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**HOUSE BILL NO. 865**

House Amendments in [ ] — January 30, 2012

A *BILL to amend and reenact § 46.2-2067 of the Code of Virginia, relating to local regulation of taxicabs.*

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Patron Prior to Engrossment—Delegate Rust

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Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-2067 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-2067. Local regulation of number of taxicabs.

A. It is the policy of this Commonwealth, based on the public health, safety and welfare, to assure safe and reliable privately operated taxicab service for the riding public in this Commonwealth; and in furtherance of this policy, it is recognized that it is essential that counties, cities and towns be granted the authority to reasonably regulate such taxicab service as to the number of operators and the number of vehicles that shall provide such service and regulations as to the rates or charges for such taxicab service, even though such regulations may have an anti-competitive effect on such service by limiting the number of operators and vehicles within a particular jurisdiction.

B. The governing body of any county, city, or town in the Commonwealth may regulate by ordinance and limit the number of taxicab operators and the number of taxicabs within its jurisdiction in order to provide safe and reliable privately operated taxicab service on any highway, street, road, lane or alley in such county, city, or town. The governing body may promulgate such reasonable regulations to further the provisions of this section including, but not limited to, minimum liability insurance requirements. However, such ordinances and regulations shall not prescribe the wages or compensation to be paid to any driver or lessor of any such motor vehicle by the owner or lessee thereof; *nor shall such ordinances and regulations authorize the governing body to reduce the number of taxicabs permitted to be operated by a taxicab operator or a holder of a certificate issued under such ordinance, other than for non-use of such taxicabs or for cause [ as defined by such ordinance, including instances where there is a decrease in the demand for taxicab service ]*. Further, such ordinances and regulations shall not impose (i) regulatory requirements concerning claims settlement practices beyond those imposed by § 46.2-2056 or (ii) financial requirements to qualify as a self-insurer beyond those imposed by § 46.2-2053 on any taxicab operator who, in lieu of filing an insurance policy or surety bond, has qualified as a self-insurer pursuant to § 46.2-2053 by depositing with the State Treasurer state, federal or municipal bonds or has filed an unconditional letter of credit issued by a bank. Nothing herein shall be construed to affect or control the authority of counties, cities or towns to set the amount, if any, of locally established liability insurance requirements that may be met by a program of self-insurance.

ENGROSSED

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