
By: **Delegates Elmore, Boteler, Bozman, Cane, DeBoy, Eckardt, Heller, Kach, and McKee**

Introduced and read first time: January 20, 2003
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Somerset County - Ferry Companies - Franchises**

3 FOR the purpose of authorizing the County Commissioners of Somerset County to
4 grant one or more franchises for a ferry company to operate between Somerset
5 County and Reedville, Virginia, on a an exclusive or nonexclusive basis;
6 requiring the County Commissioners of Somerset County to review a certain
7 proposed business and financial plan at a certain time; authorizing the County
8 Commissioners of Somerset County to adopt certain regulations that are
9 consistent with certain regulations adopted by the Public Service Commission;
10 providing that a ferry company granted a franchise under this Act has a certain
11 period of time in which to exercise the franchise, after which the franchise is
12 null and void; providing that a ferry company that has been granted a franchise
13 that has become null and void is not precluded from subsequently applying for
14 another franchise; prohibiting a ferry company granted a franchise under this
15 Act from conducting certain gambling or gaming activities on any ferry that it
16 operates under the franchise; and generally relating to public transportation
17 franchises in Somerset County.

18 BY adding to
19 Article 25 - County Commissioners
20 Section 3D(a)(3)
21 Annotated Code of Maryland
22 (2001 Replacement Volume and 2002 Supplement)

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

1

Article 25 - County Commissioners

2 3D.

3 (a) (3) (I) NOTWITHSTANDING ANY ANTICOMPETITIVE EFFECT, THE
4 COUNTY COMMISSIONERS OF SOMERSET COUNTY MAY GRANT ONE OR MORE
5 FRANCHISES FOR A FERRY COMPANY TO OPERATE BETWEEN SOMERSET COUNTY
6 AND REEDVILLE, VIRGINIA ON ~~A~~ AN EXCLUSIVE OR NONEXCLUSIVE BASIS.

7 (II) BEFORE GRANTING A FRANCHISE ~~FOR~~ TO A FERRY COMPANY,
8 THE COUNTY COMMISSIONERS OF SOMERSET COUNTY SHALL REVIEW THE
9 PROPOSED BUSINESS AND FINANCIAL PLAN ~~FOR~~ OF THE FERRY COMPANY.

10 (III) 1. THE COUNTY COMMISSIONERS OF SOMERSET COUNTY
11 MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS PARAGRAPH.

12 2. REGULATIONS ADOPTED UNDER THIS SUBPARAGRAPH
13 SHALL BE CONSISTENT WITH ANY REGULATIONS ADOPTED BY THE PUBLIC SERVICE
14 COMMISSION THAT RELATE TO FERRY COMPANIES.

15 (IV) 1. A FERRY COMPANY THAT IS GRANTED A FRANCHISE
16 UNDER THIS PARAGRAPH HAS UP TO 18 MONTHS TO EXERCISE THE FRANCHISE.

17 2. IF THE FERRY COMPANY HAS NOT EXERCISED THE
18 FRANCHISE AFTER 18 MONTHS FROM THE DATE IT WAS GRANTED, THE FRANCHISE
19 SHALL BE NULL AND VOID.

20 3. A FERRY COMPANY GRANTED A FRANCHISE THAT
21 BECOMES NULL AND VOID UNDER THIS SUBPARAGRAPH IS NOT PRECLUDED FROM
22 SUBSEQUENTLY APPLYING FOR ANOTHER FRANCHISE TO OPERATE BETWEEN
23 SOMERSET COUNTY AND REEDVILLE, VIRGINIA ON A NONEXCLUSIVE BASIS.

24 ~~(IV)~~ (V) A FERRY COMPANY THAT IS GRANTED A FRANCHISE
25 UNDER THIS PARAGRAPH MAY NOT CONDUCT GAMBLING OR GAMING ACTIVITIES
26 PROHIBITED UNDER THE CRIMINAL LAW ARTICLE ON ANY FERRY THAT IT OPERATES
27 UNDER THE FRANCHISE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect ~~October~~ July 1, 2003.