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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/14/2011	.	
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The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Latvala) recommended the following:

1 **Senate Substitute for Amendment (272824) (with title**
2 **amendment)**

3
4 Between lines 2959 and 2960
5 insert:

6 Section 58. (1) As used in this section, the term:

7 (a) "License" includes any certificate, permit, medallion,
8 or other evidence that authorizes a person to operate a public
9 vehicle for hire within the geographic boundaries of a
10 governmental unit.

11 (b) "Governmental unit" includes a county, municipality,



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12 special district, commission, or other unit of state or local
13 government.

14 (2) Any governmental unit that is authorized to regulate
15 the operation of public vehicles for hire within its geographic
16 boundaries may adopt ordinances, rules, regulations, orders, or
17 other acts that create a private property right or interest in a
18 license to operate a public vehicle for hire within the
19 geographic boundaries of the governmental unit.

20 (3) Upon creation of a private property right or interest
21 in a license to operate, a public vehicle for hire license
22 holder shall have the right to pledge, assign, sublease, sell,
23 or otherwise transfer the license, except as provided otherwise
24 by ordinances, rules, regulations, orders, or other acts of the
25 local governmental unit. A private property right or interest in
26 a license to operate a public vehicle for hire may be
27 transferred by operation of intestate succession or devise,
28 except as provided otherwise by ordinances, rules, regulations,
29 orders, or other acts of the local governmental unit. The
30 ownership, transfer and operation of a public vehicle for hire
31 license shall be in compliance with the governmental unit's
32 local ordinances, rules, regulations, and orders regarding
33 ownership, transfer, and operation of public vehicle for hires.

34 (4) Any governmental unit that is authorized to regulate
35 the operation of public vehicle for hire and other for-hire
36 transportation within its geographic boundaries may request and
37 receive criminal history record information for the purpose of
38 screening applicants for licenses and for-hire vehicle driver's
39 licenses and pay a fee for any such record. Such record
40 information may include a national criminal history records



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41 check with the Federal Bureau of Investigation. The fingerprints
42 may be submitted by the governmental unit to the Department of
43 Law Enforcement for state processing, and the department shall
44 forward them to the Federal Bureau of Investigation for a
45 national criminal history records check. All costs associated
46 with transmittal and processing shall be borne by the
47 governmental unit, the employer, or the person subject to the
48 background check. The department shall invoice the governmental
49 unit for the fingerprints submitted each month. The governmental
50 unit shall screen background results to determine if an
51 applicant meets its licensure requirements.

52 (5) This section does not preempt or modify any ordinance
53 creating a property right or interest in a vehicle for public
54 hire license created by a governmental unit before July 1, 2011,
55 or any amendment to an ordinance creating a property right or
56 interest after July 1, 2011.

57
58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete line 224

61 and insert:

62 future expiration of the pilot program; providing
63 definitions; authorizing governmental units that
64 regulate the operation of vehicles for public hire to
65 create a private property right in the license to
66 operate a vehicle for public hire; providing for the
67 transfer of such property right; authorizing
68 governmental units that regulate the operation of
69 vehicles for public hire to request and receive



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70 criminal history record information for the purpose of
71 screening applicants; providing applicability;
72 providing an