

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3650/P1dn  
EVM:med:ph

January 24, 2012

ATTN: Sen. Rich Zipperer:

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. I have somewhat altered the provided text to, I believe, state more directly what is permitted and required under the taxicab medallion license system. Please review the draft carefully to ensure the draft meets your intent.

2. There are two issues regarding the auction procedure. First, the text purports to require an initial annual auction within the first year of the enactment of a medallion license ordinance. However, the city is provided with only a maximum number of medallion licenses that may be auctioned. Do you wish to require an initial auction minimum as well? Second, the transfer fee is linked to the auction price for a new medallion license at the most recent public auction. If the city chooses not to auction any medallion licenses after enacting an ordinance, there is no base number upon which to establish a transfer fee. Also, will all medallion licenses in a particular year be auctioned for the same price? If not, the transfer fee is ambiguous.

3. Should the date on which initial medallion license recipients are determined be linked to the effective date of an ordinance enacted under the new provision rather than the effective date of this draft? The draft does not require a city to implement the medallion license system. There could, therefore, be a long delay before a medallion license ordinance is enacted. The date for determining initial medallion license holders, however, would be locked into the effective date of this draft. Also, is there a reason for the requirement that a license or permit have been issued after October 31, 2011, to qualify for initial medallion license issuance? If not, there is some potential that the provision could be challenged on equal protection grounds.

4. The provided language included several definitions. I have omitted these for the following reasons:

a) The definition provided for "taxicab" is dysfunctional in the context of s. 349.24, stats. Section 349.24 (1), stats, allows municipalities to license taxicabs, but "taxicabs" would be defined as motor vehicles that are licensed as, essentially, taxicabs. Is there some portion of the definition that is necessary to the proper interpretation of the new licensing procedure?

b) I have incorporated the requirements contained in the definition of “taxicab medallion license” into the new licensing system. See s. 349.24 (1m) (c), as created by this draft. I do not believe, therefore, that the definition would provide any additional necessary information.

c) I believe the provided definition of “taxicab medallion licensee” is simply adopting the plain-language meaning of the term.

Please let me know if you believe any of these definitions are essential to the draft.

5. Is a provision regarding the surrender or loss of a taxicab medallion license necessary? If nothing is provided, it is likely that the city would have substantial discretion to supply such provisions.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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