

20. DISCUSS HOLDING COMPANIES DOING BUSINESS WITHIN CITY LIMITS RESPONSIBLE FOR EDUCATING THEIR DRIVERS ABOUT THE PROHIBITION OF BLOCKING/DOUBLE PARKING IN THE RIGHT-OF-WAYS.

Applicable Area:

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: June 10, 2025

TITLE: DISCUSS HOLDING COMPANIES DOING BUSINESS WITHIN CITY LIMITS RESPONSIBLE FOR EDUCATING THEIR DRIVERS ABOUT THE PROHIBITION OF BLOCKING/DOUBLE PARKING IN THE RIGHT-OF-WAYS.

RECOMMENDATION

The City Administration ("Administration") recommends working with the City Attorney's Office to identify and evaluate legal and administrative tools that could either incentivize or mandate driver education programs for delivery service providers operating within the City of Miami Beach ("City"). This approach could help reduce violations, strengthen accountability, and improve roadway safety, without imposing significant enforcement costs.

BACKGROUND/HISTORY

On February 3, 2025, at the request of Commissioner Tanya K. Bhatt, the Mayor and City Commission ("City Commission") referred an agenda item (C4 AB) to the Land Use and Sustainability Committee ("LUSC") to discuss holding companies doing business within city limits responsible for educating their drivers about the prohibition of blocking or double parking in the right-of-way.

Educating companies and their drivers on the importance of not blocking the right-of-way is essential not only for road safety but also for the quality of life of our residents, businesses, and visitors. This education is intended to hold businesses accountable for City Code violations and to eliminate the "lack of knowledge" defense in the prosecution of these violations before the Special Magistrate.

ANALYSIS

Currently, there are more than 80 Freight Loading Zone ("FLZ") permit holders representing nearly 300 delivery vehicles. This figure does not include commercial delivery vehicles that frequently operate in these zones but are not required to obtain an FLZ permit.

Historically, Parking held biannual meetings with FLZ permit holders and purveyors to share operational updates and policy changes. These meetings were suspended during the COVID-19 pandemic but can be reinstated as a low-cost and effective communication tool to ensure consistent outreach and education.

Renewing these stakeholder meetings would re-establish a forum for updates, questions, and compliance reinforcement, which is critical given the increasing demand and pressure on urban loading zones.

An additional approach worth considering is requiring all FLZ permit holders to sign a letter of attestation confirming that their drivers have received and understood the City's FLZ specific rules and regulations.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends working with the City Attorney's Office to identify and evaluate legal and administrative tools that could either incentivize or mandate driver education programs for delivery service providers operating within the City. This approach could help reduce violations, strengthen accountability, and improve roadway safety, without imposing significant enforcement costs.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Parking

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

Educating Drivers on Blocking/Double Parking in the Right-of-Way. (Bhatt) PK

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Tanya K. Bhatt

DATE: February 3, 2025

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS HOLDING COMPANIES DOING BUSINESS WITHIN CITY LIMITS RESPONSIBLE FOR EDUCATING THEIR DRIVERS ABOUT THE PROHIBITION OF BLOCKING/DOUBLE PARKING IN THE RIGHT-OF-WAYS.

RECOMMENDATION

BACKGROUND/HISTORY

Please place on the February 3, 2025 City Commission meeting agenda, a referral to the Land Use and Sustainability Committee to discuss holding companies doing business within the city limits responsible for educating their drivers about the prohibition of blocking/double parking in the right-of-way.

Educating companies and drivers of the importance for not blocking the right-of-way is essential not only for road safety but for the quality of life of our residents, businesses, and visitors. This education is essential for and designed to hold these businesses accountable for city code violations and eliminate an “ignorance” defense in the prosecution of these violation before the Special Magistrate.

I would like for administration to be prepared to discuss and outline a program wherein companies such as Amazon, Amazon Logistics, UPS, FedEx, DHL and delivery services are obligated to educate their drivers on where/when/how to park in Freight Loading Zones (FLZ) and the fines associated with non-compliance.

ANALYSIS

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

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If so, specify the name of lobbyist(s) and principal(s):

Department

Office of Commissioner Tanya K. Bhatt

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

Ref: LUSC - Educating Drivers about Blocking/Double Parking in the Right-of-Way. (Bhatt)

Previous Action (For City Clerk Use Only)