
By: Senator Pica

Introduced and read first time: January 24, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **For-Hire Vehicles - Uniform Standards**

3 FOR the purpose of prohibiting a person from conducting a business that operates a
4 motor vehicle for hire in the State unless the person holds a passenger-for-hire
5 permit issued by the Public Service Commission; requiring the Commission to issue
6 to the holder of a passenger-for-hire permit a decal or sticker for each vehicle of
7 the permit holder and to have the decal or sticker affixed to each vehicle;
8 prohibiting the holder of a passenger-for-hire permit from operating a vehicle until
9 the permit holder obtains a liability insurance policy, deposits a casualty or surety
10 bond with the Motor Vehicle Administration, or self-insures; requiring the
11 Commission to issue to the holder of a taxicab permit a decal or sticker and to have
12 the decal or sticker affixed to the taxicab; prohibiting, with a certain exception, a
13 person from operating a motor vehicle for hire in the State unless the person holds
14 a for-hire driver's license issued by the Public Service Commission; allowing a
15 county or municipality to elect to license taxicab drivers who drive cabs that are
16 based in that county or municipality provided that, at a minimum, the county or
17 municipality meets certain requirements; providing that a taxicab driver who is
18 licensed by a county or municipality is not required to be licensed by the
19 Commission; providing that the administration of this Act shall be paid for by the
20 fees and fines collected by the Commission under this Act and an assessment levied
21 by the Commission against holders of a passenger-for-hire permit or a taxicab
22 permit issued by the Commission; prohibiting certain acts and providing penalties
23 for violation of the prohibitions; authorizing the Commission to direct the
24 Department of State Police to seize any vehicle involved in a violation of certain
25 provisions of this Act; providing that, if the owner of a seized vehicle is found to be
26 in violation of certain provisions of this Act and fails to pay any fine that is imposed,
27 the Commission may order the Department of State Police to sell the vehicle at
28 auction and apply the proceeds toward payment of the fine; and generally relating
29 to the regulation of for-hire vehicles.

30 BY repealing and reenacting, with amendments,
31 Article 78 - Public Service Commission Law
32 Section 32, 33, 45, 47, 48(d), 50, and 50A through 50K
33 Annotated Code of Maryland
34 (1995 Replacement Volume)

2

1 BY adding to
2 Article 78 - Public Service Commission Law
3 Section 32, 35B; 50A and 50M through 50S, inclusive, to be under the amended
4 subheading "For-Hire Drivers"
5 Annotated Code of Maryland
6 (1995 Replacement Volume)

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

9 **Article 78 - Public Service Commission Law**

10 32.

11 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (B) "FOR-HIRE DRIVER'S LICENSE" INCLUDES:

14 (1) A PASSENGER-FOR-HIRE LICENSE; AND

15 (2) A TAXICAB DRIVER'S LICENSE.

16 (C) (1) "OPERATE A MOTOR VEHICLE FOR HIRE" MEANS TO TRANSPORT OR
17 OFFER TO TRANSPORT A PASSENGER IN A MOTOR VEHICLE IN EXCHANGE FOR
18 REMUNERATION.

19 (2) "OPERATE A MOTOR VEHICLE FOR HIRE" INCLUDES:

20 (I) PROVIDING PASSENGER-FOR-HIRE SERVICES; AND

21 (II) PROVIDING TAXICAB SERVICES.

22 (D) "PROVIDE TAXICAB SERVICES" MEANS TO OPERATE A MOTOR VEHICLE
23 FOR HIRE THAT, IN ADDITION TO OTHER SERVICES:

24 (1) PICKS UP AND DISCHARGES PASSENGERS AT RANDOM OR WHO HAIL
25 THE VEHICLE FROM THE STREET;

26 (2) SOLICITS CUSTOMERS AT ANY PUBLIC OR PRIVATE TAXI STAND; OR

27 (3) IS DISPATCHED TO PICK UP CUSTOMERS WHO CALL FOR A TAXICAB.

28 (E) "REMUNERATION" INCLUDES:

29 (1) A FARE;

30 (2) A FEE;

31 (3) A TOLL;

32 (4) A GRATUITY; AND

33 (5) PERSONAL SERVICES.

1 [32.] 32A.

2 (a-1) Except as provided under the provisions of subsection (b) of this section, [a
3 permit shall be required of any passenger motor vehicle used in any transportation of
4 passengers for hire] A PERSON MAY NOT CONDUCT A BUSINESS THAT OPERATES A
5 MOTOR VEHICLE FOR HIRE IN THE STATE UNLESS THE PERSON HOLDS A
6 PASSENGER-FOR-HIRE PERMIT ISSUED BY THE COMMISSION.

7 (a-2) A permit (certificate) shall be required for any motor carrier when engaged in
8 the carriage of flammables in bulk, within the scope of the definitions set forth in this
9 article. Permits of carriers of flammables shall be of two (2) classes: (1) common carrier
10 certificates (permits), and (2) contract carrier certificates (permits).

11 (b) A permit is not required for the following:

12 (1) Any motor vehicle used exclusively for the transportation of pupils to
13 and from public or private schools;

14 (2) Any motor vehicle operated for a period of not more than three months
15 in any registration year in the transportation of persons employed at a cannery located in
16 any county in Maryland;

17 (3) This subheading does not apply to taxicabs;

18 (4) Public transportation for hire authorized to operate on the boardwalk in
19 the Town of Ocean City, Maryland;

20 (5) A vanpool operation as defined in the Transportation Article;

21 (6) The public transportation system for Washington County established
22 pursuant to § 1-603 of the Code of Public Local Laws of Washington County being
23 Article 22 of the Code of Public Local Laws of Maryland; [or]

24 (7) The public transportation system for Allegany County established under
25 § 23-24 of the Code of Public Local Laws of Allegany County, being Article 1 of the Code
26 of Public Local Laws of Maryland;

27 (8) ANY CLASS C VEHICLE; OR

28 (9) ANY MOTOR VEHICLE EXCLUSIVELY PROVIDING TRANSPORTATION
29 SERVICES SUBJECT TO THE AUTHORITY OF AND WITHIN THE GEOGRAPHICAL
30 JURISDICTION OF THE WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION.

31 (c) The public duties of a common carrier shall not be imposed on any person
32 with respect to any vehicle for which a permit is required under this section, if the vehicle
33 is not actually engaged in public transportation.

34 (d) (1) No person, or any person controlling, controlled by, or under common
35 control with such person, shall hold a permit as a common carrier authorizing operation
36 for the transportation of flammables by motor vehicle within the State of Maryland, if
37 such person, or any such controlling person, controlled person, or person under common
38 control, holds a permit as a contract carrier authorizing operation for the transportation
39 of flammables by motor vehicle within the same territory, in the State of Maryland.

1 (2) No person, or any person controlling, controlled by, or under common
2 control with such person, shall hold a permit as a contract carrier authorizing operation
3 for the transportation of flammables by motor vehicle within the State of Maryland, if
4 such person, or any such controlling person, controlled person, or person under common
5 control, holds a permit as a common carrier authorizing operation for the transportation
6 of flammables by motor vehicle within the same territory in the State of Maryland.

7 (3) Nothing in this section shall be construed as invalidating any action
8 lawfully taken or rights lawfully acquired by any person prior to June 1, 1959.

9 33.

10 (a) No motor carrier permit shall be issued unless the Commission[, after
11 considering the number of vehicles to be used, the rate to be charged, potential demand,
12 qualifications of the applicant and such other factors as it deems relevant,] deems that
13 the issuance of a permit will be best for the public welfare and convenience.

14 (b) In case of application by carriers of flammables, no permit shall be issued
15 unless in addition to requirements of subsection (a) of this section, the applicant has
16 complied with all safety requirements prescribed by the Commission and with the
17 insurance or bond requirements of § 47 of this article. [Section 47 shall be fully
18 applicable to such carriage, except that the required notice for cancellation or revocation
19 shall be 30 days.]

20 (c) [In the case of applications by contract carrier of flammables, no permit shall
21 be issued unless the applicant was in bona fide operation as a contractcarrier on June 1,
22 1954 and has continued such operations since that date; except, upon proof of public
23 convenience and necessity.]

24 (1) FOR EACH VEHICLE OF THE HOLDER OF A PASSENGER-FOR-HIRE
25 PERMIT, THE COMMISSION SHALL ISSUE TO THE PERMIT HOLDER A DECAL OR
26 STICKER OF A SIZE AND SHAPE DETERMINED BY THE COMMISSION.

27 (2) THE COMMISSION SHALL:

28 (I) HAVE THE DECAL OR STICKER AFFIXED TO EACH VEHICLE IN
29 THE MANNER DIRECTED BY THE COMMISSION; AND

30 (II) ENSURE THAT THE DECAL OR STICKER IS ON DISPLAY AT ALL
31 TIMES WHEN EACH VEHICLE IS IN OPERATION.

32 35B.

33 (A) THE HOLDER OF A PASSENGER-FOR-HIRE PERMIT, MAY NOT OPERATE A
34 VEHICLE FOR HIRE UNTIL THE PERMIT HOLDER:

35 (1) OBTAINS FROM A RESPONSIBLE INSURANCE COMPANY
36 AUTHORIZED TO TRANSACT BUSINESS IN THE STATE A LIABILITY INSURANCE
37 POLICY THAT:

38 (I) IS APPROVED BY THE COMMISSION IN ALL RESPECTS
39 INCLUDING POLICY PROVISIONS, FORMS, AND AMOUNTS; AND

5

1 (II) INSURES THE OWNER AND OPERATOR AGAINST LIABILITY TO
2 PASSENGERS OR MEMBERS OF THE GENERAL PUBLIC FOR PROPERTY DAMAGE OR
3 PERSONAL INJURY, INCLUDING DEATH, RESULTING FROM ANY ACCIDENT OR
4 CASUALTY IN WHICH THE VEHICLE BECOMES INVOLVED;

5 (2) DEPOSITS WITH THE MOTOR VEHICLE ADMINISTRATION A BOND
6 WITH A RESPONSIBLE CASUALTY OR SURETY COMPANY AUTHORIZED TO DO
7 BUSINESS IN THE STATE; OR

8 (3) SELF-INSURES IN A MANNER APPROVED BY THE COMMISSION.

9 (B) THE PERMIT HOLDER SHALL SUBMIT TO THE COMMISSION ANY PROOF OF
10 INSURANCE REQUIRED BY THE COMMISSION.

11 45.

12 (a) No taxicab business shall be operated in Baltimore City, Baltimore County or
13 the cities of Cumberland and Hagerstown, or between points within such cities, county or
14 town and points outside thereof, without a written permit from the Commission.

15 (B) A TAXICAB BUSINESS THAT HOLDS A PERMIT ISSUED BY A COUNTY OR
16 MUNICIPALITY IS NOT REQUIRED TO OBTAIN A PERMIT FROM THE COMMISSION.

17 [(b)] (C) The Commission shall issue such a permit, upon written application, if in
18 its judgment, after investigation, the granting of the permit would be best for the public
19 welfare and convenience. [In determining this question, the Commission shall take into
20 account the number of taxicabs to be used, the taxicab and other transportation services
21 already available in the locality, the rate to be charged, and such other factors as may be
22 relevant.] The Commission shall reject any application for a permit and revoke or
23 suspend the existing permits of any taxicab company when it appears that said company is
24 making an effort to mislead the public by imitating any name, design or distinctive
25 combination of colors of any taxicabs already approved by the Commission.

26 [(c)] (D) Each permit shall apply only to the particular taxicab therein designated.
27 It shall be subject to such terms and conditions, and shall run for such period of time
28 (subject to renewal in the Commission's discretion in accordance with the standards set
29 forth in subsection (b) of this section), not less than one year, as the Commission may
30 deem advisable. The Commission may, for sufficient cause shown, amend, suspend or
31 revoke any permit.

32 [(d)] (E) No permit shall be assigned or transferred unless the assignment or
33 transfer is approved, after investigation by the Commission, as best for the public welfare
34 and convenience. Application for such approval must be in writing and must set forth the
35 purpose, terms and conditions of the proposed assignment or transfer.

36 (F) (1) FOR EACH TAXICAB PERMIT THAT THE COMMISSION ISSUES, THE
37 COMMISSION ALSO SHALL ISSUE TO THE PERMIT HOLDER A DECAL OR STICKER OF
38 A SIZE AND SHAPE DETERMINED BY THE COMMISSION.

39 (2) THE COMMISSION SHALL:

40 (I) HAVE THE DECAL OR STICKER AFFIXED TO THE TAXICAB IN
41 THE MANNER DIRECTED BY THE COMMISSION; AND

6

1 (II) ENSURE THAT THE DECAL OR STICKER IS ON DISPLAY AT ALL
2 TIMES WHEN THE TAXICAB IS IN OPERATION.

3 47.

4 (a) No taxicab for which a permit is necessary shall be operated unless the
5 company owning it (1) obtains from some responsible insurance company authorized to
6 transact business within this State, a liability insurance policy approved by the
7 Commission in all respects including policy provisions, form and amounts, which insures
8 the owner and operator against liability to passengers or members of the general public
9 for property damage or personal injury (including death) resulting from any accident or
10 casualty in which the taxicab becomes involved or (2) deposits with the Commission a
11 bond with some responsible casualty or surety company authorized to do business in this
12 State, approved in all respects by the Commission, including provisions, form, surety and
13 amounts, made out to the State of Maryland as obligee for the use and benefit of the said
14 persons, undertaking to indemnify them against the said contingencies.

15 [(b) (1) No cancellation or revocation of any insurance policy or bond required
16 by subsection (a) of this section shall be effective except after 45 days from the actual
17 receipt by the Commission of written notice from the revoking party. The Commission
18 may at any time require new or additional bond or insurance as a condition of operation
19 if in its judgment the existing protection is inadequate in any respect.

20 (2) The 45-day notice requirement under this subsection does not apply to a
21 policy issued by the Maryland Automobile Insurance Fund. Cancellation or revocation of
22 an insurance policy or bond issued by the Maryland Automobile Insurance Fund may not
23 be effective except after 30 days from the date of actual receipt by the Commission of a
24 written notice from the Maryland Automobile Insurance Fund.]

25 (B) THE PERMIT HOLDER SHALL SUBMIT TO THE COMMISSION ANY PROOF OF
26 INSURANCE REQUIRED BY THE COMMISSION.

27 48.

28 (d) If any taxicab[, for which no permit is required,] charges on the basis of a
29 fixed charge made by zone, the extent of the zone shall be conspicuously expressed in
30 mileage in the schedule required by subsection (a) of this section.

31 50.

32 (a) This subheading, relating to taxicab companies, is intended to be
33 supplemental to and not in substitution for existing laws relating to the operation and
34 licensing of motor vehicles. Particularly, nothing in said subheading shall be construed to
35 limit any power now held by political subdivisions of this State to adopt reasonable traffic
36 regulations such as the designation of taxicab stands and the restriction or prohibition of
37 cruising along the public streets when such cruising would menace the public safety or
38 unduly congest traffic.

39 (b) Nothing in this article relating to taxicabs, or in any public local law
40 heretofore passed shall be construed as divesting or limiting the jurisdiction of the
41 Commission over any taxicab company as a common carrier, although operating

7

1 elsewhere than in incorporated cities or towns having a population of more than [50,000]
2 100,000 persons.

3 [Taxicab] FOR-HIRE Drivers [of Baltimore City Taxicabs]

4 50A.

5 EXCEPT AS PROVIDED IN § 50K OF THIS ARTICLE, A PERSON MAY NOT OPERATE
6 A MOTOR VEHICLE FOR HIRE IN THE STATE UNLESS THE PERSON HOLDS A
7 FOR-HIRE DRIVER'S LICENSE ISSUED BY THE COMMISSION.

8 [50A.] 50B.

9 (A) Application for [taxicab] A FOR-HIRE driver's license OR AUTHORITY TO
10 OPERATE A PASSENGER-FOR-HIRE VEHICLE must be filed with the Public Service
11 Commission. Such application shall be on a form provided or prescribed by the
12 Commission and all information required by the form must be completed.

13 (B) THE FORM SHALL REQUIRE THE APPLICANT TO STATE WHETHER THE
14 APPLICANT IS APPLYING FOR A PASSENGER-FOR-HIRE DRIVER'S LICENSE OR A
15 TAXICAB DRIVER'S LICENSE.

16 [50B.] 50C.

17 (A) Each applicant for a FOR-HIRE driver's license must file with the application
18 two recent photographs, of a size which may be easily attached to the license, one of
19 which shall be attached to the license when issued, and the other shall be filed with the
20 application in the Public Service Commission office. Each applicant for a FOR-HIRE
21 driver's license shall be fingerprinted.

22 (B) EACH APPLICANT SHALL PAY TO THE PUBLIC SERVICE COMMISSION AN
23 APPLICATION FEE SET BY THE COMMISSION.

24 (C) ON RECEIPT OF AN APPLICATION, THE PUBLIC SERVICE COMMISSION
25 SHALL REQUIRE A CRIMINAL RECORD CHECK AND A DRIVING RECORD CHECK OF
26 THE APPLICANT.

27 (D) THE COMMISSION MAY DENY AN APPLICANT A LICENSE OR AUTHORITY
28 TO OPERATE A PASSENGER-FOR-HIRE VEHICLE IF THE APPLICANT HAS BEEN
29 CONVICTED OF A CRIME THAT BEARS A DIRECT RELATIONSHIP TO THE APPLICANT'S
30 FITNESS TO SERVE THE PUBLIC AS A FOR-HIRE DRIVER.

31 [50C.] 50D.

32 Upon satisfactory fulfillment of all requirements, [there shall be issued] AS
33 VERIFIED BY THE CRIMINAL JUSTICE INFORMATION SYSTEM, THE COMMISSION
34 SHALL ISSUE to the applicant a PASSENGER-FOR-HIRE DRIVER'S LICENSE OR A
35 taxicab driver's license, AS APPROPRIATE, which shall be in such form as the Public
36 Service Commission may direct and which shall at all times be in the driver's possession
37 when operating a [taxicab] MOTOR VEHICLE FOR HIRE. Any licensee who defaces,
38 removes or obliterates any official entry made upon the [taxicab] FOR-HIRE driver's
39 license shall be punished by the suspension or revocation of the license as hereinafter
40 provided.

8

1 [50D.] 50E.

2 (A) THIS SECTION APPLIES ONLY TO TAXICAB DRIVERS.

3 (B) There shall be delivered to each licensed TAXICAB driver a badge of such
4 form and style as the Public Service Commission may prescribe, with the taxicab driver
5 license number thereon, which must be constantly and conspicuously displayed [on the
6 outside of the driver's coat] IN THE INTERIOR OF A TAXICAB when THE DRIVER IS
7 engaged in operating [a] THE taxicab.

8 [50E.] 50F.

9 [Taxicab] FOR-HIRE drivers' licenses shall be valid for a period of not less than 1
10 year nor more than 3 years, as established by the Public Service Commission, and, if not
11 suspended or revoked by the Commission, will then lapse unless renewed. The Public
12 Service Commission may renew the [taxicab] FOR-HIRE [driver] DRIVER'S license by
13 appropriate endorsement thereon. A driver in applying for a renewal of a [taxicab]
14 FOR-HIRE [driver] DRIVER'S license shall make such application, upon a form to be
15 furnished by the Public Service Commission.

16 [50F.] 50G.

17 There shall be kept by the Public Service Commission a complete record of each
18 FOR-HIRE license issued to a driver, and of all renewals, suspensions and revocations
19 thereof, which record shall be kept on file with the original application of the driver for a
20 [taxicab] FOR-HIRE [driver] DRIVER'S license.

21 [50G.] 50H.

22 (A) THIS SECTION APPLIES ONLY TO TAXICAB DRIVERS.

23 (B) Every licensee, in addition to such other duties as may be specifically imposed
24 by this article, while driving a taxicab shall:

25 (1) Accept as passenger and convey where directed any orderly person,
26 upon request, unless previously engaged or unable or forbidden by the provisions of these
27 rules or by other valid law or regulation to do so.

28 (2) [Keep a current written record of all trips on a manifest similar to that
29 presently used and supplied by the taxicab owners and approved by the Public Service
30 Commission, to be completed at or before reaching destination] EXCEPT WHEN
31 TRANSFERRING A VEHICLE TO OR FROM REPAIR FACILITIES, HAVE IN THE
32 LICENSEE'S POSSESSION A MANIFEST THAT CONTAINS:

33 (I) THE TIME AND DATE ISSUED, THE EXPIRATION TIME, THE
34 DRIVER'S NAME AND BADGE NUMBER, AND THE CAB NUMBER;

35 (II) SPACE FOR METER READINGS AND THE CALCULATION OF
36 DRIVER INCOME; AND

37 (III) ANY OTHER INFORMATION CONSIDERED NECESSARY BY THE
38 COMMISSION.

9

1 (3) Report each change of residence within 72 hours to the Public Service
2 Commission.

3 (4) Answer promptly all communications and summonses received from the
4 Public Service Commission.

5 (5) Drivers working on a commission basis must deliver all fares and all
6 other legal charges received to the owner.

7 (6) Not operate a taxicab while the driver's taxicab or operator license is
8 suspended.

9 (7) Not permit any other person to use badge or identification card.

10 (8) Not permit any other person to drive the taxicab and return the taxicab
11 to the owner's garage upon completion of the shift to which the driver was assigned.

12 (9) [Not, while carrying any passenger, display the flag of the taximeter in
13 such a position as to denote that such vehicle is not employed.

14 [(10)] Proceed with passengers to destination by the shortest practicable route.

15 [(11)] (10) Give a receipt for fares on an authorized form when requested.

16 [(12)] (11) Not operate a taxicab for more than twelve (12) hours of any
17 continuous twenty-four (24) hour period.

18 [(13)] (12) At all times, while on duty, have displayed in the interior of the
19 taxicab, in the frame provided therefor, the identification card with photograph attached.

20 [(14)] (13) Charge only the rate of fare or charge established by law.

21 [(15)] (14) It shall be the responsibility of the driver upon having been
22 assigned to a taxicab to ascertain that the equipment in the cab is in good working order
23 and no driver shall tamper with rate cards, the meter, meter light, cable, speedometer
24 cable or any other equipment required to be in the cab by law or that registers fares and
25 charges.

26 [50H.] 50-I.

27 Where it shall appear after an administrative review that by reason of the physical
28 or mental condition of the applicant or by reason of a prior criminal record that the
29 public convenience and necessity requires that an application for a license be denied, the
30 applicant shall have the right to request a hearing by the Commission and the
31 Commission may in its discretion have such hearing conducted by the [taxicab] hearing
32 officer. If after THE hearing, the Public Service Commission shall refuse to issue a license,
33 the applicant shall have the right to appeal from such refusal in the same manner as
34 appeals may now be taken from other actions of the Public Service Commission.

35 [50-I.] 50J.

36 The Commission may issue a temporary FOR-HIRE license and, IF APPLICABLE,
37 badge to an applicant for a period not exceeding thirty (30) days.

10

1 [50J.] 50K.

2 (a) It shall be unlawful for any person to solicit for transport, transport or agree
3 to transport any person or baggage in any vehicle for hire unless the operator thereof is
4 duly licensed by the Public Service Commission.

5 (b) It shall be unlawful for any person owning or in charge of any vehicle to
6 permit such vehicle to be used in violation of the provisions of this section.

7 (c) Drivers of taxicabs shall be required to make maximum use of service
8 communications with their switchboard operators or dispatchers in order to keep their
9 cabs available for response to calls.

10 (d) No taxicab driver shall solicit patronage of persons assembled at the terminal
11 of any other common carrier, or at intermediate points along any established route of said
12 carrier, when such persons have so assembled for the purpose of using the service of said
13 common carrier. This rule is not intended to prohibit, or interfere with, response to any
14 call for a taxicab, made by telephone or by signal from a pedestrian.

15 (e) Taxicabs which are being operated in Baltimore City may transport passengers
16 from the city into Baltimore County and may return for the same passengers. No
17 passengers shall be solicited by the said taxicabs within the county at any time. Nothing in
18 this subheading shall serve to impede the operation of taxicabs between Baltimore City
19 and Baltimore-Washington International Airport in the manner heretofore permitted by
20 law.

21 (f) No taxicab shall carry more than the number designated on the permit card. A
22 child in arms will not be counted as a passenger. No more than one person shall occupy
23 the front seat with the driver.

24 (g) Cabs may be used to serve jointly from railroad stations or other public places
25 of special assembly not more than four (4) passengers who are bound for the same, or
26 approximately the same location, provided that no passenger who has engaged a cab shall
27 be compelled to share the vehicle with others, if unwilling to do so. Drivers shall not
28 refuse service in order to effect more profitable grouping.

29 (h) When a cab is occupied by more than one passenger bound for different
30 destinations, each passenger or party, as the case may be, shall be charged the fare
31 recorded on the meter at the time of arrival at destination except that in no event shall
32 any party or individual passenger be charged more than the fare applicable at the
33 established rates for transportation over the shortest and most direct route. Solicitation of
34 others while en route to the destination of passengers or parties, initially occupying the
35 cab, is prohibited.

36 (i) No driver of any taxicab shall operate the same recklessly, in an unsafe
37 manner, or in disregard of the public general or local laws or municipal ordinances
38 governing the operation of motor vehicles.

39 (j) Highway or bridge toll charges shall be assessed only when a passenger elects
40 to use a route where such charges occur.

11

1 [50K.] 50L.

2 (a) There shall be created a position of [taxicab] hearing officer. The [taxicab]
3 hearing officer shall be appointed by the Commission and serve at the pleasure of the
4 Commission. The [taxicab] hearing officer shall receive an annual salary as provided in
5 the annual State budget.

6 (b) The [taxicab] hearing officer shall be vested with the power to hold hearings
7 involving:

8 (1) Violations of this article or the Commission's rules and regulations by
9 [taxicab] FOR-HIRE drivers LICENSED BY THE COMMISSION [of Baltimore City
10 taxicabs]; and

11 (2) Violations of this article or the Commission's rules and regulations,
12 except those relating to rates, by holders of PASSENGER-FOR- HIRE PERMITS OR taxicab
13 permits ISSUED BY THE COMMISSION [in Baltimore City, Baltimore County, the City of
14 Hagerstown, and the City of Cumberland].

15 (c) The [taxicab] hearing officer shall have the right to recommend to the
16 Commission the imposition of a civil penalty as provided in § 102B of this article, the
17 suspension of the [taxicab] FOR-HIRE [driver] DRIVER'S license,
18 PASSENGER-FOR-HIRE PERMIT, or taxicab permit for such period of time that appears
19 justified in view of the nature of the offense or to recommend its revocation or both
20 revocation and suspension. The Commission may either affirm, deny or modify the
21 recommendation of the [taxicab] hearing officer. The Commission shall not be required
22 to grant an additional hearing prior to its action on the [taxicab] hearing officer's
23 recommendation but may in its discretion hear additional testimony as may be necessary.

24 (d) In the event a [taxicab] FOR-HIRE driver's license, PASSENGER-FOR-HIRE
25 PERMIT, or taxicab permit shall be suspended or revoked, or a civil penalty imposed, the
26 licensee or permit holder shall have:

27 (1) The right of appeal in the same manner as appeals may now be taken
28 from other actions of the Commission; and

29 (2) The right to request rehearing in the same manner as requests for
30 rehearing may now be requested from other actions of the Commission.

31 (e) Copies of charges against [taxicab] FOR-HIRE drivers and related decision of
32 the [taxicab] hearing officer and the Commission will be furnished to the [taxicab]
33 permit holder.

34 50M.

35 (A) A COUNTY OR MUNICIPALITY MAY ELECT TO LICENSE TAXICAB DRIVERS
36 WHO DRIVE TAXICABS THAT ARE BASED IN THAT COUNTY OR MUNICIPALITY
37 PROVIDED THAT, AT A MINIMUM, THE COUNTY OR MUNICIPALITY CONDUCTS A
38 CRIMINAL RECORD CHECK AND DRIVING RECORD CHECK OF EACH APPLICANT FOR
39 A LICENSE.

40 (B) A TAXICAB DRIVER WHO IS LICENSED BY A COUNTY OR MUNICIPALITY IS
41 NOT REQUIRED TO BE LICENSED BY THE COMMISSION.

12

1 50N.

2 (A) THE ADMINISTRATION OF §§ 32 THROUGH 35B AND §§ 45 THROUGH 50S OF
3 THIS ARTICLE SHALL BE PAID FOR BY:

4 (1) THE FEES AND FINES COLLECTED BY THE COMMISSION UNDER §§ 32
5 THROUGH 35B AND §§ 45 THROUGH 50S OF THIS ARTICLE; AND

6 (2) AN ASSESSMENT LEVIED BY THE COMMISSION AGAINST HOLDERS
7 OF A PASSENGER-FOR-HIRE PERMIT OR A TAXICAB PERMIT ISSUED BY THE
8 COMMISSION.

9 (B) (1) FOR EACH FISCAL YEAR, THE COMMISSION SHALL DEVELOP A
10 BUDGET TO COVER THE COST OF ADMINISTERING §§ 32 THROUGH 35B AND §§ 45
11 THROUGH 50S OF THIS ARTICLE.

12 (2) THE COMMISSION SHALL SUBTRACT FROM THE TOTAL AMOUNT OF
13 THE BUDGET THE AMOUNT OF FEES AND FINES THAT THE COMMISSION COLLECTED
14 DURING THE PREVIOUS FISCAL YEAR.

15 (3) THE COMMISSION SHALL DIVIDE THE REMAINDER BY THE NUMBER
16 OF VEHICLES FOR WHICH THE COMMISSION HAS ISSUED A PASSENGER-FOR-HIRE
17 PERMIT OR A TAXICAB PERMIT TO DETERMINE THE PER-VEHICLE ASSESSMENT
18 AMOUNT.

19 (4) FOR EACH PERMIT HOLDER, THE COMMISSION SHALL:

20 (I) MULTIPLY THE PER-VEHICLE ASSESSMENT AMOUNT BY THE
21 NUMBER OF VEHICLES OF THE PERMIT HOLDER TO DETERMINE THE PERMIT
22 HOLDER'S TOTAL ASSESSMENT AMOUNT; AND

23 (II) ASSESS THE PERMIT HOLDER THAT AMOUNT.

24 (C) THE COMMISSION MAY ADOPT REGULATIONS GOVERNING HOW TO
25 COUNT VEHICLES THAT ARE IN USE FOR ONLY PART OF A YEAR.

26 50-O.

27 (A) A PERSON MAY NOT CONDUCT A BUSINESS THAT OPERATES A MOTOR
28 VEHICLE FOR HIRE IN THE STATE UNLESS THE PERSON HOLDS:

29 (1) A PASSENGER-FOR-HIRE PERMIT ISSUED BY THE COMMISSION; OR

30 (2) IF SUBJECT TO THE JURISDICTION OF THE COMMISSION, A TAXICAB
31 PERMIT ISSUED BY THE COMMISSION OR A COUNTY OR MUNICIPALITY.

32 (B) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY
33 OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING
34 \$5,000.

35 50P.

36 (A) A PERSON WHO HOLDS A PASSENGER-FOR-HIRE PERMIT ISSUED BY THE
37 COMMISSION FOR A VEHICLE MAY NOT ALLOW THE VEHICLE TO BE USED IN THE

13

1 STATE UNLESS A DECAL OR STICKER IS AFFIXED TO THE VEHICLE IN ACCORDANCE
2 WITH § 33 OF THIS ARTICLE.

3 (B) A PERSON WHO HOLDS A TAXICAB PERMIT FOR A VEHICLE ISSUED BY
4 THE COMMISSION OR A COUNTY OR MUNICIPALITY MAY NOT ALLOW THE VEHICLE
5 TO BE USED IN THE STATE UNLESS A DECAL OR STICKER IS AFFIXED TO THE
6 VEHICLE IN ACCORDANCE WITH § 45 OF THIS ARTICLE.

7 (C) SUBJECT TO THE HEARING PROVISIONS OF § 79 OF THIS ARTICLE, THE
8 COMMISSION MAY IMPOSE ON A PERSON WHO VIOLATES THIS SECTION A CIVIL
9 PENALTY NOT EXCEEDING \$500 FOR EACH VIOLATION.

10 50Q.

11 (A) A PERSON WHO HOLDS A PASSENGER-FOR-HIRE PERMIT ISSUED BY THE
12 COMMISSION MAY NOT ALLOW AN INDIVIDUAL WHO DOES NOT HOLD A
13 PASSENGER-FOR-HIRE DRIVER'S LICENSE ISSUED BY THE COMMISSION TO
14 OPERATE A VEHICLE FOR HIRE IN THE STATE.

15 (B) A PERSON WHO HOLDS A TAXICAB PERMIT ISSUED BY THE COMMISSION
16 OR A COUNTY OR MUNICIPALITY MAY NOT ALLOW AN INDIVIDUAL WHO DOES NOT
17 HOLD A TAXICAB DRIVER'S LICENSE ISSUED BY THE COMMISSION OR A COUNTY OR
18 MUNICIPALITY TO OPERATE A TAXICAB IN THE STATE.

19 (C) SUBJECT TO THE HEARING PROVISIONS OF § 79 OF THIS ARTICLE, THE
20 COMMISSION MAY IMPOSE ON A PERSON WHO VIOLATES THIS SECTION A CIVIL
21 PENALTY NOT EXCEEDING \$500 FOR EACH VIOLATION.

22 50R.

23 (A) A PERSON MAY NOT OPERATE A VEHICLE THAT PROVIDES
24 PASSENGER-FOR-HIRE SERVICES IN THE STATE UNLESS THE PERSON IS LICENSED
25 AS A PASSENGER-FOR-HIRE DRIVER BY THE COMMISSION.

26 (B) A PERSON MAY NOT OPERATE A VEHICLE THAT PROVIDES TAXICAB
27 SERVICES IN THE STATE UNLESS THE PERSON IS LICENSED AS A TAXICAB DRIVER BY
28 THE COMMISSION OR A COUNTY OR MUNICIPALITY.

29 (C) SUBJECT TO THE HEARING PROVISIONS OF § 79 OF THIS ARTICLE, THE
30 COMMISSION MAY IMPOSE ON A PERSON WHO VIOLATES THIS SECTION A CIVIL
31 PENALTY NOT EXCEEDING \$500 FOR EACH VIOLATION.

32 50S.

33 (A) THE COMMISSION MAY DIRECT THE DEPARTMENT OF STATE POLICE TO
34 SEIZE ANY VEHICLE INVOLVED IN A VIOLATION OF § 50-O, § 50P, § 50Q, OR §50R OF
35 THIS ARTICLE.

36 (B) IF THE OWNER OF THE VEHICLE IS FOUND TO BE IN VIOLATION OF § 50-O,
37 § 50P, § 50Q, OR § 50R OF THIS ARTICLE AND FAILS TO PAY ANY FINE THAT IS
38 IMPOSED, THE COMMISSION MAY ORDER THE DEPARTMENT OF STATE POLICE TO
39 SELL THE VEHICLE AT AUCTION AND APPLY THE PROCEEDS TOWARD PAYMENT OF
40 THE FINE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.