrator to the board for further
15 action, which may include suspension or revocation of the operator's COPCN.

16 **Sec. 15-95. Violations and penalties.**

17 Any person, firm or corporation failing to comply with any provision of this
18 article shall be prosecuted as described in chapter 2, article III, as amended from time
19 to time.

1 Secs. 15-~~81~~96 -15-120. - Reserved.

2 **Section 2.** Chapter 21 (Offenses and Miscellaneous Provisions) Article X (Ambulance
3 Transportation Services) is amended to read as follows with underlined matter added and struck-
4 through matter deleted:

5 ~~ARTICLE X. AMBULANCE TRANSPORTATION SERVICES-~~

6 ~~———Sec. 21-163. Short title.~~

7 ~~———This article may be cited as the "County Ambulance Certificate of Public
8 Convenience and Necessity Ordinance."~~

9 ~~———Sec. 21-164. Definitions.~~

10 ~~———The following definitions shall apply to this article:-~~

11 ~~———*Advanced life support* means treatment of life threatening medical
12 emergencies through the use of techniques such as endotracheal intubation, the
13 administration of drugs, intravenous fluids, telemetry, cardiac monitoring and cardiac
14 defibrillation by a qualified person, pursuant to rule of the department.~~

15 ~~———*Advanced life support service* means any emergency medical transport or
16 nontransport service which uses advanced life support techniques as defined in this
17 article and chapter 401, Florida Statutes.~~

18 ~~———*Ambulance or emergency medical services vehicle* means any privately or~~

1 publicly owned land, air or water vehicle that is designed, constructed, reconstructed,
2 maintained, equipped or operated for, and is used for, or intended to be used for, air,
3 land or water transportation of sick or injured persons who are in need of emergency
4 medical attention during transport.

5 ~~———*Applicant* means every person who may make application for a certificate of~~
6 ~~public convenience and necessity as hereinafter described.~~

7 ~~———*Basic life support* means treatment of life threatening medical emergencies~~
8 ~~by a qualified person through the use of techniques such as patient assessment, basic~~
9 ~~cardiopulmonary resuscitation, splinting, obstetrical assistance, bandaging,~~
10 ~~administration of oxygen, application of medical antishock trousers and other~~
11 ~~techniques that an EMT is authorized to do pursuant to chapter 401, Florida Statutes.~~

12 ~~Board means the Board of County Commissioners of Hernando County, Florida.~~

13 ~~———*Certificate* means a certificate of public convenience and necessity as issued~~
14 ~~by the board.~~

15 ~~———*Certification* means any authorization issued pursuant to the provisions of this~~
16 ~~article or chapter 401, Florida Statutes, to a person to act in a capacity regulated by~~
17 ~~this article or chapter 401, Florida Statutes.~~

18 ~~———*County* means all incorporated and unincorporated areas within the territorial~~
19 ~~limits of Hernando County, Florida.~~

~~Department means the Department of Health and Rehabilitative Services.~~

~~EMS means emergency medical services.~~

~~Operator means any person owning or acting as agent for the owner of any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in a business or service which offers advanced life support or basic life support service.~~

~~Permit means any authorization issued pursuant to the provisions of chapter 401, Florida Statutes, for a vehicle to be operated as a transport or a nontransport vehicle providing advance life support services.~~

~~Person means and includes any individual, firm, corporation, association, partnership or governmental entity.~~

~~State means the State of Florida.~~

~~**Sec. 21-165. Certificate required.**~~

~~(a) Every person or operator owning or acting as agent for the owner of any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in an advanced life support transport service, basic life support transport service, or any other licensed EMS provider pursuant to chapter 401, Florida Statutes, and/or chapter 64J-1 of the Florida~~

1 ~~Administrative Code, as amended from time to time, within Hernando County shall~~
2 ~~first obtain a certificate of public convenience and necessity as an advance life~~
3 ~~support service prior to offering such services to the public. The application of such~~
4 ~~certificate shall be in a form provided by the board and shall be in writing, signed and~~
5 ~~sworn to by the applicant, and shall be filed with the board.~~

6 ~~—— (b) — The application shall provide proof that the applicant has met all~~
7 ~~appropriate requirements and obtained all appropriate certificates, licenses and~~
8 ~~permits from the state as provided for by chapter 401, Florida Statutes, chapter 64J-1~~
9 ~~of the Florida Administrative Code and all other applicable state or federal laws.~~

10 ~~—— (c) — The certificates required hereunder shall be in addition to all~~
11 ~~certificates, licenses and permits required by chapter 401, Florida Statutes.~~

12 ~~—— (d) — A fee to be set by fee resolution will accompany each application to~~
13 ~~offset administrative costs incurred in processing the application.~~

14 ~~—— **Sec. 21-166. Application for certificate.**~~

15 ~~—— Every application for a certificate under this article shall contain the~~
16 ~~following:~~

17 ~~—— (1) — The name and business address of the owner or operator of the~~
18 ~~advanced life support or basic life support service, or proposed service;~~

1 ~~—— (2) — The name under which the applicant will operate;~~

2 ~~—— (3) — A list of the names and addresses of all officers, directors and~~
3 ~~shareholders of applicant;~~

4 ~~—— (4) — The territory which the applicant desires to serve; number of vehicles;~~
5 ~~a brief description of the kind or type, passenger capacity, arrangement, size and~~
6 ~~gross weight of each vehicle;~~

7 ~~—— (5) — The location and description of each place from which applicant's~~
8 ~~service is intended to operate;~~

9 ~~—— (6) — The training and experience of the applicant in the transportation and~~
10 ~~care of patients;~~

11 ~~—— (7) — A description of each vehicle to be used in the applicant's business or~~
12 ~~service, including the make, model, year of manufacture, mileage and vehicle~~
13 ~~identification number (VIN); state or federal aviation or marine agency registration~~
14 ~~number, where applicable; and the color scheme, insignia, name, monogram, or other~~
15 ~~distinguishing characteristics to be used to designate the applicant's vehicle or~~
16 ~~vehicles;~~

17 ~~—— (8) — The names and addresses of at least three (3) residents of the county~~
18 ~~available as references;~~

1 ~~—— (9) — An agreement of the applicants to file, in event that the application~~
2 ~~shall be granted and prior to its effectiveness, copies of public liability, property~~
3 ~~damage and malpractice insurance or a surety bond conditioned for the payment and~~
4 ~~satisfaction of any final judgment as required or provided for in this article and~~
5 ~~chapter 401, Florida Statutes;~~

6 ~~—— (10) — A statement certifying that the applicant will provide continuous~~
7 ~~service on a 24-hour-day, seven-day-week basis, and the minimum level of patient~~
8 ~~care rendered and/or available will always be advanced life support, with the~~
9 ~~exceptions of disasters or extraordinary circumstances, (advanced life support~~
10 ~~applicants only);~~

11 ~~—— (11) — Such other information as the board shall deem reasonable and~~
12 ~~necessary to a fair determination of compliance with this article.~~

13 ~~—— **Sec. 21-167. Investigation of applicant's insurance.**~~

14 ~~—— Upon receipt of an application for any certificate under this article, the board~~
15 ~~may cause an investigation to be made of the character and reputation of the applicant~~
16 ~~as a law abiding citizen; the financial ability of the applicant to render safe and~~
17 ~~comfortable service and to maintain or replace equipment for such service; the~~
18 ~~financial responsibility of the applicant to maintain insurance for the payment of~~
19 ~~personal injury, death and property damage claims and of such other pertinent facts~~

1 ~~which the board may deem relevant in determining the fitness of the applicant to~~
2 ~~assume the occupation of an operator. The amount of all insurance policy coverage~~
3 ~~must be in an amount acceptable to the county's current insurance carrier and must~~
4 ~~name Hernando County as an additional insured. All such insurance policies shall~~
5 ~~provide for a thirty-day cancellation notice to be sent to the board.~~

6 ~~———**Sec. 21-168. Hearings on applications; issuance or refusal.**~~

7 ~~———The board will schedule a public hearing regarding the initial issuance of any~~
8 ~~certificate. The board shall give an applicant and all certificate holders notice of any~~
9 ~~public hearing affecting certificates prior to the date of the public hearing. At the time~~
10 ~~and place specified in the notice, the board shall accord all persons attending an~~
11 ~~opportunity to be heard. The board may issue or refuse to issue a certificate as~~
12 ~~applied for or may modify the terms and conditions of a certificate applied for as the~~
13 ~~public convenience and necessity may require in the discretion of the board. After~~
14 ~~receiving an application for a certificate and after receiving public input at a public~~
15 ~~hearing and after reviewing financial, technical and character qualifications of the~~
16 ~~applicant the board may issue a certificate.~~

17 ~~———[Factors which the board may use in its issuance of a certificate include the~~
18 ~~following:]~~

19 ~~———(1) Whether existing emergency medical transportation services are~~

1 ~~adequate to meet reasonable public needs.~~

2 ~~—— (2) — The present necessity for the certificate in relation to the volume of~~
3 ~~existing or projected future emergency calls within the area to be served.~~

4 ~~—— (3) — The financial ability of the applicant to furnish continuous and~~
5 ~~uninterrupted service at the times required therefor and to meet the financial~~
6 ~~obligations of the service which the operator proposes to perform.~~

7 ~~—— (4) — The effect on existing medical transportation facilities and services~~
8 ~~of all kinds, and particularly whether the granting of such certificate will or may~~
9 ~~seriously impair essential public service as provided by existing service operators.~~

10 ~~—— (5) — The qualifications of the applicant to properly perform the proposed~~
11 ~~service and to conform to provisions of this article.~~

12 ~~—— (6) — Any objections received from operators provided notice of the~~
13 ~~application as set out herein.~~

14 ~~—— (7) — Any of the matters set out in section 21-167.~~

15 ~~—— **Sec. 21-169. Form and contents.**~~

16 ~~—— (a) — Every certificate issued under this article shall state the service~~
17 ~~territory authorized and such conditions and limitation as the board may deem~~
18 ~~necessary for protecting the public interest.~~

1 ~~—— (b) — The certificate and any and all renewals thereof shall be valid for a~~
2 ~~period of two (2) years from the date thereof unless earlier suspended, revoked or~~
3 ~~terminated.~~

4 ~~—— (c) — The application for renewal must be submitted to the county attorney's~~
5 ~~office no later than ninety (90) days before expiration and the board shall review all~~
6 ~~certificates within sixty (60) days of their expiration and, without the necessity of a~~
7 ~~public hearing, may issue renewals when such renewal is in the public convenience~~
8 ~~and necessity.~~

9 ~~—— (d) — Should the board determine not to renew a certificate, it shall notify~~
10 ~~the holder in writing at least within thirty (30) days of the expiration of the certificate~~
11 ~~of its intended action and the reasons for that action.~~

12 ~~—— **Sec. 21-170. Transfer of assignment.**~~

13 ~~—— No certificate issued under this article shall be assigned or transferred by the~~
14 ~~person to whom it is issued except upon approval of the board of such assignment or~~
15 ~~transfer. Such approval shall be granted in the same manner and subject to the same~~
16 ~~application requirements and procedures as original applications for certificates. Any~~
17 ~~majority transfer of shares of stock or interest of any person or operator so as to cause~~
18 ~~a change in the directors, officers, majority stockholders or managers of such person~~
19 ~~or operator shall be deemed a transfer or assignment as contemplated by this article~~

1 ~~and subject to the same rules and regulations as any other transfer or assignment.~~

2 ~~Further, and in addition to this definition of an event constituting a transfer, any~~
3 ~~action as stated under chapter 401, Florida Statutes, which defines an assignment~~
4 ~~and/or transfer shall be deemed by the board to, in fact, be such a transfer of~~
5 ~~assignment.~~

6 ~~—————**Sec. 21-171. Grounds for revocation, alteration or suspension.**—————~~

7 ~~—————(a) Every certificate issued under this article shall be subject to~~
8 ~~revocation, alteration or suspension by the board where it shall appear that:—~~

9 ~~—————(1) The operator has failed or neglected to render all services~~
10 ~~authorized by his/her certificate for a period of three (3) consecutive days~~
11 ~~during any calendar year without reasonable cause;—~~

12 ~~—————(2) The operator has been convicted of a felony or any criminal~~
13 ~~offense involving moral turpitude;—~~

14 ~~—————(3) The certificate was obtained by an application in which any~~
15 ~~material fact was omitted or falsely stated;—~~

16 ~~—————(4) The operator has permitted any vehicle to be operated in~~
17 ~~violation of the laws of Florida or this article, which violation results in a~~
18 ~~conviction of the driver or operator of the vehicle of a misdemeanor in the~~
19 ~~second degree or greater;—~~

1 ~~—— (5) — The operator has permitted any person or employee to provide~~
2 ~~service under his certificate without that person possessing the appropriate~~
3 ~~license, certificate or permit as required by this article and chapter 401,~~
4 ~~Florida Statutes;~~

5 ~~—— (6) — The operator has failed to comply with any of the provisions~~
6 ~~of this article, chapter 401, Florida Statutes, or chapter 64J-1 of the Florida~~
7 ~~Administrative Code and as amended from time to time;~~

8 ~~—— (7) — The operator, his agents or employees have been found guilty~~
9 ~~of malpractice or negligence in the operation of the service;~~

10 ~~—— (8) — The operator knowingly allows his agents or employees to~~
11 ~~violate the provisions of this article, chapter 401, Florida Statutes or chapter~~
12 ~~64J-1 of the Florida Administrative Code as amended from time to time~~
13 ~~and/or any other applicable state or federal law(s).~~

14 ~~—— (9) — Or other good cause, or as provided for otherwise in this~~
15 ~~article.~~

16 ~~—— (b) — Proceedings for investigation and recommending of revocation,~~
17 ~~alteration or suspension of a certificate, and any hearing to be held based upon this~~
18 ~~investigation, shall be undertaken by the board of county commissioners. All~~
19 ~~complaints shall be investigated within forty-five (45) days and a report thereon made~~

1 ~~to the board, together with findings and recommendations. If revocation, alteration~~
2 ~~or suspension of any certificate appears warranted, the board shall give fifteen (15)~~
3 ~~days' notice to the operator holding the certificate that the same will be considered~~
4 ~~at a specific board meeting, provided the date of such meeting shall not be less than~~
5 ~~five (5) days from the date of the notice. The board shall thereupon undertake to~~
6 ~~consider the complaint and either revoke, alter or suspend the certificate or dismiss~~
7 ~~the complaint.~~

8 ~~**Sec. 21-172. Daily record.**~~

9 ~~———— Every operator shall maintain a daily record which shall be recorded the place~~
10 ~~or origin, time of call, time of dispatch, time of arrival at scene, time left for~~
11 ~~destination, time of arrival at destination, and charges for each trip made and such~~
12 ~~operating and patient information as may be required by the board. Every operator~~
13 ~~shall retain and preserve all daily logs for at least five (5) years and such logs shall~~
14 ~~be available for inspection by the board upon request. Falsification of a record shall~~
15 ~~be grounds for revocation, alteration or suspension of a certificate.~~

16 ~~**Sec. 21-173. Suitable vehicle.**~~

17 ~~———— Each vehicle shall be suitable for transportation of persons requesting service,~~
18 ~~shall meet the appropriate safety, sanitation and maintenance standards and shall be~~
19 ~~maintained in suitable premises. Every vehicle shall possess an appropriate~~

1 ~~communications system, linking the vehicle with the operator's central place of~~
2 ~~business. Each vehicle shall conform in all respects to the most recent applicable~~
3 ~~design criteria as required by chapter 401, Florida Statutes and chapter 64J-1 of the~~
4 ~~Florida Administrative Code.~~

5 ~~———~~ **~~Sec. 21-174. Records.~~**

6 ~~———~~ Each operator shall keep accurate records of receipts for service rendered,
7 ~~operating and other expenses, capital expenditures and such other operating and~~
8 ~~patient information as may be required by the board or under the provisions of~~
9 ~~chapter 401, Florida Statutes and chapter 64J-1 of the Florida Administrative Code.~~

10 ~~———~~ **~~Sec. 21-175. Administration and enforcement of ordinance.~~**

11 ~~———~~ The responsibility of the administration and enforcement of the provisions of
12 ~~this article is vested in the county administrator. Failure to comply by the operator~~
13 ~~will result in a report to the board for further action.~~

14 ~~———~~ **~~Sec. 21-176. Violations and penalties.~~**

15 ~~———~~ Any person, firm or corporation failing to comply with any provision of this
16 ~~article shall be prosecuted as described in chapter 2, article III as amended from time~~
17 ~~to time.~~

18 **Secs. 21-~~177~~163 - 21-186. Reserved.**

1 **Section 3. Severability.** It is declared to be the intent of the Board of County
2 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
3 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
4 validity of the remaining portions of this ordinance.

5 **Section 4. Inclusion in the Code.** It is the intention of the Board of County Commissioners
6 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
7 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
8 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that
9 the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

10 **Section 5. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
11 conflict with the provisions of this ordinance are hereby repealed.

12 **Section 6. Effective Date.** This ordinance shall take effect immediately upon receipt of
13 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
14 been filed with said office.

1 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
2 **HERNANDO COUNTY** in Regular Session this _____ day of _____ 2025.

3
4 **BOARD OF COUNTY COMMISSIONERS**
5 **HERNANDO COUNTY, FLORIDA**
6

7
8 Attest: _____ By: _____
9 DOUGLAS CHORVAT, JR. BRIAN HAWKINS
10 Clerk and Comptroller Chairman
11

12 Approved for Form and Legal Sufficiency

13
14 Melissa Tartaglia
15 County Attorney's Office