



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

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April 30, 1979

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Massachusetts

Dear Mr. Sullivan:

I am in receipt of your request instructing me to draft an amendment to the General Ordinances which would provide for the issuance of a taxi license to any so-called qualified applicant.

As you are aware, taxi licenses, (medallions) are sold for substantial sums of money. Many individuals are presently making monthly payments over a period of years in order to finance the acquisition of these medallions. As such, these medallions have a substantial property value to the owner.

For this reason, it is my opinion that the issuance of an unlimited number of medallions would render the medallions presently issued, valueless or near valueless. Viewed as such, an ordinance permitting the issuance of medallions to any so-called qualified applicant would constitute a clear deprivation of property rights as protected by the Fifth Amendment to the United States Constitution.

I therefore recommend that the proposed ordinance not be drafted.

Very truly yours,

Russell B. Higley
City Solicitor

RBH:jl

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