



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

August 5, 2014

Arthur Holmes, Jr.
Director

Mr. Travis Kalanick, CEO
Uber Technologies, Inc.
182 Howard Street, Suite 8
San Francisco, CA 94105

Re: Uber activities in Montgomery County, Maryland

Dear Mr. Kalanick,

I am writing this letter to you as Director of the Montgomery County Department of Transportation to express my concern regarding Uber's activities in Montgomery County, Maryland (the "County").

Montgomery County regulates the taxicab industry within its borders pursuant to Chapter 53 of the Montgomery County Code. The County Code provides that taxicab service may not be provided to the public without a valid license. Only a taxicab fleet or an individual that is affiliated with either a taxicab association or fleet may provide taxicab services under a County license. Each taxicab must possess a County issued Passenger Vehicle License (PVL), and any person who drives a taxicab must possess a valid taxicab driver identification card. Furthermore, a taxicab is defined under the County Code as a motor vehicle that:

- (1) is designed or configured to carry 7 or fewer persons, not including the operator;
- (2) is used to provide for-hire taxicab service in the County, and
- (3) either:
 - (A) appears to be a taxicab or otherwise for hire;
 - (B) displays the words "taxi," "cab," or "taxicab" anywhere on the vehicle;
 - (C) is advertised or held out to the public as a taxicab; or
 - (D) is used to respond to an immediate request for passenger transportation.

Uber has not been issued any PVLs in Montgomery County and is therefore not allowed to provide taxicab services in the County. However, much like a taxicab company that holds a PVL, Uber is dispatching drivers in for hire vehicles in response to requests for passenger transportation. Moreover, Uber drivers who operate in the County do not necessarily hold a County issued taxicab driver identification card, and cannot provide taxicab services except in a vehicle that has a PVL.

Office of the Director

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www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

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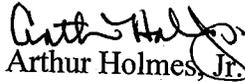
In addition to taxicab services, Maryland law allows for other types of passenger-car transportation services in the nature of sedans and limousines. The Maryland Public Service Commission (PSC) has jurisdiction over these types of services. One may not offer or provide sedan or limousine services in Maryland without a permit from the PSC. Moreover, a person who drives a sedan or limousine must possess a "for hire driver's license" issued by the PSC. As I understand it, Uber does not possess a permit from the Maryland Public Service Commission to provide sedan or limousine services pursuant to §10-101 et seq. of the Maryland Public Utilities Article. In addition, the drivers who are dispatched by Uber do not necessarily have a "for-hire" driver's license from the Maryland Public Service Commission to provide transportation services of any nature – taxicab, sedan or limousine.

Given the facts that I have laid out, I am asking you to respond to the following questions within 30 days:

- (1) Why has Uber failed to obtain either a County PVL to deliver taxicab services, or a PSC permit to deliver sedan or limousine services?
- (2) Why has Uber failed to require that its partner drivers obtain a taxicab driver identification card issued by the County or a for hire driver's license issued by the PSC?

I sincerely look forward to receiving your responses to the questions that I have posed. If you have any questions regarding the nature of this letter, please do not hesitate to contact me.

Sincerely,


Arthur Holmes, Jr.
Director

cc: Al R. Roshdieh, Deputy Director
Carolyn Biggins, Division Chief, Transit Services