

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 69 (Chairman, Finance Committee)
(Departmental - Public Safety and Correctional Services)

Finance

Public Service Commission - For-Hire Drivers' Licenses - Criminal History Records Checks

This emergency departmental bill clarifies procedures by which required criminal history record checks are performed for applicants for passenger-for-hire and taxicab licenses. The bill also requires the Criminal Justice Information System (CJIS) Central Repository of the Department of Public Safety and Correctional Services to provide the Public Service Commission with updated State criminal history records on all such licensees. In addition, the bill provides procedures by which a license applicant or licensee may contest the contents of printed statements provided to the Public Service Commission by the Central Repository. The bill also allows the commission to use a private agency to provide a background check on an applicant or licensee.

Fiscal Summary

State Effect: None. The requirements of this bill could be handled with the existing budgeted resources of the Department of Public Safety and Correctional Services and the Public Service Commission.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment as discussed below. (The attached assessment does not reflect amendments to the bill.)

Fiscal Analysis

Small Business Effect: Currently, passenger-for-hire and taxicab licensees have criminal history record checks done with an initial application. However, only taxicab licensees currently have subsequent offenses automatically flagged for notification to the Public Service Commission by the Central Repository. This bill would allow that automatic flagging of subsequent offenses to occur for passenger-for-hire licensees.

While it would seem that a more efficient notification system, such as provided by this bill, might subject more passenger-for-hire licensees to loss of license, little change on this industry is anticipated as a result of this bill. There are two reasons for this assessment: (1) the Public Service Commission has only had such regulatory authority over passenger-for-hire drivers since 1998; and (2) these changes in the statute improve the timeliness of flagging subsequent offenses for the commission, but do not necessarily mean a greater number of offenders.

Nevertheless, to the extent that a for-hire licensee, operating as or for a small business, loses their license (sooner) as a result of the provisions of this bill, that licensee or small business would be negatively affected.

Information Source(s): Department of Public Safety and Correctional Services (Information and Technology Division), Public Service Commission, Department of Legislative Services

Fiscal Note History: First Reader - January 21, 1999
ncs/jr Revised - Senate Third Reader - March 30, 1999

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