



Carlos Alvarez, Mayor

Consumer Services Department

Office of the Director
140 West Flagler Street, Suite 903
Miami, Florida 33130-1561
T 305-375-1250 F 305-372-6308
consumer@miamidade.gov
www.miamidade.gov/csd

miamidade.gov

MAR 23 2010

To: Taxi Passenger Service Companies

From: Cathy Grimes Peel, Director, Consumer Services Department

RE: Legal Requirements Regarding the Transportation of Passengers with Service Animals

Dear Valued Customers,

Recent events have led me to believe that there are some misconceptions regarding the legal requirements of taxi companies and drivers to dispatch and or transport passengers accompanied by service animals. The purpose of this letter is to outline federal, state and local requirements regarding the transportation of passengers with service animals. It is my hope that you will share this information with your staff as well as drivers representing your companies in an effort to become better informed.

The Americans with Disabilities Act (ADA) defines a service animal as any guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform tasks to help a person with a disability live independently. Guide dogs are the most common type of service animal used by some individuals who are blind or who have low vision, but there are other service animals – monkeys, cats and birds, for example – that assist people with other kinds of disabilities in their day-to-day activities.

The ADA prohibits taxicab companies and drivers from refusing to provide services to individuals with disabilities including passengers with service animals. Taxicab companies and drivers are also prohibited from charging higher fares or fees for transporting individuals with disabilities and their service animals than they charge to other persons for the same or equivalent service. In addition, having allergies or a fear of animals are not valid reasons for denying service to a customer with a disability who is accompanied by a service animal.

Because the ADA pertains to civil rights, should an individual believe he has been discriminated against under the provisions of the ADA they may file a lawsuit in federal court against the taxi company and/or the taxicab driver. The individual may also file a complaint directly with the U.S. Department of Justice (DOJ), which handles complaints regarding claims of discrimination under Titles II and III of the ADA. Violators of the ADA can be required to pay money damages and penalties.

In addition, Chapter 413, Section 413.08 of the Florida Statutes also protects the rights of physically disabled persons. Section 413.08(4) states that any person, firm, or corporation, or the agent of any person, firm, or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation or otherwise interferes with the rights of an individual with a disability or the trainer of a service animal while engaged in the training of such an animal pursuant to subsection (8), commits a second degree misdemeanor which is punishable by a fine of \$500 and not more than 60 days in prison.

Finally, county ordinances prohibit the refusal to transport passengers. Chapter 31, Section 31-303 (i)(4) of the Code of Miami-Dade County (Code) states that no chauffeur shall refuse or neglect to transport to any place in the county any orderly person regardless of race, sex, religion, national origin, age or physical disability (including a seeing-eye dog), who is willing and able to pay the prescribed fare. Chapter 31, Section 31-100 (k)(7) of the Code states that a passenger service company shall not refuse to dispatch or neglect to dispatch a request to transport to or from any place in the county, any orderly person requesting service.

Violation of Section 31-303 (i)(4) will result in a citation and subject the chauffeur to a fine of \$250; and violation of Section 31-100 (k)(7) will result in a citation and subject the passenger service company to a fine of \$100.

If you have any questions regarding these requirements, contact Sandrene Dukes, of the Passenger Transportation regulatory Division at 305.375.2354