

Expedited Bill No. 30-08
Concerning: Taxicabs – Licensing
Revised: 9-10-08 Draft No. 2
Introduced: September 16, 2008
Expires: March 16, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. , Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the request of the County Executive

AN EXPEDITED ACT to:

- (1) allow the Director of Transportation to waive certain restrictions on transfer of certain taxicab licenses in certain circumstances;
- (2) subject the creation of a security interest in certain taxicabs to the requirements of the Maryland Uniform Commercial Code; and
- (3) generally amend the law governing issuance and transfer of taxicab licenses.

By amending

Montgomery County Code
Chapter 53, Taxicabs and Limousines
Section 53-204

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

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

1 **Sec. 1. Section 53-204 is amended as follows:**

2 **53-204. Transferability; security interest.**

3 * * *

4 (c) [A license issued to an individual] Except in the case of a transfer
5 under subsection (f), a license issued to any licensee may be
6 transferred only if the license was not issued or transferred within the
7 previous 3 years.

8 (d) The Director must not approve the transfer to an individual of a
9 license issued to a fleet if:

- 10 (1) the same fleet has already transferred more than 2 licenses to
- 11 individuals during that calendar year; or
- 12 (2) the transfer would result in individuals holding more than 30%
- 13 of the total number of licenses then in effect.

14 The Director may waive the limits on transfer contained in this
15 subsection on written request of a licensee for good cause, and may
16 attach reasonable conditions to any waiver.

17 * * *

18 (f) A security interest may be created in a passenger vehicle license in
19 accordance with the Maryland Uniform Commercial Code, subject to
20 the Director’s approval. The Executive may by regulation attach
21 further conditions to the creation of a security interest, consistent with
22 this subsection, as necessary to avoid significant disruptions in taxi
23 service. The Director may approve the creation of a security interest
24 only if:

25 * * *

26 **Sec. 2. Expedited Effective Date.** The Council declares that this
27 legislation is necessary for the immediate protection of the public interest. This Act
28 takes effect on the date when it becomes law.