


MEMORANDUM

June 23, 2017

TO: County Council

FROM: Josh Hamlin, Legislative Attorney 

SUBJECT: **Public Hearing:** 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 Transportation, Infrastructure, Energy and Environment Committee worksession is tentatively scheduled for July 20 at 9:30 a.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.

This packet contains:

Expedited Bill 18-17

Legislative Request Report

Circle #

1

4

F:\LAW\BILLS\1720 Taxicabs - Licenses\Intro Memo.Docx

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: Taxicabs – Licenses
Revised: 06/05/2017 Draft No. 2
Introduced: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President Berliner

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 brackets]

Double underlining

[[Double boldface brackets]]

* * *

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:

28 The Council declares that this legislation is necessary for the immediate
29 protection of the public interest. This Act takes effect on the date it becomes law.

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:

- (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.

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