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House plan stuffs more into taxi bill

Changed to provide
opportunity statewide

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The Dominion Post

CHARLESTON — A House bill to open taxi-service competition in Morgantown ballooned into a statewide taxi bill Friday morning.

And a bill crafted by WVU students to ensure their rental security deposits are handled properly came to the House and Senate on Friday morning to begin its parallel journey through the committee process.

The taxi bill

Morgantown now has only one taxi service: Yellow Cab. The Public Service Commission denied an attempt in 2003 to launch a second, ruling the would-be competitor failed to demonstrate the existing company wasn't providing reasonably adequate and efficient service.

HB 3074 would lower the bar, requiring a competitor — only one competitor, to total two taxi services — to apply to the PSC and show fitness for operation.

The original bill is worded such — a Class II city with a land-grant university of at least 20,000 students — that it applies only to Morgantown. House Government Organization Committee members amended it to include any Class II city and West Virginia State University in unincorporated Institute, outside Charleston.

The change opens the door for the other 11 Class II cities, including Fairmont and Clarksburg, to allow competition.

PSC Commissioner Ryan Palmer told committee members the PSC supports the original and amended bills.

The intent of the law as it is, he said, was to make sure taxi companies didn't offer service exclusively to downtowns, where they'd get the most fares, but to serve outlying areas as well. But it sets the bar too high for competitors, who have to prove the current service is inadequate.

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The bill, he said, will require any new company to serve the entire area served by the original company. Members approved the expanded bill unanimously. It now goes to the Judiciary Committee.

Bill sponsors include the entire Monongalia County delegation, Marion Delegates Tim Manchin and Mike Caputo, and Preston Delegate Larry Williams.

The landlord bill

HB 3202 and SB 545, introduced Friday, require landlords to refund security deposits within 30 days. If they withhold any money, they must itemize the deductions and refund the rest. They may not ask tenants to waive their rights.

If the landlord fails to com-

ply, tenants may seek judgment for money owed, plus compensation for inconvenience and court costs.

A number of WVU students and student governors were at the Capitol this week and talked about the twin bills.

"We feel strongly that this is an objective we'll be able to accomplish not just for the betterment of the student body of West Virginia University, but for anybody in the state of West Virginia who is currently renting property," Student Governor Matt Boczanowski said.

Student Governor Jason Bailey acknowledged that students sometimes trash rentals and deserve to have deposits withheld. But sometimes landlords withhold funds from students who clean the place. "We're trying to bring fair business practice."

Student Randy Jones said

most landlords already do what the bill requires. "I own rental property in Morgantown and I do this for my tenants." It's intended to foster accountability among the few bad apples.

House bill co-sponsor Barbara Evans Fleischauer, D-Monongalia, said, "I've been hearing about problems with security deposits for years." Yes, landlords have just claims for damages, but as far as tenant complaints, "This is the one we hear the most about."

She and co-sponsor Kelli Sobonya, R-Cabell, agree that some landlords take advantage of out-of-states students or graduates who leave, and don't want to go to the bother and expense of trying to recover their deposits.

Sobonya represents Marshall University territory, but said she hasn't heard the level of complaints there. She got

involved because her daughter is a WVU student governor and worked on writing the bill. But she has concerns.

"I think it's a little bit too broad and I would like to see it narrowed down a little bit." Particularly, it may be too cumbersome for landlords with large numbers of units who may not be able to inspect all their properties within the 30-day timeline.

Senate sponsors include Sens. Bob Beach, D-Monongalia, Jeff Kessler, D-Marshall, and Bob Williams, D-Taylor. Other House sponsors include Caputo, Manchin and Amanda Pasdon, R-Monongalia. Both bills have one stop, the Judiciary Committee, before coming to their full chambers.