

JACKSONVILLE TRANSPORTATION AUTHORITY

**ENFORCEMENT AND DISCIPLINARY ACTION RULE
(RULE NO.005)**

DATE OF ADOPTION: August 27, 2009

LAST REVISED: August 27, 2009

ENFORCEMENT AND DISCIPLINARY ACTION

I. Purpose and Scope.

(a) The purpose of this rule is to explain the procedural process JTA shall take when taking disciplinary or enforcement action against its permittees, vendors, licensees or customers.

(b) Scope. This rule shall be adhered to at any time JTA wishes to enter a final order to suspend, revoke, or withdraw a license, to impose administrative fines, or to take other enforcement or disciplinary action against a licensee or person or entity subject to JTA's jurisdiction. This rule shall not apply to proceedings for debarment or suspension of a party from consideration for award of contracts. The JTA shall proceed in accordance with the Debarment and Suspension Rule in such instances. This rule shall also not apply to fines or penalties which may be imposed pursuant to the terms of existing contracts, or to disciplinary action relating to employees.

II. Procedures.

(a) Prior to entry of a final order to suspend, revoke, or withdraw a license, to impose administrative fines, or to take other enforcement or disciplinary action against a permittee, vendor, licensee, customer, or other person or entity subject to JTA's jurisdiction, JTA shall serve upon such party an administrative complaint. For purposes of this rule, a pleading or communication that seeks to exercise JTA's enforcement authority and to take any kind of disciplinary action against a licensee or other person shall be deemed an administrative complaint.

(b) JTA shall be the petitioner, and the party against whom JTA seeks to take disciplinary action shall be the respondent.

(c) JTA's administrative complaint shall be considered the petition, and service of the administrative complaint on the respondent shall be deemed the initiation of proceedings.

(d) The administrative complaint shall contain:

(i) The name the respondent or respondents against whom disciplinary action is sought and a file number;

(ii) The statutory section(s), rule(s) of the JTA, or the JTA order alleged to have been violated;

(iii) The facts or conduct relied on to establish the violation;

(iv) A statement that the respondent has the right to request a hearing to be conducted in accordance with the JTA Hearings Rule, and to be represented by counsel or other qualified representative;

(e) Requests for hearing filed by the respondent in accordance with this rule shall be prepared in accordance with the JTA Hearings Rule.