
By: Delegates Boston, Cadden, Love, and Minnick

Introduced and read first time: February 3, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Passenger-for-Hire Vehicles - Assessment Reform Act**

3 FOR the purpose of providing that for a public service company that provides for-hire
4 transportation services, "gross operating revenues" means gross passenger revenues;
5 requiring the Public Service Commission to determine in a certain manner the gross
6 operating revenues of a public service company that provides for-hire
7 transportation services; requiring the Public Service Commission to make an
8 assessment in a certain manner against a public service company that provides
9 for-hire transportation services; and generally relating to the assessment levied by
10 the Public Service Commission against public service companies that provide
11 for-hire transportation services.

12 BY repealing and reenacting, with amendments,
13 Article 78 - Public Service Commission Law
14 Section 88
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1996 Supplement)

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

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

20 88.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (2) "FOR-HIRE VEHICLE" INCLUDES THE FOLLOWING CLASSIFICATIONS
24 OF VEHICLES:

- 25 (I) BINGO CARRIERS;
- 26 (II) SEDANS;
- 27 (III) STRETCH LIMOUSINES; AND
- 28 (IV) TAXICABS.

1 (3) FOR A PUBLIC SERVICE COMPANY THAT PROVIDES FOR-HIRE
2 TRANSPORTATION SERVICES, "GROSS OPERATING REVENUES" MEANS GROSS
3 PASSENGER REVENUES.

4 [(a)] (B) All costs and expenses of the Public Service Commission shall be
5 included in the State budget and paid pursuant to appropriation in the first instance from
6 the State treasury. The State treasury shall be reimbursed therefor by payments to be
7 made thereto from all moneys collected pursuant to this section. The total of the costs
8 and expenses shall be borne by the public service companies subject to the Commission's
9 jurisdiction, to be assessed in the manner provided in this section.

10 [(b)] The chairman of the Commission shall estimate prior to the start of each State
11 fiscal year the total costs and expenses, including (1) the compensation and expenses of
12 the Commission, and its officers, agents and employees, (2) the cost of retirement
13 contributions, social security, health insurance, and all other benefits required to be paid
14 by the State for the personnel of the Commission, and (3) all other items of maintenance
15 and operation expenses and all other direct and indirect costs; but excluding the costs of
16 maintaining testing equipment reimbursable under subsection [(c)] (D) hereof. Based on
17 this estimate, the chairman shall determine the amount to be paid by each public service
18 company, and a bill shall be rendered to each public service company. The bill for each
19 public service company shall be rendered on or before May first of each year, and shall be
20 for the amount equal to the product of the estimated costs and expenses of conducting
21 the Commission's total operations during the ensuing State fiscal year multiplied by the
22 proportion which compares the gross operating revenues for the public service company
23 derived from intrastate utility operations in the last preceding calendar year, or other
24 twelve-month period as determined by the chairman, to the total of the gross operating
25 revenues derived from intrastate utility operations for all public service companies in the
26 State which are assessed under this section over the same period. The minimum
27 assessment for any public service company shall be \$10. The amount of the bill rendered
28 shall be paid by the public service company to the Commission on or before July fifteenth
29 following. A public service company may elect to make partial payments for the costs and
30 expenses on the fifteenth day of each of the months of July, October, January, and April
31 of the fiscal year. Each partial payment shall be a sum equal to 25 percent of the estimate
32 of costs and expenses to be assessed against the public service company under the
33 provisions of this section and may not be less than \$10. During the course of any State
34 fiscal year, the chairman may increase or decrease the estimate of costs and expenses of
35 the Commission. In this case, revised bills shall be sent to each public service company
36 which has elected to make partial payments, and the increase or decrease shall be equally
37 apportioned against the remaining payments for the fiscal year. On or before September
38 fifteenth of each year, the chairman shall compute the actual costs and expenses of the
39 Commission for the preceding State fiscal year and, after deducting the amounts
40 recovered pursuant to subsection [(c)] (D) of this section, on or before October
41 fifteenth, shall send to each public service company affected a statement setting forth the
42 amount due and payable by, or the amount standing to the credit of, the public service
43 company. Any amount owing by any public service company shall be paid not later than
44 30 days following the date the statement is received. Any amount standing to the credit of
45 any public service company shall be refunded by the Commission or, at the option of the
46 public service company, applied as a credit against any succeeding payment due. The total
47 amount which may be charged to any public service company under authority of this

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1 section for any State fiscal year may not exceed 0.17 percent of the public service
2 company's gross operating revenues derived from intrastate utility operations in the last
3 preceding calendar year, or other twelve-month period as determined by the chairman
4 for the operations of the Commission other than that of the office of people's counsel
5 plus a maximum percentage of these revenues for the operations of the office of the
6 people's counsel of 0.03 percent for fiscal year 1983 and of 0.05 percent for subsequent
7 fiscal years beginning with fiscal year 1984.

8 (C) (1) TO DETERMINE THE GROSS OPERATING REVENUES OF A PUBLIC
9 SERVICE COMPANY THAT PROVIDES FOR-HIRE TRANSPORTATION SERVICES, THE
10 COMMISSION SHALL:

11 (I) FROM TIME TO TIME REVIEW THE DISPATCHES AND
12 FINANCIAL RECORDS OF A REPRESENTATIVE SAMPLE OF PUBLIC SERVICE
13 COMPANIES FROM EACH CLASSIFICATION OF FOR-HIRE VEHICLES; AND

14 (II) ESTABLISH AN AVERAGE OF GROSS OPERATING REVENUES
15 FOR EACH CLASSIFICATION OF FOR-HIRE VEHICLES.

16 (2) IN MAKING AN ASSESSMENT AGAINST A PUBLIC SERVICE COMPANY
17 THAT PROVIDES FOR-HIRE TRANSPORTATION SERVICES, THE COMMISSION SHALL
18 BASE THE ASSESSMENT ON THE AVERAGE OF GROSS OPERATING REVENUES FOR
19 THE APPROPRIATE CLASSIFICATION OF FOR-HIRE VEHICLES.

20 [(c)] (D) The Commission shall maintain testing equipment for the purpose of
21 calibrating master standard watt-hour meters used by public service companies furnishing
22 electricity. The companies using this service shall pay to the Commission the fees fixed
23 from time to time by order of the Commission. In setting the fees, the Commission shall
24 give consideration to its estimated expenses associated with maintaining the testing
25 equipment.

26 [(d)] (E) On demand made within thirty days of the rendition of any bill pursuant
27 to subsection (b) of this section, the party charged shall be afforded an opportunity to be
28 heard as to the amount thereof. Any amounts of the bills not paid within thirty days from
29 the date of determination upon the hearings, or, if none is demanded, on the date upon
30 which the payment is due, shall bear interest at a rate to be prescribed by regulation of
31 the Commission, at a rate not less than six per centum per annum.

32 [(e)] (F) In addition to the fees provided for in this section, the Commission may
33 charge reasonable fees for copies of Commission papers and documents. The Commission
34 may also charge and collect a fee of \$1.00 for the issuance and renewal of a taxicab driver
35 license, and a fee of \$2.00 for the issuance of a duplicate taxicab driver license.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 1997.