

HOUSE BILL 318

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HB 1221/98 - ENV

1999 Regular Session
9r1151

By: **Delegates Love, Sophocleus, Baldwin, Nathan-Pulliam, Rzepkowski,
Owings, Hurson, Edwards, Hammen, Hubbard, and Krysiak**

Introduced and read first time: February 5, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Support Services - For-Hire Driving**

3 FOR the purpose of exempting certain transportation services provided through
4 certain agencies for clients of certain services from certain requirements of
5 for-hire driving services; requiring criminal history records checks to be
6 obtained in certain manners for certain purposes; providing for the application
7 of this Act; and generally relating to support services and for-hire driving.

8 BY repealing and reenacting, with amendments,

9 Article - Public Utility Companies

10 Section 10-102

11 Annotated Code of Maryland

12 (1998 Volume)

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

15 **Article - Public Utility Companies**

16 10-102.

17 (a) This subtitle supplements other law relating to the operation and licensing
18 of motor vehicles.

19 (b) [Except for motor vehicles designed to transport more than 15 persons,
20 this] THIS title applies to any motor vehicle used in the transportation of persons in
21 exchange for remuneration EXCEPT:

22 (1) MOTOR VEHICLES DESIGNED TO TRANSPORT MORE THAN 15
23 PERSONS; AND

24 (2) TRANSPORTATION SOLELY PROVIDED BY OR ON BEHALF OF A UNIT
25 OF FEDERAL, STATE, OR LOCAL GOVERNMENT, OR A NOT-FOR-PROFIT
26 ORGANIZATION, THAT REQUIRES A CRIMINAL HISTORY RECORDS CHECK AND
27 DRIVING RECORD CHECK FOR ITS DRIVERS, FOR CLIENTS OF SERVICES INCLUDING:

- 1 (I) AGING SUPPORT;
- 2 (II) DEVELOPMENTAL AND OTHER DISABILITIES;
- 3 (III) KIDNEY DIALYSIS;
- 4 (IV) MEDICAL ASSISTANCE PROGRAM;
- 5 (V) HEAD START;
- 6 (VI) WELFARE-TO-WORK;
- 7 (VII) MENTAL HEALTH; AND
- 8 (VIII) JOB TRAINING.

9 (C) A GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION UNDER
10 SUBSECTION (B)(2) OF THIS SECTION SHALL OBTAIN A CRIMINAL HISTORY RECORDS
11 CHECK OF A DRIVER THROUGH THE CRIMINAL JUSTICE INFORMATION SYSTEM, THE
12 FEDERAL BUREAU OF INVESTIGATION, OR A PRIVATE INVESTIGATOR.

13 [(c)] (D) This subtitle does not limit the power of a political subdivision of the
14 State to adopt reasonable traffic regulations such as:

- 15 (1) the designation of taxicab stands; and
- 16 (2) the restriction or prohibition of cruising along a public street when
17 the cruising would menace the public safety or unduly congest traffic.

18 SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding the
19 provisions of this Act, a provider of a transportation service listed in § 10-102(b)(2) of
20 the Public Utility Companies Article, as enacted by this Act, may not be required to
21 obtain a criminal history records check or driving record check of a driver who is
22 employed by the provider as of October 1, 1999, solely for the purposes of providing
23 one or more of those listed transportation services.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1999.