

MEMORANDUM

TO: County Council

FROM: Amanda Mihill, Legislative Analyst *AMihill*
MP Michael Faden, Senior Legislative Attorney

SUBJECT: **Introduction:** Expedited Bill 17-07, Taxicabs – Driver Identification Cards

Expedited Bill 17-07, Taxicabs – Driver Identification Cards, sponsored by Councilmembers Ervin and Floreen, is scheduled to be introduced on June 26, 2007. A public hearing is tentatively scheduled for July 24 at 1:30 p.m.

Expedited Bill 17-07 would allow the Department of Public Works and Transportation to issue temporary taxi driver identification cards to an applicant without obtaining both a state and federal criminal background check in certain instances. CCTI requested this legislation to help address a perceived driver shortage (see letter on ©5-6). The Department does not object to this concept. Since the federal criminal background checks are coming back quickly, the Department does not often issue temporary identifications.

This packet contains

Expedited Bill 17-07

Legislative Request Report

Letter from CCTI

Circle

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Expedited Bill No. 17-07
Concerning: Taxicabs - Driver
Identification Cards
Revised: 6/20/07 Draft No. 1
Introduced: June 26, 2007
Expires: December 26, 2008
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: December 1, 2008
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Ervin and Floreen

AN EXPEDITED ACT to:

- (a) allow the Department of Public Works and Transportation to issue temporary taxi driver identification cards to an applicant without obtaining both a state and federal criminal background check in certain instances; and
- (b) generally amend the law regulating taxicabs and taxicab drivers.

By amending

Montgomery County Code
Chapter 53. Taxicabs and Limousines
Section 53-306

Laws of Montgomery County
2006 LMC Chapter 32
Section 2

<p>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></p>
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The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 53-306 is amended as follows:**

2 **53-306. Application; temporary card.**

3 * * *

4 (c) (1) An applicant who has not held an identification card, or who held
5 a card that has expired, may apply for a short-term temporary
6 identification card under applicable regulations.

7 (2) The Director must not issue a temporary identification card
8 unless the applicant has:

- 9 (A) properly verified his or her identity;
- 10 (B) a valid driver's license issued by Maryland or a bordering
11 state (including the District of Columbia);
- 12 (C) submitted his or her driving records, as compiled by the
13 appropriate state motor vehicle agency, for the previous 3
14 calendar years from any jurisdiction where the applicant
15 held a license to drive a motor vehicle;
- 16 (D) undergone a criminal background check, conducted by the
17 appropriate state agency, showing that the applicant is not
18 disqualified because of a criminal conviction, receipt of
19 probation before judgment in lieu of a conviction, or
20 pending criminal charge from operating a taxicab; and
- 21 (E) passed the examination required under Section 53-308.

22 (3) [After August 31, 2007, the] The Director must not issue a
23 temporary or annual identification card unless the applicant has
24 shown, through a complete criminal background check, that the
25 applicant is not disqualified for any reason mentioned in Section
26 53-309(a).

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LEGISLATIVE REQUEST REPORT

Expedited Bill 17-07, *Taxicabs – Driver Identification Cards*

DESCRIPTION: Amends the current taxicab and taxi driver licensing law to allow the Department of Public Works and Transportation to issue temporary taxi driver identification cards to an applicant without obtaining both a state and federal criminal background check in certain instances.

PROBLEM: County taxi fleets believe they are not able to find enough new drivers because the County driver identification card application process, especially the time needed to process the required criminal background checks, takes too long.

GOALS AND OBJECTIVES: To temporarily shorten the process for a taxi driver to receive a temporary identification card.

COORDINATION: Department of Public Works and Transportation

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

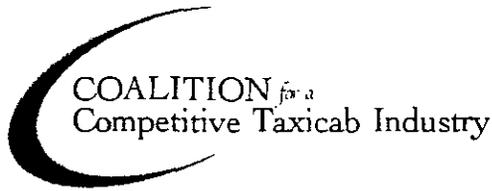
EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Amanda Mihill, Legislative Analyst, 240-777-7815
Michael Faden, Senior Legislative Attorney, 240-777-7905

APPLICATION WITHIN MUNICIPALITIES: County taxi law applies County-wide. Municipalities do not issue taxi licenses.

PENALTIES: Class A.



May 9, 2007

The Honorable Valerie Ervin
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear Ms. Ervin:

CCTI would like your support in introducing a bill to continue to allow the issuance of taxicab driver temporary identification cards. The authority to issue temporary ID's is expiring on August 31, 2007. This authority was granted last October in an amendment to Section 53-306(a). The temporary ID has been successful in increasing the available pool of drivers. Between November 2006 and May 2007, 125 net drivers were added to the County's list of valid drivers. This compares with a loss of 4 drivers between May 2006 and November 2006.

Our fleets are very pleased that we are finally being able to add drivers. However, the driver shortage is far from over. The County tracks valid ID's. Our fleets track active drivers. As of May, we had 505 active drivers which are only 74% of the 683 net valid drivers on the County's list. For all of our member fleets to be fully rented we need a total of 616 drivers.

The shortfall in drivers is due to many causes. The first was the loss of the temporary ID between February 2005 and October 2006. With the long lead times during that period between applying for an ID and getting the full FBI background check back, recruitment of new drivers virtually ground to a halt. The number of valid drivers actually declined by 25, between December 2005 (oldest date available) and October 2006. This was a loss that the industry could not afford, as the industry was already short approximately 130 drivers at the end of 2005.

The second is the very high turnover in existing drivers. This is caused by the nature of the job and to a certain extent the nature of the workforce. Adding to this turnover is the Department's revocations and denials of renewals of existing drivers. Between November 2006 and May 2007, 82 drivers left or were forced out of the industry. This represents almost 15% of drivers in November that had dropped off the list by May.

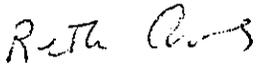
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Third, the issuance of 14 individual PVI's to existing fleet drivers meant a loss of these drivers to the fleet-owned vehicles. A new driver had to be found to keep the fleet vehicles rented. In addition, Action and Regency were granted 31 new PVL's and drivers still need to be found for some of these new vehicles. In the next few weeks, Veolia will be trying to fill its 25 vehicles with drivers.

The most important goal that the County and the fleets share is improving customer service. That goal cannot be met without a continuing stream of new drivers. The only way to insure this is to guarantee that a new recruit won't have to wait more than one to two weeks from application to earning a living. Our potential recruits can't afford and won't wait longer than that.

We need your active help in introducing a bill as soon as possible. The authority to grant temporary ID's is expiring in less than four months. Please feel free to call me if you have any questions.

Sincerely,



Retha Arens, Esq.
Executive Director

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