MEMORANDUM

June 9, 2017

TO:

County Council

FROM:

Josh Hamlin, Legislative Attorney

SUBJECT:

Introduction: Expedited Bill 20-17, Taxicabs – Licenses

Expedited Bill 20-17, Taxicabs - Licenses, sponsored by Lead Sponsor Council President Berliner, is scheduled to be introduced on June 13, 2017. A public hearing is tentatively scheduled for June 27 at 1:30 p.m.

Background

On July 21, 2015, the Council enacted Expedited Bill 53-14, Taxicabs – Licenses – Vehicle Requirements – Driver Identification Cards. The Executive signed the act on July 31, 2015, and it became Chapter 39 of the Laws of Montgomery County 2015. The law substantially revised the County's regulation of the taxicab industry. One of the objectives of the law was to increase the number of accessible taxicabs serving County residents by specifically providing for the issuance of additional licenses for accessible taxicabs, and requiring a plan to increase the number of accessible taxicabs Countywide.¹

In addition to requiring a plan to increase the number of accessible taxicabs in the County, Section 3 of the law required the issuance of 100 new taxicab licenses, as follows:

- (a) 25 to individuals who do not hold a license under this Chapter, and of these, eight must be for accessible vehicles;
- (b) 25 to fleets that hold fewer than 100 licenses, and of these, eight must be for accessible vehicles; and
- (c) 50 accessible vehicle licenses to a driver-owned cooperative fleet that the Director determines is a qualified applicant under Chapter 53.

¹ The law added a new subsection (e) to § 55-306, "Number of Accessible Taxicabs" to require the Director of DOT to develop a plan for increasing the number of accessible taxicabs, with a goal of having 100% accessible taxicabs in the County by 2025 unless the Director determines that goal to be impracticable.

Of these licenses, many were approved for issuance but never issued because taxicab vehicles were not placed in service as required by Section 53-227(b).² As a result, the number of accessible taxicabs operating in the County has not increased since the enactment of the 2015 law.

Expedited Bill 20-17 would provide that any applicant approved for issuance of a taxicab license under Section 3 of Chapter 39 of the Laws of Montgomery County 2015 must be issued the license if the applicant:

- (1) notifies the Department of its intention to place a vehicle in service under this Section:
- (2) is a qualified applicant under Chapter 53; and
- (3) places a taxicab in service not later than January 31, 2019.

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² Subsection (b) of § 53-227 provides that "each licensee must place a taxicab in service within 90 days after a license is approved for issuance. Issuance of the license take effect when the vehicle is placed in service; if the vehicle is not actually placed in service, the license has not been issued. The Director may extend the time to place a taxicab in service for no more than 90 additional days:(1) to allow a vehicle to be retrofitted for use as an accessible taxicab; or (2) in the case of a fleet, to allow the fleet to buy the taxicab and prepare it to be placed in service. The Director must not otherwise waive or extend this requirement."

Expedited Bill	No	20-17
Concerning: 1	axicabs - L	icenses
		Draft No. 2
Introduced: _		
Enacted:		
Executive:		
Effective:		
Sunset Date:	None	
Ch. La	ws of Mont.	Co.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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AN EXPEDITED ACT to:

- (1) provide for an extension of time to place a vehicle in taxi service for applicants for certain taxicab licenses that were approved for issuance, but not issued; and
- (2) generally amend the laws governing the licensing and regulation of taxicabs.

By amending

Laws of Montgomery County 2015 Chapter 39

Section 3

Boldface Underlining [Single boldface became bouble underlining [Double boldface became boldface became boldface became boldface became became boldface became beca	<u>_</u>	Heading or defined term. Added to existing law by original bill. Deleted from existing law by original bill. Added by amendment. Deleted from existing law or the bill by amendment.
* * *		Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec. 1.	Section 3 of Chapter 39, Laws of Montgomery County 2015, is
2	amended as	follows:
3		* * *
4	Sec. 2	. Not later than January 1, 2016, the Director must issue 100 new
5	licenses follo	owing the procedures in Sections 53-205 and 53-210 as follows:
6	(a)	25 to individuals who do not hold a license under this Chapter, and of
7		these, eight must be for accessible vehicles;
8	(b)	25 to fleets that hold fewer than 100 licenses, and of these, eight must
9		be for accessible vehicles; and
10	(c)	50 accessible vehicle licenses to a driver-owned cooperative fleet that
11		the Director determines is a qualified applicant under Chapter 53.
12	Sec. 3	•
13	<u>(a)</u>	A license approved for issuance under Section 2, but for which a taxicab
14		vehicle was not placed in service, must be issued if the applicant:
15		(1) notifies the Department of its intention to place a taxicab vehicle
16		in service under this Section;
17		(2) is a qualified applicant under Chapter 53; and
18		(3) places a taxicab in service not later than January 31, 2019.
19	<u>(b)</u>	If any of the 50 accessible licenses allocated to a driver-owned
20		cooperative under Section 2 are not [awarded] issued to the cooperative
21		by [June 1, 2016] January 31, 2019, either because the Director
22		determines that the cooperative is not a qualified applicant under
23		Chapter 53, or because the cooperative otherwise declines to obtain
24		them, the licenses [must] may be issued to individuals who do not
25		currently hold licenses under this Chapter.
26		* * *
27	Sec. 2.	Expedited Effective Date.

28	The Council declares that this legisle	ation is necessary for the imn	nediate
29	protection of the public interest. This Act take	es effect on the date it becomes la	ıw.
30			
31	Approved:		
32			
	Roger Berliner, President, County Council	Date	
33	Approved:		
34			
	Isiah Leggett, County Executive	Date	
35	This is a correct copy of Council action.		
36			
	Linda M. Lauer, Clerk of the Council	Date	
37			

LEGISLATIVE REQUEST REPORT

Expedited Bill 20-17 Taxicabs - Licenses

DESCRIPTION:

Require the issuance of a taxicab license approved for issuance, but not issued, under Section 3 of Chapter 39 of the Laws of Montgomery County 2015, if the applicant:

notifies the Department of its intention to place a vehicle in (1) service under this Section;

(2) is a qualified applicant under Chapter 53; and

places a taxicab in service not later than January 31, 2019.

PROBLEM:

The Council acted in 2015 to increase the number of accessible taxicabs serving County residents, but that number has not increased.

GOALS AND OBJECTIVES: Provide for the issuance of taxicab licenses approved for issuance, but never issued, under Section 3 of Chapter 39 of the Laws of Montgomery County 2015.

COORDINATION:

Department of Transportation

FISCAL IMPACT:

To be requested.

ECONOMIC IMPACT:

To be requested.

EVALUATION:

To be requested.

EXPERIENCE

ELSEWHERE:

N/A

SOURCE OF

INFORMATION:

Josh Hamlin, Legislative Attorney

APPLICATION

WITHIN

MUNICIPALITIES:

To be researched.

PENALTIES:

N/A

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