

HOUSE BILL 917

R2

4lr1481

By: Delegates Kramer, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Bohanan, Branch, Braveboy, Cardin, Carr, Carter, Clippinger, Conaway, Cullison, Davis, DeBoy, Dumais, Fraser-Hidalgo, Frick, Frush, Gilchrist, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Lafferty, Lee, Love, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Olszewski, Pena-Melnyk, Pendergrass, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Sophocleus, Stein, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, Weir, Wilson, and Zucker

Introduced and read first time: February 5, 2014

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Aviation Administration – Contract Authority – Transportation**
3 **Companies**

4 FOR the purpose of prohibiting the Maryland Aviation Administration, under certain
5 circumstances, from contracting with a company to provide shared-ride
6 transportation to or from an airport to members of the public; providing that
7 existing obligations or contract rights may not be impaired by this Act;
8 providing for the application of this Act; and generally relating to the authority
9 of the Maryland Aviation Administration to contract with transportation
10 companies.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 5–213
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2013 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1

Article – Transportation

2 5–213.

3 (a) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
4 **SUBSECTION, THE** Administration may make any contract necessary for or incidental
5 to the performance of its duties and the exercise of its powers under this title.

6 (2) (I) **THIS PARAGRAPH APPLIES TO A CONTRACT FOR**
7 **SHARED–RIDE TRANSPORTATION UNDER WHICH THE ADMINISTRATION**
8 **RECEIVES REVENUE IN THE FORM OF PERCENTAGES OR PORTIONS OF THE**
9 **INCOME, REVENUE, PROFITS, OR OTHER PROCEEDS RECEIVED BY THE**
10 **CONTRACTOR FOR THE PERFORMANCE OF THE SERVICE.**

11 (II) **THE ADMINISTRATION MAY NOT CONTRACT WITH A**
12 **COMPANY TO PROVIDE SHARED–RIDE TRANSPORTATION TO OR FROM AN**
13 **AIRPORT TO MEMBERS OF THE PUBLIC UNLESS THE CONTRACT INCLUDES A**
14 **PROVISION THAT REQUIRES:**

15 1. **THE CONTRACTOR TO NEGOTIATE AND ENTER**
16 **INTO A CONTRACT WITH ORGANIZATIONS THAT REPRESENT, OR REASONABLY**
17 **SEEK TO REPRESENT, THE MAJORITY OF THE DRIVERS IN THE INDUSTRY FOR**
18 **THE PURPOSES OF BARGAINING OVER THE TERMS OR CONDITIONS OF THE**
19 **DRIVERS’ EMPLOYMENT OR THE DRIVERS’ PROVISION OF SERVICES; AND**

20 2. **THE CONTRACT BETWEEN THE CONTRACTOR AND**
21 **THE ORGANIZATIONS THAT REPRESENT, OR REASONABLY SEEK TO REPRESENT,**
22 **THE MAJORITY OF THE DRIVERS IN THE INDUSTRY TO PROHIBIT THE**
23 **ORGANIZATIONS FROM ENGAGING IN, ENCOURAGING, OR RATIFYING WORK**
24 **STOPPAGES WITH REGARD TO THE SERVICES PROVIDED UNDER THE CONTRACT**
25 **WITH THE ADMINISTRATION BY THE CONTRACTOR OR ANY SUBCONTRACTOR.**

26 (b) Subject to the provisions of Division II of the State Finance and
27 Procurement Article, if the planning, acquisition, construction, improvement,
28 maintenance, or operation of any airport facility is financed with federal money, the
29 Administration may contract as required by the federal authorities acting under
30 federal law.

31 **SECTION 2. AND BE IT FURTHER ENACTED,** That a presently existing
32 obligation or contract right may not be impaired in any way by this Act.

33 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect
34 July 1, 2014.