

MARYLAND REGISTER

**Proposed Action on Regulations**

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
		Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 1/20/2017**

**2. COMAR Codification**

<b>Title</b>	<b>Subtitle</b>	<b>Chapter</b>	<b>Regulation</b>
20	90	02	.01, .03-.22, .23

**3. Name of Promulgating Authority**

Public Service Commission

<b>4. Name of Regulations Coordinator</b>	<b>Telephone Number</b>
Sue Thomas	410-767-8308

**Mailing Address**

6 St. Paul Street

<b>City</b>	<b>State</b>	<b>Zip Code</b>
Baltimore	MD	21202

**Email**  
susan.thomas@maryland.gov

<b>5. Name of Person to Call About this Document</b>	<b>Telephone No.</b>
David J. Collins	410-767-8067

**Email Address**

**6. Check applicable items:**

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: November 14, 2016.

**X- Repeal of Existing Regulations**

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes **X-** No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by H. Robert Erwin, General Counsel, (telephone #410-767-8039) on December 14, 2016. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

David J. Collins

**Title**

Executive Secretary

**Telephone No.**

410-767-8067

**Date**

December 14, 2016

**Title 20**  
**PUBLIC SERVICE COMMISSION**  
**Subtitle 90 TAXICABS**

**20.90.02 Control and Operation of Taxicabs in Baltimore City and Baltimore County**

Authority: Public Utilities Article, §§2-113, 2-121, 4-503, 5-101, 6-202—6-207, 10-101—10-107, 10-109, 10-202—10-210, 10-301, 13-301, and 13-202, Annotated Code of Maryland

**Notice of Proposed Action**

[]

The Public Service Commission proposes to amend Regulations .01; .03 - .04; .06 - .13; .15 - .19; .21 - .22; repeal Regulations .05, .14 and .20; and adopt new Regulation .23 under COMAR 20.90.02.

**Statement of Purpose**

The purpose of this action is to streamline the regulation of taxicabs by removing a number of unnecessary and outdated regulatory requirements so that taxicab services may better compete in a rapidly changing transportation market. The regulation also addresses handicapped accessibility and non-discrimination.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**

The economic impact is unquantifiable. The revisions generally are intended to eliminate or reduce the number of existing regulatory burdens on taxicabs operating in Baltimore City and Baltimore County. They eliminate requirements for obsolete equipment and partitions; reduce two annual vehicle inspections to one, and provide options for metering equipment. On the other hand, some new requirements regarding accessibility (i.e. making information on websites and apps accessible and reporting requirements) may cause small increase in operating costs.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	N/A
B. On other State agencies:	NONE	N/A
C. On local governments:	NONE	N/A
	Benefit (+) Cost (-)	Magnitude

---

D. On regulated industries or trade groups:	(+)	Unquantifiable
(2)	(-)	Unquantifiable
E. On other industries or trade groups:	NONE	N/A
F. Direct and indirect effects on public:	NONE	N/A

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

D(1). The impact on the industry is unquantifiable. Each taxicab permit is authorized and operated individually. Therefore, there are a numerous factors to consider in terms of revenues and expenses to operate a taxicab permit, including but not limited to: the make, model and age of the vehicle, maintenance, installed after-market equipment, the number of hours the taxicab is utilized, association fees, local assessments, and insurance premiums. Most of the modifications to existing regulations are intended to reduce regulatory burdens on the taxicab industry, and should result in reduced costs.

D(2). The impact on the industry is unquantifiable. Each taxicab permit is authorized and operated individually. Therefore, there are a numerous factors to consider in terms of revenues and expenses to operate a taxicab permit, including but not limited to: the make, model and age of the vehicle, maintenance, installed after-market equipment, the number of hours the taxicab is utilized, association fees, local assessments, and insurance premiums. Most of the modifications to existing regulations are intended to reduce regulatory burdens on the taxicab industry, and should result in reduced costs.

**Economic Impact on Small Businesses**

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The economic impact is unquantifiable. The revisions generally are intended to eliminate or reduce a number of existing regulatory burdens on taxicabs operating in Baltimore City and Baltimore County. They eliminate requirements for obsolete equipment and partitions; reduce two annual vehicle inspections to one, and provide options for metering equipment. On the other hand, some new requirements regarding accessibility (i.e. making information on websites and apps accessible and reporting requirements) may cause small increases in operating costs.

**Impact on Individuals with Disabilities**

The proposed action has an impact on individuals with disabilities as follows:

The proposed regulations add new accessibility requirements. These include making websites and apps accessible, accommodating service animals, training drivers regarding accessibility requirements, and filing with the Commission an annual report on steps taken to improve accessibility.

**Opportunity for Public Comment**

Comments may be sent to David J. Collins, Executive Secretary, Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202-6806, or call 410-767-8067, or email to , or fax to 410-333-6495. Comments will be accepted through February 21, 2017. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?  
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:  
Special Fund - The Public Utility Regulation Fund and The For-Hire Driving Services Enforcement Fund.
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- G. Small Business Worksheet:

Attached Document:

---

## **Title 20 PUBLIC SERVICE COMMISSION**

### **Subtitle 90 TAXICABS**

#### **Chapter 02 Control and Operation of Taxicabs in Baltimore City and Baltimore County**

Authority: Public Utilities Article, §§2-113, 2-121, 4-503, 5-101, 6-202—6-207, 10-101—10-107, 10-109, 10-202—10-210, 10-301, 13-301, and 13-202, Annotated Code of Maryland

**.01 Authority.**

The Public Utilities Article, Annotated Code of Maryland, provides that the Public Service Commission shall have the power to make such reasonable regulations as it deems necessary to carry out the provisions of this law and any other law relating to the *Public Service* Commission.

**.03 Saving Clause.**

The formulation of these regulations does not preclude the *Public Service* Commission from altering or amending them in whole or in part, or from requiring any other additional service, equipment, facility, or standard, either upon complaint or upon its own motion, or upon the application of a taxicab owner. Furthermore, these standards do not relieve an owner or operator of a taxicab from any of his duties under any orders of the *Public Service* Commission which are not in conflict with these regulations under the laws of this State.

#### **.04 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) *"Allocated Space" is a three dimensional space that can accommodate a wheelchair or similar mobility aid.*

[(1)](2)—[(7)](8) (text unchanged)

[(8)](9) "Permit" means a permit issued by the Public Service Commission of Maryland *authorizing the operation of a motor vehicle as a taxicab subject to any requirements for operation specified in this chapter.*

[(9)](10) "Stand" means any area or space designated for taxicab use [by a public authority].

[(10)](11) (text unchanged)

[(11) "Taxicab", "taxi", or "cab" means a motor vehicle for hire (other than a vehicle operated, with the approval of the Commission, between fixed termini on regular schedules) designed to carry seven persons or less, including the driver, used for the purpose of accepting or soliciting for transportation members of the public for hire between such points, along the public streets, as the passengers may direct. The fact that a vehicle is hired only by the hour, for periods of 1 hour or longer, is not alone sufficient to exempt it from classification as a taxicab and from the regulations of this subtitle.]

(12) *"Taxicab", "taxi", or "cab" means:*

(a) *a motor vehicle for hire (other than a vehicle operated, with the approval of the Public Service Commission, between fixed termini on regular schedules) designed to carry seven persons or less, including the driver, used for the purpose of accepting or soliciting for transportation members of the public for hire between such points, along the public streets, as the passengers may direct.*

(b) *"Taxicab," "taxi", or "cab" includes a motor vehicle that is:*

(i) *Painted, identified, or lettered to resemble the distinctive color scheme or makings of a taxicab;*

(ii) *Equipped with a rooftop dome light;*

(iii) *Advertised as a taxicab service;*

(iv) *Dispatched to pick up a customer calling for a taxicab;*

(v) *Dispatched from a telephone number or other source identified or advertised as providing taxicab service;*

(vi) *Used to provide taxicab service to a customer through street hail or taxi stand; or*

(vii) *Equipped with a taximeter or other device the Public Service Commission approves for measuring the charges for service.*

(13) *"Wheelchair Accessible Vehicle" means a taxicab compliant with the Americans with Disabilities Act (ADA) and that is designed and intended to be used for the purpose of transporting persons who use wheelchairs or scooters. The vehicle must comply with the provisions of 49 C.F.R Part 38.1 - 38.39.*

#### **[.05 Exemption Operation.**

All hiring car service, given by motor vehicles designed to carry seven passengers or less, will be classed as taxicab service, unless it is shown to the satisfaction of the Commission that the service is a special service which cannot be rendered adequately and satisfactorily by a taxicab.] **.05 REPEALED.**

#### **.06 Requirement of Permit.**

A. A taxicab may not be operated until a permit has been obtained from the *Public Service* Commission for the City or County, as the case may be, authorizing the operation.

[B. The permits will be issued by the Commission at any time during the year, and for such a length of time, not exceeding 1 year, as the Commission may deem best for the public welfare and convenience.

C. Unless otherwise specified in any permit, the right to operate under the permit shall terminate on the 31st day of December next succeeding the date of issue.]

[D]B. Permits may not be [transferable] *transferred* without the consent of the *Public Service* Commission.

[E]C. (text unchanged)

[F]D. [The] *When the taxicab is on duty, the holder of a permit is required to operate the taxicab the permit identifies in such manner as to render maximum service to the public, in conformity with Commission regulations[, and the taxicab may not be used for any other purpose]. A taxicab may not be kept idle while there is a demand for service.*

*E. The holder of a taxicab permit that has not recorded a minimum of 12,000 miles of operation per calendar year may be required to show good cause for the apparent lack of usage, or be subject to revocation of the permit.*

*F. A permit holder must notify the Public Service Commission within 72 hours of any change of address.*

#### **.07 Call Service.**

A. Drivers of taxicabs shall make maximum use of service communications with their [switchboard] operators or dispatchers in order to keep their cabs available for response to calls.

*B. Drivers of taxicabs may use electronic methods of service communication with operators or dispatchers, including through cellular connected smartphones, tablet, or computers.*

#### **.08 Operating Associations.**

Every taxicab shall be operated as a unit of an effective operating group of sufficient number and equipped with communication facilities for rendering satisfactory call service, unless expressly exempted by the *Public Service Commission*. Owners of small fleets or single taxicabs shall operate as members of a satisfactory operating association and the association shall be equipped with adequate call facilities, so located as to serve all parts of the City or County, as the case may be, and to make possible the effective direction and supervision of call service.

**.09 Prohibited Operations.**

A. (text unchanged)

B. Taxicabs which are being operated in Baltimore County and other counties or political subdivisions outside of Baltimore City may transport passengers from those points into [the]*Baltimore* City and may return for the same passengers. Passengers may not be solicited by these taxicabs within [the]*Baltimore* City at any time.

C. Taxicabs which are being operated in Baltimore City may transport passengers from [the]*Baltimore* City into Baltimore County and may return for the same passengers. Passengers may not be solicited by these taxicabs within [the]*Baltimore* County at any time.

**.10 Posting Schedule of Fares and Consumer Rights.**

A. The authorized schedule of fares shall be printed and posted in each taxicab in such manner that passengers can readily determine the exact rate of fare payable by them. It shall be unlawful to collect any fare other than that appearing on, and determinable from, the schedule. Every driver, when requested by the passenger, shall give a receipt[, showing the operator's name, the time and place of beginning and of termination of trip, and the amount of fare charged]in *paper form or by electronic means*.

B. *An electronic receipt shall show the operator's name, the time and place of beginning and of termination of the trip, the total time of the trip, and the amount of fare charged, including an explanation of any additional charges, the driver's Public Service Commission license number, the Company name, and a customer support telephone number and an e-mail address or hyperlink or both, for passenger inquiries, as well as instructions for filing a complaint with the Public Service Commission.*

C. *The Consumer Bill of Rights must be conspicuously displayed in the rear area of the taxicab.*

**.11 Change of Rates.**

Statutory notice of 30 days shall be given of any intended change of rates or fares. A change may not become effective on less than the statutory notice except by special order of the *Public Service Commission*.

**.12 Records and Reports.**

A. Daily Records. Daily records, including a record of telephone calls, shall be kept by an operating company or association in such form as to facilitate the preparation of the reports required by the *Public Service Commission* and to insure their accuracy. These daily records shall be preserved and be available for examination by the *Public Service Commission* for a period of 1 year from the dates of filing of the annual reports.

B. Drivers' Manifests. The driver of each taxicab shall keep a *paper or electronic* manifest upon which he or she shall enter for each engagement, immediately upon its completion, the points of origin and destination, the times of beginning and completion of the job, the fare collected and the number of passengers transported. All entries shall be made legibly and the manifest shall be signed by the driver. The manifest form shall be approved by the *Public Service Commission*. *Drivers' manifests shall be preserved for a minimum of one year.*

C. Reports. All taxicab owners shall file an annual report with the *Public Service Commission* showing the revenue and expenses for the year and the property owned, together with certain other information as set out on forms which will be supplied by the *Public Service Commission*. This report will be required for each calendar year and shall be filed with the *Public Service Commission* not later than [March 31]*April 30* following the year for which the report is made.

D. (text unchanged)

E. All taxicab owners shall [give notice to the Commission within 30 days, or such time as the Commission may prescribe, of any accident in which the company is involved, which results in personal injury, property damage, or loss of life]report in writing or electronically, to the *Public Service Commission*, any accident involving a taxicab that results in a fatality. [The notice shall be in the form prescribed by the Commission, and]*The report* may not be admissible [in]as evidence, or used for any purpose against the company [giving]submitting it, in any action for damages arising out of any matter mentioned in the notice.

**.13 Application for Permits.**

All applications for permits shall be made upon forms provided by the *Public Service Commission*, and shall be signed by the applicant, who shall certify in his application that he agrees to comply with its provisions. When processing a new application, the applicant shall be given a copy of these regulations.

**.14 Permit Card.**

A. Permit cards will be in such form as from time to time may be prescribed by the Commission, but in all instances shall contain the Commission's permit number and the name and address of the person or persons, association or

corporation, to whom or to which issued, and the permissible number of passengers. The grantee or grantees of permit shall notify the Commission promptly of any change of address occurring after the issuance of the permit.

B. Permit cards shall be displayed publicly at all times in a conspicuous place in the taxicab for which issued and shall be subject to inspection at any time by, and upon demand of, proper authorities.] **.14 REPEALED.**

### **.15 Revocation or Suspension of Permit.**

A. (text unchanged)

B. If the grantee or grantees of a permit fail to keep the required insurance or bond in force, [or fail to secure from the Commissioner of Motor Vehicles, within 30 days after the issuance of the permit, a license for operation,] the *Public Service Commission* will [summarily] revoke the permit.

C. Except as otherwise stated, a permit may not be revoked or suspended until after investigation and a hearing, upon not less than 5 days' notice to the grantee or grantees of the permit. Notice of the hearing shall be in writing and shall be served upon the grantee, or upon one of the grantees if there is more than one, or upon the proper agent for service if the grantee is a corporation. The notice may be sent by mail to the address given in the application for permit, or to [the] *a more recent* changed address [subsequently filed] *on file* with the *Public Service Commission*. The mailing shall be as effective and binding as personal service. Whenever notice is given by mail, as provided in these regulations, the date of mailing shall be considered as the time when notice is served.

### **.16 Taxicabs and Equipment.**

A. Identification of Taxicab.

(1) Every company, partnership, association, or individual operating one or more taxicabs under permits [of this] *issued by the Public Service Commission* shall have the full name of the owner of each taxicab for which a permit has been issued, permanently painted on one door on each side of the taxicab in letters at least 2-1/2 inches high. The word "Taxicab", "Taxi", or "Cab" shall also appear conspicuously on the vehicle. Every company, partnership, association, or individual operating five or more taxicabs under permits [of this] *issued by the Public Service Commission* may adopt and employ a distinctive color scheme or insignia which shall be *approved by and* registered with the *Public Service Commission*. An owner of a taxicab may not paint his *or her* vehicle or vehicles to so closely resemble the distinctive color scheme or insignia of other taxicabs as to mislead the public as to the identity of the owner.

(2) The number by which a taxicab is identified shall also be prominently displayed both inside and outside in numerals at least 4 inches high *and color contrasted so as to be readable.*

(3) (text unchanged)

(4) *In a contrasting color, every wheelchair accessible vehicle used for the transportation of wheelchair users shall display the international symbol of accessibility in a clearly visible position on the rear of the vehicle and on the front of the vehicle in a position other than on the windshield.*

B. Type of Vehicle to be Used. Every vehicle used as a taxicab, for which a permit is issued or renewed, shall be a *van or four door [sedan] vehicle* type, approved by the *Public Service Commission*.

C. Physical and Mechanical Condition. All taxicabs operating under the *Public Service Commission's* permits shall at all times be kept in proper physical and mechanical condition to render safe, adequate, and convenient public service *in accordance with Maryland Law*. Failure to keep a taxicab in proper condition shall be sufficient ground for the revocation or suspension of the permit. [Every taxicab shall be equipped with a suitable set of approved chains or snow tread tires for the driving wheels, which shall be used whenever there is snow or ice on the streets. Owners shall also comply with any City or County ordinance prescribing the use of chains or snow tires.]

D. Vehicle Replacements. *A motor vehicle that is 10 model years old or older may not be used as a taxicab.*

[(1) A motor vehicle that is:

(a) 10 model years old or older may not be used as a taxicab; or

(b) 8 model years old or older may not be placed in service as a taxicab for the first time.

(2) Except as provided in §D(3) of this regulation, an owner may not continue to use a motor vehicle that is 6 model years old or older.

(3) Extension.

(a) An owner may be granted, on an annual basis, a 1-year extension for the continued use of a motor vehicle that is 6 model years old or older.

(b) If a 6 model year old or older motor vehicle used as a taxicab has been placed out-of-service two or more times in the past 24 months, an extension under §D(3)(a) of this regulation may not be granted.

(4) A motor vehicle that is 6 model years old, when first placed in service as a taxicab, may not continue to be used as a taxicab if the motor vehicle has been placed out-of-service two times.

(5) An owner whose motor vehicle is subject to §D(4) of this regulation shall remove the motor vehicle from taxicab service within 45 days of the receipt of a second out-of-service violation.]

[E. Repealed.]

[F]E. Permissible and Prohibited Equipment.

(1) (text unchanged)

(a) (text unchanged)



(b) Commercial (AM/FM) radios, which would be dash-mounted on vehicles to be purchased and on existing vehicles wherever possible; and

(c) Citizens Band (CB) radios restricted to owner-operators only and subject to the limitations set forth in §F(3) of this regulation.]

(b) *Smart phones, tablets, computers, or other electronic devices used for taximeter, dispatch, payment, or navigation functions in accordance with Maryland law.*

(2) (text unchanged)

(a) All other two-way communication devices not otherwise permitted[, such as a mobile telephone];

(b) (text unchanged)

(c) Commercial advertising, except as permitted by the *Public Service Commission*; and

(d) All other equipment, not otherwise permitted, which, in the opinion of the *Public Service Commission*, is not reasonably useful in the furnishing of safe, adequate, and convenient taxicab service.

[(3) General Requirements.

(a) All owner-operators, before the installation or use of CB radios, shall register and file with the Commission:

(i) A copy of the license issued by the Federal Communications Commission;

(ii) A statement providing the operator's call letters or sign, and name (handle) and the number of the vehicle containing the radio equipment.

(b) In plain view of passengers, each taxicab shall be posted with a notice advising passengers that the taxicab, in addition to the two-way communication radio used between dispatchers and drivers which should be kept open, may contain a CB radio or a commercial (AM/FM) radio, or both. The passenger, for whatever reason, has the right to request the driver to turn down or turn off any CB or commercial radio, or both.

(c) All permitted communication devices shall be operated in accordance with the regulations of the Commission and, when appropriate, the Federal Communications Commission.

(d) CB radios may not be used for any business activity, taxicab or otherwise, except that they may be used:

(i) For emergency purposes to aid the riding and non-riding public; and

(ii) To enable the user to serve passengers more efficiently than would be possible without a radio.]

[G]F. Lights. In addition to the outside lights prescribed by law, every taxicab operating under permit [of this] *issued by the Public Service Commission* shall be equipped with a dome light within the passenger compartment of the vehicle, capable of being lighted or extinguished by the passenger or controlled by operation of the doors.

[H]G. Taximeter.

(1) [All taxicabs operating under permit of the Commission shall be equipped with a taximeter of a make and design satisfactory to the Commission. A person may not operate a taxicab, or permit one to be operated, unless the taximeter has been first inspected, tested, approved, and sealed by a representative of the Commission. A person may not operate, or permit to be operated, a taxicab equipped with a taximeter not having its case sealed and the cover and gear intact. Taximeters shall be used exclusively as a means of computing charges for service rendered, except when a fixed charge, calculated on a mileage basis, may be approved by the Commission.] *General Requirements*

(a) *All taxicabs operating under permit issued by the Public Service Commission shall be equipped with a taximeter of a make and design satisfactory to the Public Service Commission.*

(b) *A taximeter may be:*

(i) *A mechanical or digital device that calculates distances traveled by a physical connection to the transmission or speedometer cable of a taxicab; or*

(ii) *another device the Public Service Commission approves for measuring the charges for service.*

(c) *A person may not operate a taxicab, or permit one to be operated, unless the taximeter has been first inspected, tested, and approved by a representative of the Public Service Commission.*

(d) *A person may not operate, or permit to be operated, a taxicab equipped with a taximeter not having its case sealed and intact, or without another device the Public Service Commission approves for measuring the charges for service, and which has received Public Service Commission certification of calibration.*

(2) Periodic tests of taximeters will be made by representatives of the *Public Service Commission*. The interval between tests may not exceed [6]12 months, unless exceptional circumstances, in the discretion of the *Public Service Commission*, require variation from that interval. A meter with an error in registration not exceeding 3 [per cent]percent will be considered correct.

(3) — (4) (text unchanged)

(5) [Taximeters shall be mounted and connected to the transmission or speedometer cable in an approved manner. In the case of dashboard mounting, the meter shall be so located as not to obscure the vision of the operator or offer an undue hazard to passengers. The meter registration shall be clearly visible to the passenger at all times.] *Calculation of Distance.*

(a) *Except as provided in paragraphs (b) and (c) of this subsection, a taximeter shall be mounted and connected to the transmission or speedometer cable of a taxicab in an approved manner.*

(b) *Another device approved by the Public Service Commission to measure charges for service may not be required to mount or connect the taximeter to the transmission or speedometer cable of the taxicab.*

(c) *The Public Service Commission may authorize a flat rate fare between specified locations that is not calculated by a taximeter.*

(6) (text unchanged)

[I. Mirror. Every taxicab shall be equipped with a rear view mirror located and adjusted to give the driver a clear reflected view of the highway directly to the rear of a line parallel with the side of the body of the taxicab.]

H[J]. Sanitary Condition. Every taxicab shall be kept in a clean and sanitary condition at all times.

I[K]. Inspection.

(1) At the discretion of the *Public Service Commission*, an owner of a motor vehicle shall present the motor vehicle for inspection by a Commission representative.

(2) Upon presenting proper identification, the *Public Service Commission* or its representative may enter a motor vehicle for the purpose of inspecting the vehicle, vehicle equipment, or records of the carrier.

(3) A representative of the *Public Service Commission*, after inspection and a determination that a motor vehicle does not comply with the requirements of this chapter, may require:

(a) — (c) (text unchanged)

(4) The *Public Service Commission* may require an owner of a taxicab to provide an inspection certificate from a facility licensed by the State to perform motor vehicle inspections.

J[L]. Partition.

(1) A Baltimore City taxicab [shall]may be equipped with [a]an approved partition separating the driver from the backseat passenger compartment, or an approved video monitoring system.

(2) The partition shall be transparent and constructed of material approved by the *Public Service Commission*.

K. *Wheelchair Accessible Vehicle*

(1) *Every Wheelchair Accessible Vehicle used for the transportation of wheelchair users shall be equipped with wheelchair, scooter or other mobility aid securement devices that limit the forward, backward, rotational, lateral and vertical motion of every wheelchair in the vehicle at the points of contact of the wheelchair with the vehicle while the vehicle is in normal operation.*

(2) *For the purpose of subsection (1), normal operation includes full throttle acceleration and maximum braking and cornering.*

(3) *Every wheelchair, scooter or other mobility aid securement device in a Wheelchair Accessible Vehicle shall:*

(a) *be securely anchored to the vehicle;*

(b) *include retractable, self-tensioning belts and straps; and*

(c) *be capable of withstanding a load in any direction of not less than 2,500 pounds for a period of ten seconds.*

(4) *Where more than one wheelchair securement device is used to secure a wheelchair in an accessible vehicle, Section 3(b) applies to the combination of devices used and not to each single device.*

(5) *Every designated wheelchair position in a Wheelchair Accessible Vehicle shall be equipped with an occupant restraint assembly,*

(a) *securely anchored to the vehicle; or*

(b) *capable of securing a wheelchair occupant to the wheelchair by encircling both the occupant and wheelchair.*

(6) *The slope of an external boarding ramp must not exceed:*

(a) *1 in 14 for unassisted access; and*

(b) *1 in 8 for unassisted access where the ramp length is less than 1520 mm/60 inches; and*

(c) *1 in 4 for assisted access*

(7) *External boarding ramp flooring must have anti-skid surface having a static coefficient of friction on wet and dry ramp surfaces not less than 0.5.*

(8) *External boarding ramp must operate in all weather conditions.*

(9) *External boarding ramp side barriers must automatically swing up to prevent wheelchair run-off during use.*

(10) *An external boarding ramp must provide white center stripe for wheelchair guidance.*

(11) *External boarding ramps must also be secured by means other than a support or lug in the door while the vehicle is operated on a highway.*

(12) *Every power lift used on a Wheelchair Accessible Vehicle must:*

(a) *have a skid resistant platform surface;*

(b) *have the sides of the platform fitted with guards extending the full length on each side and of sufficient height to prevent a wheelchair from rolling off the platform during vertical operation of the lift;*

(c) *have a retractable lip on the outer edge of the platform of sufficient height to prevent a wheelchair from rolling off the platform during vertical operation of the lift;*

(d) *be secured by means other than a support or lug in the door while the vehicle is operated on a highway;*

(e) *be capable of raising and lowering a minimum weight of 606 pounds;*

(f) *must include a handrail on the lift;*

(g) *must include a manual backup pump that must be incorporated with the lift;*

(h) *must incorporate an electrical automatic circuit breaker to isolate the hoist electrical system from the Vehicle's electrical system to reduce the likelihood of fire; and*

(i) where hoist controls are mounted inside the accessible vehicle in a position accessible to the passenger system, must incorporate an isolation switch to avoid inadvertent operation of the hoist.

(13) A boarding device must be able to support a total weight of up to 660 pounds at mid-span and be clearly labeled with the maximum load that it can carry, both on the boarding device and next to the accessible entrance on the outside of the conveyance.

(14) The minimum allocated space for a single wheelchair or similar mobility aid must be 800 mm/31.5 inches by 1300 mm/51.2 inches

(15) At least one allocated space must be provided in each Wheelchair Accessible Vehicle.

(16) The minimum head room in an allocated space must be 1500 mm/59 inches.

(17) Automatic or power-assisted doors.

(a) Doors may be fully automatic;

(b) Power-assisted doors must not require passengers to grip or twist controls in order to operate opening devices;

(c) Operators may provide equivalent access to conveyances by opening manual doors for people with disabilities.

(18) The passenger access and seating area:

(a) must be equipped with an interior mirror designed to provide the driver with a view of the passengers;

(b) must be equipped with lights arranged to illuminate all of the interior of the vehicle that shall be constantly lit during the loading or unloading of passengers;

(c) must be equipped with a light above or beside each passenger access door to illuminate the loading equipment or step nosings, as the case may be, and such lights shall be constantly lit during the loading or unloading of passengers;

(d) must be equipped with a means of securing in the open position each passenger access door that could be subject to unintentional closing during the loading or unloading of passengers;

(e) must have an interior that is free of any sharp projections that may constitute a hazard to passengers and is free of any item, object or otherwise (i.e. spare tires, folded seats) that protrudes into the interior space;

(f) must have mats permanently bonded to the floor, in the aisle and on the steps,

(g) must have yellow or white step nosings;

(h) must have the capability to transfer a reduced mobility rider from the curb to the taxicab (i.e. via a turn-out seat);

(i) must provide strategic placement of bright yellow easy-to-grab handrails and stanchions to assist limited mobility riders;

(j) must provide non-slip floor covering;

(k) must provide clearly marked seat edges;

(l) must provide contrasting delineation of any gap for passing money through a screen, if applicable;

(m) must provide strong illumination of roof sign with clear indication of wheelchair accessibility;

(n) must have the capacity to allow access to, and to carry, at least one person using a wheelchair, scooter or other large (ride-on) mobility aid within its allocated passenger space; and

(o) must have provision for the rapid release of each wheelchair or other mobility aid and its occupant in the case of an accident or emergency.

## **.17 Operation of Taxicabs.**

A. Number of Passengers. A taxicab may not carry more than the *maximum* number [designated on the permit card]of passengers specified by the vehicle manufacturer. [A child in arms may not be counted as a passenger.] More than one person may not occupy the front seat area with the operator.

B. Group Riding.

(1) — (2) (text unchanged)

[C. Transportation of Railroad Train Crews. It shall be permissible for taxicabs to transport railroad train crews in units of five men when moving to and from railroad yards provided each member of the crew so transported shall carry some satisfactory form of identification.

D. Commodity Deliveries. Transportation of blood, medical supplies, telegrams, and other specific commodities which may be authorized by special permission of the Commission, is permissible, but not to the exclusion of passengers, and only if controlled through a taxicab organization's dispatching facilities.

E. Withdrawals From Service. It shall be unlawful for any person or persons, association, or corporation engaged in the operation of one or more taxicabs to withdraw a taxicab from the public service without having approval of the Commission, unless the withdrawal is rendered necessary by accident, or by other causes beyond the control of the owner.]

[F]C. Reckless or Unsafe Operation.

(1) (text unchanged)

(2) Placards or other obstructions may not be attached to any windshield or [window which would obstruct the view of the driver]windows in violation of Maryland law.

## **.18 Operators.**

A. Operator to be Owner or Driver.

[(1)] A taxicab operating under a permit of the *Public Service Commission* may not be operated except by the owner or a driver responsible to the owner.

[(2) Single shifts are permissible for 24 hour periods on the condition that drivers be restricted to not more than 12 working hours in each period.]

B. Identification of Operator.

(1) — (2) (text unchanged)

C. Qualifications of Operator. A taxicab may not be driven by a person who has not been duly licensed by the Department of Motor Vehicles, the [P.S.C.]*Public Service Commission* for Baltimore City and [the Police Department Taxicab Bureau for] Baltimore County *government*.

D. Smoking Prohibited. Drivers may not smoke [while transporting passengers] *at any time in a taxicab*.

[E. Shift Time. Shift time in Baltimore City may not occur between 4:30 p.m. and 6 p.m.]

[F]E. Toll Charges. Toll charges shall be assessed only when a passenger elects to use a route where the toll charges occur.

[G]F. Conduct.

(1) — (2) (text unchanged)

G. Operator of a Wheelchair Accessible Vehicle

(1) All drivers must be trained in their local disability law-compliance responsibilities.

(2) All drivers of the Wheelchair Accessible Vehicle must be trained in the safe use and operation of that accessible vehicle.

(3) Drivers must complete an accessibility training program satisfactory to the *Public Service Commission*, including boarding and de-boarding protocols and disability awareness and etiquette.

**.19 Insurance or Bond.**

A. Liability Insurance.

(1) — (2) (text unchanged)

B. Bond in Lieu of Insurance.

(1) — (3) (text unchanged)

(4) The penalty of the security or bond may not be exhausted by successive recoveries but shall remain unimpaired until the security or bond shall be canceled after statutory notice to the *Public Service Commission* or by action of the *Public Service Commission*.

(5) (text unchanged)

(6) Compliance with Public Utilities Article, §10-207, Annotated Code of Maryland, as to insurance shall be evidenced by depositing with the *Public Service Commission* the insurance policy, or a certificate from the insurance company signed by an authorized agent, that the policy has been issued, specifying the terms of the policy, description of the taxicab, and name of the assured.

C. Notice of Cancellation. Written cancellation or revocation of an insurance policy, self-insurance certificate, security, or bond shall be submitted to the *Public Service Commission* 45 days before an insurance policy, self-insurance certificate, security, or bond may be canceled as required under Public Utilities Article, §10-207, Annotated Code of Maryland. Cancellation or revocation of an insurance policy or bond issued by the Maryland Automobile Insurance Fund shall be submitted to the *Public Service Commission* 30 days before an insurance policy or bond issued by the Maryland Automobile Insurance Fund may be canceled as required under Public Utilities Article, §10-207, Annotated Code of Maryland.

**[.20 Vault or Safe Requirement.**

A. All Baltimore City taxicabs operating under the Commission's permits shall at all times be equipped with a vault or safe approved by the Commission to hold monies collected by the drivers. The receptacle shall have a locking mechanism to provide maximum security and shall be installed in the taxicab by welding or bolting it to the floor over the drive train hump next to the driver.

B. Taxicab drivers shall be required to have available not more than \$5 in change at all times. Appropriate notices advising the public shall read as follows:

DRIVER HAS NO MORE THAN \$5.00 IN CHANGE. CAB EQUIPPED WITH SAFE—DRIVER CANNOT OPEN IT.

C. That notice shall be printed in red bold-lettering at least 1/2 inch in height, on a white background, and shall be posted on the rear quarter panel of both sides of the cab, or as otherwise approved by the Commission, and shall also be posted on the interior of the left rear door.] **REPEALED.**

**.21 Violations and Penalties.**

A. Violations.

(1) (text unchanged)

(2) In the case of a corporation, an officer, agent, or employee who violates, procures, aids, or abets any violation of Public Utilities Article, Annotated Code of Maryland, COMAR 20.90[.01, or this chapter], may be determined to be individually guilty of a violation.

B. Civil Penalty Violations. The following violations are subject to a civil penalty under Public Utilities Article, § 13-210 and §13-202, Annotated Code of Maryland:

- (1) — (2) (text unchanged)
- (3) Failure to file with the *Public Service* Commission an inspection certificate from a facility licensed by the State to perform motor vehicle inspections;
- (4) — (5) (text unchanged)
- (6) Operating a motor vehicle without a valid state driver's license and [in Baltimore City] a valid taxicab driver's license;
- (7) — (11) (text unchanged)
- (12) Use of a motor vehicle subject to the provisions of this chapter before obtaining approval of the *Public Service* Commission;
- (13) — (14) (text unchanged)
- (15) Failure of the owner or an operator of a motor vehicle to permit inspection of a vehicle or records relating to a permit; [or]  
[(16) Operating a Baltimore City taxicab which is not equipped with the partition required by Regulation .16L of this chapter.]
- (16) *Operating a taxicab equipped with a taximeter not having its case sealed, or otherwise not being used as designed by the manufacturer;*
- (17) *Operating a taxicab without an authorized schedule of fares (rate sheet) posted in the taxicab in such manner that passengers can readily determine the exact rate of fare payable by them;*
- (18) *Failure to charge only a rate of fare or charge approved by the Public Service Commission;*
- (19) *Failure to respond to Public Service Commission correspondence in a timely manner; or*
- (20) *Violation of Accessibility and Non-Discrimination provisions of Regulation .23 in this chapter.*

C. Notice.

- (1) (text unchanged)
- (2) The notice given under §C(1) of this regulation shall:
  - (a) Include a statement that a party desiring a hearing must request the hearing on or before the date set by the *Public Service* Commission in the citation or complaint; and
  - (b) (text unchanged)
- (3) (text unchanged)

## **.22 [Public] Taxicab Stand.**

A. Consumer Rights. Any orderly person shall have the right to select any taxicab regardless of its position in line in the [public] taxicab stand.

B. — C. (text unchanged)

D. Restriction.

- (1) A taxicab driver entering a stand may not take or attempt to take a position in a line out of turn, or ahead of a driver entitled to that position [(commonly called "crashing")].
- (2) (text unchanged)

## **.23 - Accessibility and Non-Discrimination.**

A. *For purposes of this regulation, "Accessible" means fully and equally accessible to and independently usable by individuals with disabilities so that the individuals are able to acquire the same information, engage in the same interactions, and enjoy the same services as users without disabilities, with substantially equivalent ease of use.*

B. *By July 1, 2017, a taxicab association shall:*

- (1) *Ensure that the taxicab association's websites and mobile applications are accessible to the blind and visually impaired and the deaf and hard of hearing; and*
- (2) *A taxicab association shall not:*

*(a) Impose additional or special charges on an individual with a disability for providing services to accommodate the individual; or*

*(b) Require an individual with a disability to be accompanied by an attendant.*

C. *If a taxicab accepts a ride request from a passenger with a disability who uses a mobility device, upon picking up the passenger, the taxicab driver shall stow the passenger's mobility equipment in the vehicle if the vehicle is capable of stowing the equipment.*

D. *If a passenger or driver determines that the vehicle is not capable of stowing the equipment the taxicab association may not charge a trip cancellation fee or, if such fee is charged, shall provide the passenger with a refund in a timely manner.*

E. *All taxicabs shall comply with all applicable laws related to accommodation of service animals.*

F. *All taxicab associations shall provide their drivers detailed information and appropriate training regarding the requirements of laws governing non-discrimination and accessibility, including the Americans with Disabilities Act, prior to allowing them to provide service to passengers to the extent applicable.*

G. *By July 1 of each year, a taxicab association shall report to the Public Service Commission Staff:*

*(1) the steps it has taken during the preceding twelve months to ensure and upgrade the accessibility of the taxicab association's services; and*

*(2) the number of complaints or other notifications received regarding an inability or failure to accommodate a person with a disability.*

*H. Taxicab associations that provide platforms allowing drivers to rate passengers shall ensure that such ratings are not based on unlawful discrimination, and that drivers do not discriminate against passengers or potential passengers on the basis of geographic endpoints of the ride, race, color, national origin, religion, sex, disability, age, or sexual orientation/identity.*

*I. The Maryland Office of People's Counsel shall have access to the reports filed under this section, upon request.*