

SENATE BILL 552

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2000 Regular Session
0lr2227

By: **Senator Roesser**

Introduced and read first time: February 4, 2000

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 27, 2000

CHAPTER _____

1 AN ACT concerning

2 **For-Hire Driving Services**

3 FOR the purpose of ~~establishing certain business and operating requirements for~~
4 ~~certain passenger for hire driving services; requiring certain providers of~~
5 ~~taxicab services licensed after a certain date to obtain certain training in a~~
6 ~~manner approved by the Commission; providing for a certain assessment on~~
7 ~~certain for-hire driver's license applications~~ vehicle permits for certain
8 purposes; authorizing the Public Service Commission to require an applicant to
9 obtain a certain records check through the Department of Public Safety and
10 Correctional Services; establishing the For-Hire Driving Services Enforcement
11 Fund as a special, nonlapsing fund for certain purposes; providing a civil
12 penalty for certain violations of certain for-hire driving services provisions;
13 ~~repealing~~ clarifying and altering the application of a certain penalty; defining
14 certain terms; requiring the Commission to establish a certain initial
15 assessment for the For-Hire Driving Services Enforcement Fund and providing
16 for the uses of funds in the Fund; and generally relating to for-hire driving
17 services.

18 ~~BY renumbering~~
19 ~~Article — Public Utility Companies~~
20 ~~Section 10-301 and the subtitle "Subtitle 3. Miscellaneous Provisions"; and~~
21 ~~10-401 and 10-402 and the subtitle "Subtitle 4. Prohibitions; Penalties";~~
22 ~~respectively~~
23 ~~to be Section 10-401 and the subtitle "Subtitle 4. Miscellaneous Provisions"; and~~
24 ~~10-501 and 10-502 and the subtitle "Subtitle 5. Prohibitions; Penalties";~~
25 ~~respectively~~
26 ~~Annotated Code of Maryland~~

1 ~~(1998 Volume and 1999 Supplement)~~

2 BY repealing and reenacting, with amendments,
 3 Article - Public Utility Companies
 4 Section 10-101, 10-104, 10-402, and ~~13-207~~ 13-206
 5 Annotated Code of Maryland
 6 (1998 Volume and 1999 Supplement)

7 BY repealing and reenacting, without amendments,
 8 Article - Public Utility Companies
 9 Section ~~10-103~~ 10-102, 10-103, and 10-401
 10 Annotated Code of Maryland
 11 (1998 Volume and 1999 Supplement)

12 BY adding to
 13 Article - Public Utility Companies
 14 Section 10-112; ~~10-301 and 10-302 to be under the new subtitle "Subtitle 3.~~
 15 ~~Passenger for Hire Services"~~
 16 Annotated Code of Maryland
 17 (1998 Volume and 1999 Supplement)

18 ~~BY repealing and reenacting, with amendments,~~
 19 ~~Article - Public Utility Companies~~
 20 ~~Section 10-501 and 10-502~~
 21 ~~Annotated Code of Maryland~~
 22 ~~(1998 Volume and 1999 Supplement)~~
 23 ~~(As enacted by Section 1 of this Act)~~

24 ~~BY repealing~~
 25 ~~Article - Public Utility Companies~~
 26 ~~Section 13-206~~
 27 ~~Annotated Code of Maryland~~
 28 ~~(1998 Volume and 1999 Supplement)~~

29 Preamble

30 WHEREAS, For hire driving services represent a major component of the
 31 State's economy, with nearly 4,000 licensed taxicabs, over 1,100 sedans, 400
 32 limousines, 1,200 vans, and 1,800 buses generating more than 2,500 jobs and \$46.5
 33 million in annual job-related earnings; and

34 WHEREAS, For hire driving services are critical to many citizens of the State,
 35 including the elderly, members of families with low income, and the physically
 36 challenged, as well as to many sectors of the State's economy, including tourism, BWI
 37 Airport, and hospital organ transports; and

1 ~~WHEREAS, Motor vehicles for hire include taxicabs, sedans, limousines, vans,~~
2 ~~and any other motor vehicles for hire designed to carry 15 or fewer individuals~~
3 ~~including the driver; and~~

4 ~~WHEREAS, Maryland's taxicabs alone transport an estimated 15 million~~
5 ~~passengers per year, or 60,000 passengers per week, in 24-hour service; and~~

6 ~~WHEREAS, A significant portion of the sedan services operating in Maryland~~
7 ~~appear to be doing so without proper documentation or otherwise contrary to law; and~~

8 ~~WHEREAS, Illegal operation of sedan and taxicab services puts the public,~~
9 ~~including both Maryland citizens and tourists, at risk; and~~

10 ~~WHEREAS, Tourist surveys conducted by the State show dissatisfaction with~~
11 ~~taxi driver behavior in some areas, including rudeness, overcharging, and inadequate~~
12 ~~knowledge of local events and points of interest; and~~

13 ~~WHEREAS, Improved regulation and oversight of for-hire driving services~~
14 ~~should improve the safety and quality of service to Maryland citizens and tourists;~~
15 ~~now, therefore,~~

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, ~~That Section(s) 10-301 and the subtitle "Subtitle 3. Miscellaneous~~
18 ~~Provisions"; and 10-401 and 10-402 and the subtitle "Subtitle 4. Prohibitions;~~
19 ~~Penalties", respectively, of Article — Public Utility Companies of the Annotated Code of~~
20 ~~Maryland be renumbered to be Section(s) 10-401 and the subtitle "Subtitle 4.~~
21 ~~Miscellaneous Provisions"; and 10-501 and 10-502 and the subtitle "Subtitle 5.~~
22 ~~Prohibitions; Penalties", respectively.~~

23 ~~SECTION 2. AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland
24 read as follows:

25 **Article - Public Utility Companies**

26 10-101.

27 (a) In this title the following words have the meanings indicated.

28 (b) "Central Repository" has the meaning stated in Article 27, § 743 of the
29 Code.

30 (c) "Criminal Justice Information System" has the meaning stated in Article
31 27, § 743 of the Code.

32 (d) "For-hire driver's license" includes:

33 (1) a passenger-for-hire license; and

34 (2) a taxicab driver's license.

1 (E) (1) "LIMOUSINE SERVICE" MEANS OPERATING A MOTOR VEHICLE FOR
2 HIRE USING A MOTOR VEHICLE CLASSIFIED AS A CLASS Q (LIMOUSINE) VEHICLE
3 UNDER § 13-939 OF THE TRANSPORTATION ARTICLE.

4 (2) "LIMOUSINE SERVICE" DOES NOT INCLUDE PROVIDING TAXICAB
5 SERVICES OR SEDAN SERVICES.

6 [(e)] (F) (1) "Operate a motor vehicle for hire" means to transport or offer to
7 transport a person in a motor vehicle in exchange for remuneration.

8 (2) "Operate a motor vehicle for hire" includes:

9 (i) providing passenger-for-hire services; and

10 (ii) providing taxicab services.

11 (G) "PROVIDE PASSENGER-FOR-HIRE SERVICES" INCLUDES:

12 (1) PROVIDING LIMOUSINE SERVICES; AND

13 (2) PROVIDING SEDAN SERVICES.

14 [(f)] (H) "Provide taxicab services" means to operate a motor vehicle for hire
15 that, in addition to other services:

16 [(1)] (1) picks up and discharges passengers at random or who hail the vehicle
17 from the street;

18 (2) solicits customers at a public or private taxi stand; and

19 (3) is dispatched to pick up customers who call for a taxicab]

20 (1) IS ADVERTISED OR HELD OUT TO THE PUBLIC AS A TAXICAB OR AS
21 PROVIDING TAXICAB SERVICES;

22 (2) REGARDLESS OF HOW OR WHEN ENGAGED, PROVIDES FOR-HIRE
23 SERVICE BETWEEN POINTS CHOSEN BY THE PASSENGER AND FOR A FARE THAT IS
24 BASED ON THE DISTANCE TRAVELED, THE TIME ELAPSED, OR BOTH; AND

25 (3) IS ENGAGED BY THE PASSENGER FOR SERVICE BETWEEN POINTS
26 CHOSEN BY THE PASSENGER THAT IS PROVIDED THROUGH:

27 (I) HAIL FROM THE STREET OR OTHER LOCATION; OR

28 (II) REQUEST MADE AT A TAXI STAND OR OTHER LOCATION WHERE
29 THE MOTOR VEHICLE IS STANDING AND WAITING FOR A REQUEST FOR SERVICE; ~~OR~~

30 ~~(III) ANY OTHER REQUEST FOR SERVICE TO BE PROVIDED WITHIN~~
31 ~~30 MINUTES AFTER THE REQUEST IS MADE.~~

32 [(g)] (I) "Remuneration" includes:

- 1 (1) a fare;
- 2 (2) a fee;
- 3 (3) a toll;
- 4 (4) a gratuity; and
- 5 (5) personal services.

6 (J) (1) "SEDAN SERVICE" MEANS OPERATING A MOTOR VEHICLE FOR HIRE
7 USING A:

8 ~~(H) SEDAN AUTOMOBILE DESIGNED TO CARRY SEVEN OR FEWER~~
9 ~~INDIVIDUALS, INCLUDING THE DRIVER; OR~~

10 ~~(H) MOTOR VEHICLE DESIGNED TO CARRY 15 OR FEWER~~
11 ~~INDIVIDUALS, INCLUDING THE DRIVER.~~

12 (2) "SEDAN SERVICE" DOES NOT INCLUDE PROVIDING TAXICAB
13 SERVICES OR LIMOUSINE SERVICES.

14 [(h)] (K) "Taxicab driver's license" means a license issued by the Commission
15 to an individual that provides taxicab services.

16 10-102.

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

19 (b) This title applies to any motor vehicle used in the transportation of persons
20 in exchange for remuneration except:

21 (1) motor vehicles designed to transport more than 15 persons; and

22 (2) transportation solely provided by or on behalf of a unit of federal,
23 State, or local government, or a not-for-profit organization as identified in § 501(c)(3)
24 and (4) of the Internal Revenue Code, that requires a criminal history records check
25 and driving record check for its drivers, for clients of services including:

26 (i) aging support;

27 (ii) developmental and other disabilities;

28 (iii) kidney dialysis;

29 (iv) Medical Assistance Program;

30 (v) Head Start;

31 (vi) Welfare-to-Work;

(vii) mental health; and

(viii) job training.

(c) Subsection (b)(2) of this section may not be construed to limit the application of this title or Title 9 of this article to a for-hire driver or other person who operates a motor vehicle for hire or provides transportation of persons for hire in addition to providing transportation services to clients of services listed in subsection (b)(2) of this section.

(d) Notwithstanding subsection (b)(2) of this section:

(1) a not-for-profit organization that provides transportation for remuneration to clients of services listed in subsection (b)(2) of this section may be required to obtain a motor carrier permit under Title 9 of this article; but

(2) a driver employed by the not-for-profit organization may not be required to obtain a for-hire driver's license or other authorization from the Commission to perform transportation services solely under subsection (b)(2) of this section.

(e) (1) A driver employed or offered employment by a governmental unit or not-for-profit organization under subsection (b)(2) of this section shall apply to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services for a State criminal history records check on or before the first day of the driver's actual employment.

(2) As part of the application for a State criminal history records check, the driver employed or offered employment by the governmental unit or not-for-profit organization shall submit to the Central Repository:

(i) one complete set of the driver's legible fingerprints taken on a form approved by the Secretary of Public Safety and Correctional Services; and

(ii) the fee authorized under Article 27, § 746(b)(8) of the Code for access to State criminal history records.

(3) (i) In accordance with Article 27, §§ 742 through 755 of the Code, the Central Repository shall provide a printed statement listing the driver's criminal convictions to:

1. the governmental unit or not-for-profit organization; and

2. the driver.

(ii) If criminal history record information is reported to the Criminal Justice Information System Central Repository after the date of the initial criminal history records check, the Criminal Justice Information System Central Repository shall provide a revised printed statement listing the driver's criminal convictions to:

1 1. the governmental unit or not-for-profit organization; and

2 2. the driver.

3 (4) In accordance with regulations adopted by the Department of Public
4 Safety and Correctional Services, the governmental unit or not-for-profit
5 organization shall verify periodically a list of its drivers.

6 (5) Information the governmental unit or not-for-profit organization
7 obtains from the Central Repository under this subsection shall be:

8 (i) confidential and may not be redisseminated; and

9 (ii) used only for the employment purpose authorized by this
10 section.

11 (6) In accordance with Article 27, § 752 of the Code, a driver employed by
12 a governmental unit or not-for-profit organization may challenge the contents of a
13 printed statement or revised printed statement issued by the Criminal Justice
14 Information System Central Repository.

15 (f) This subtitle does not limit the power of a political subdivision of the State
16 to adopt reasonable traffic regulations such as:

17 (1) the designation of taxicab stands; and

18 (2) the restriction or prohibition of cruising along a public street when
19 the cruising would menace the public safety or unduly congest traffic.

20 10-103.

21 (a) Except as provided in subsection (b) of this section, a person may not
22 operate a motor vehicle for hire in the State under a permit or authorization to
23 transport passengers issued by the Commission or the appropriate local authority
24 unless the person holds a for-hire driver's license issued by the Commission.

25 (b) (1) A county or municipal corporation may license taxicab drivers who
26 drive taxicabs that are based in that county or municipal corporation if, at a
27 minimum, the county or municipal corporation conducts a criminal record check and
28 driving record check of each applicant for a license.

29 (2) A taxicab driver licensed by a county or municipal corporation is not
30 required to be licensed by the Commission.

31 10-104.

32 (a) (1) An applicant for a for-hire driver's license shall:

33 (i) submit to the Commission a completed application on the form
34 that the Commission provides;

1 (ii) state on the form that the applicant is applying for a
2 passenger-for-hire driver's license or a taxicab driver's license;

3 (iii) pay to the Commission an application fee set by the
4 ~~{Commission} COMMISSION, WHICH MAY INCLUDE AN ASSESSMENT FOR THE~~
5 ~~FOR HIRE DRIVING SERVICES ENFORCEMENT FUND UNDER § 10-112 OF THIS~~
6 ~~SUBTITLE;~~

7 (iv) file with the application two recent photographs, of a size that
8 may be easily attached to the license; and

9 (v) apply to the Criminal Justice Information System Central
10 Repository of the Department of Public Safety and Correctional Services for a State
11 criminal history records check as provided in subsection (b) of this section.

12 (2) The Commission shall:

13 (i) require a driving record check of the applicant;

14 (ii) attach one of the photographs to the for-hire driver's license
15 when issued; and

16 (iii) file the other photograph with the for-hire driver's license
17 application in the Commission's office.

18 (b) (1) As part of the application for a criminal history records check, the
19 applicant shall submit to the Criminal Justice Information System Central
20 Repository:

21 (i) one complete set of the applicant's legible fingerprints taken on
22 forms approved by the Director of the Criminal Justice Information System Central
23 Repository; and

24 (ii) the fee authorized under Article 27, § 746(b)(8) of the Code for
25 access to Maryland criminal history records.

26 (2) (i) In response to an application for an initial criminal history
27 records check, the Criminal Justice Information System Central Repository shall
28 provide to the Commission and the applicant a printed statement of the applicant's
29 State criminal record.

30 (ii) If criminal history record information is reported to the
31 Criminal Justice Information System Central Repository after the date of the initial
32 criminal history records check, the Criminal Justice Information System Central
33 Repository shall provide to the Commission and the applicant or licensee a revised
34 printed statement of the applicant's or licensee's State criminal record.

35 (3) In accordance with regulations adopted by the Department of Public
36 Safety and Correctional Services, the Commission shall verify periodically a list of
37 licensed for-hire drivers.

1 (4) Information the Commission obtains from the Criminal Justice
2 Information System Central Repository under this subsection shall be:

3 (i) confidential and may not be disseminated; and

4 (ii) used only for the licensing purposes described in this title.

5 (5) (i) As provided by this paragraph, an applicant for a for-hire
6 driver's license or a licensee may contest the contents of a printed statement or a
7 revised printed statement issued by the Criminal Justice Information System Central
8 Repository.

9 (ii) To contest the contents of a printed statement or a revised
10 printed statement, an applicant or a licensee shall contact the office of the Secretary
11 of Public Safety and Correctional Services, or the Secretary's designee.

12 (iii) The Secretary of Public Safety and Correctional Services, or the
13 Secretary's designee, shall:

14 1. convene a hearing within 20 workdays, unless
15 subsequently waived by the applicant or the licensee; and

16 2. render a decision within 5 workdays after the hearing.

17 (iv) For the purposes of this paragraph, the record of a court
18 disposition or a copy of the record certified by the clerk of the court or by a judge of the
19 court in which the disposition occurred shall be conclusive evidence of the disposition.

20 (v) In a case where a pending charge is recorded, documentation
21 provided by a court to the Secretary of Public Safety and Correctional Services, or the
22 Secretary's designee, that a pending charge for a crime which has not been finally
23 adjudicated shall be conclusive evidence of the pending charge.

24 (vi) Failure of the applicant or a licensee to appear at the scheduled
25 hearing shall be considered grounds for dismissal of the contest.

26 (6) ~~INSTEAD OF~~ IN ADDITION TO A STATE CRIMINAL HISTORY RECORDS
27 CHECK UNDER THIS SUBSECTION, AND SUBJECT TO ARTICLE 27, §§ 742 THROUGH 755
28 OF THE CODE, THE COMMISSION MAY REQUIRE AN APPLICANT TO OBTAIN A
29 CRIMINAL HISTORY RECORDS CHECK FROM THE FEDERAL BUREAU OF
30 INVESTIGATION, THROUGH THE DEPARTMENT OF PUBLIC SAFETY AND
31 CORRECTIONAL SERVICES.

32 (7) The Commission may use a private agency to provide a background
33 check on an applicant or licensee under this section, as determined by the
34 Commission.

35 (c) (1) After the initial printed statement has been received from the
36 Criminal Justice Information System Central Repository, the Commission shall issue

1 a passenger-for-hire driver's license or a taxicab driver's license, as appropriate, to
2 each applicant that meets the requirements of this title.

3 (2) The passenger-for-hire driver's license and the taxicab driver's
4 license shall be in the form that the Commission provides.

5 ~~(D) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.~~

6 ~~(2) BEFORE THE COMMISSION ISSUES A TAXICAB DRIVER'S LICENSE TO~~
7 ~~AN INDIVIDUAL WHO FIRST APPLIES FOR THE LICENSE ON OR AFTER JULY 1, 2001,~~
8 ~~THE APPLICANT SHALL COMPLETE A COURSE APPROVED BY THE COMMISSION THAT~~
9 ~~INSTRUCTS THE APPLICANT IN COURTESY TO PASSENGERS, LOCAL GEOGRAPHY, AND~~
10 ~~TOURIST INFORMATION FOR THE JURISDICTION IN WHICH THE APPLICANT SHALL~~
11 ~~PROVIDE TAXICAB SERVICES. THE COURSE SHALL INCLUDE BOTH ACADEMIC~~
12 ~~TEACHING AND PRACTICAL EXPERIENCE.~~

13 ~~{(d)}~~ ~~(E)~~ The Commission may deny an applicant a license or suspend or
14 revoke the license of a licensee if the applicant or licensee has been convicted of a
15 crime that bears a direct relationship to the applicant's or licensee's fitness to serve
16 the public as a for-hire driver.

17 10-112.

18 (A) THERE IS A FOR-HIRE DRIVING SERVICES ENFORCEMENT FUND.

19 (B) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO §
20 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

21 (C) THE PURPOSE OF THE FUND IS TO PROVIDE ADEQUATE RESOURCES FOR
22 THE COMMISSION TO ENFORCE THE REQUIREMENTS OF THIS TITLE AND TITLE 9,
23 SUBTITLE 2 OF THIS ARTICLE CONCERNING FOR-HIRE DRIVING SERVICES.

24 (D) (1) THE FUND CONSISTS OF ASSESSMENTS MADE ON ~~APPLICATIONS FOR~~
25 ~~FOR-HIRE DRIVER'S LICENSES UNDER § 10-104 OF THIS SUBTITLE PERMITS FOR~~
26 VEHICLES REGULATED BY THE COMMISSION TO PROVIDE FOR-HIRE DRIVING
27 SERVICES IN THE STATE.

28 (2) THE COMMISSION SHALL ESTABLISH AN ASSESSMENT NOT
29 EXCEEDING \$40 TO BE PAID WITH EACH APPLICATION FOR A NEW OR RENEWED
30 FOR-HIRE DRIVER'S LICENSE UNDER THIS TITLE ANNUALLY WITH RESPECT TO EACH
31 VEHICLE PERMIT TO PROVIDE FOR-HIRE DRIVING SERVICES, EXCEPT FOR A LICENSE
32 VEHICLE PERMIT TO BE USED EXCLUSIVELY FOR:

33 (I) LIMOUSINE SERVICE; OR

34 (II) EMPLOYEE VAN TRANSPORTATION TO OR FROM A DESIGNATED
35 WORK SITE.

36 ~~(3) THE FUND MAY NOT EXCEED \$200,000 IN ANY FISCAL YEAR.~~

1 (E) THE FUND IS TO BE USED SOLELY FOR STATEWIDE ENFORCEMENT
2 ACTIVITIES OF THE COMMISSION RELATING TO TAXICAB SERVICES AND SEDAN
3 SERVICES.

4 ~~SUBTITLE 3. PASSENGER FOR HIRE SERVICES.~~

5 ~~40-301.~~

6 ~~A PROVIDER OF SEDAN SERVICES SHALL HAVE A REGULAR PLACE OF~~
7 ~~BUSINESS.~~

8 (1) ~~WHERE A SUBSTANTIAL PORTION OF THE BUSINESS ACTIVITY OF~~
9 ~~THE SEDAN SERVICES IS ROUTINELY CONDUCTED;~~

10 (2) ~~THAT SATISFIES ALL APPLICABLE LOCAL ZONING REQUIREMENTS;~~

11 (3) ~~THAT HOUSES ALL RECORDS THAT THIS TITLE REQUIRES THE~~
12 ~~PROVIDER TO MAINTAIN; AND~~

13 (4) ~~THAT IS EQUIPPED WITH A WORKING TELEPHONE LISTED IN THE~~
14 ~~NAME OF THE PROVIDER.~~

15 ~~40-302.~~

16 (A) ~~A PROVIDER OF SEDAN SERVICES MAY PROVIDE THOSE SERVICES ONLY~~
17 ~~ON A PREARRANGED BASIS AND STARTING AT LEAST 30 MINUTES AFTER THE~~
18 ~~REQUEST FOR SERVICES IS MADE.~~

19 (B) (1) ~~A PROVIDER OF SEDAN SERVICES SHALL CARRY IN EACH MOTOR~~
20 ~~VEHICLE A TRIP SHEET OR CONTRACT ORDER THAT IDENTIFIES THE NAME AND~~
21 ~~PICKUP ADDRESS OF THE PASSENGERS WHO HAVE ARRANGED FOR THE USE OF THE~~
22 ~~MOTOR VEHICLE AND THE APPROXIMATE TIME OF PICKUP.~~

23 (2) ~~THE TRIP SHEET OR CONTRACT ORDER SHALL BE:~~

24 (I) ~~MADE AVAILABLE IMMEDIATELY ON REQUEST TO THE~~
25 ~~COMMISSION, AUTHORIZED LAW ENFORCEMENT PERSONNEL, AND AIRPORT~~
26 ~~AUTHORITIES; AND~~

27 (II) ~~MAINTAINED AT THE PROVIDER'S REGULAR PLACE OF~~
28 ~~BUSINESS FOR AT LEAST 3 YEARS.~~

29 (3) ~~THE TRIP SHEET OR CONTRACT ORDER MAY BE RETAINED:~~

30 (I) ~~AS A PAPER RECORD;~~

31 (II) ~~BY MICROFILM, MICROFICHE, OR SIMILAR~~
32 ~~MICROPHOTOGRAPHIC PROCESS; OR~~

33 (III) ~~IN ELECTRONIC FORM.~~

1 ~~(C) THE FACT THAT A PROVIDER OF SEDAN SERVICES STATIONS A MOTOR~~
2 ~~VEHICLE AT AN AIRPORT, IN FRONT OF OR ACROSS FROM A HOTEL OR MOTEL, OR~~
3 ~~WITHIN 100 FEET OF A RECOGNIZED TAXI STAND IS PRIMA FACIE EVIDENCE THAT~~
4 ~~THE PROVIDER IS OPERATING IN VIOLATION OF THIS SECTION, UNLESS THE~~
5 ~~PROVIDER HAS A COMPLETED TRIP SHEET OR CONTRACT ORDER THAT RELATES TO~~
6 ~~THE PRESENCE OF THE MOTOR VEHICLE IN THAT LOCATION AT THAT TIME.~~

7 ~~10-501. 10-401.~~

8 (a) A person may not transport, solicit for transport, or agree to transport any
9 person or baggage in a motor vehicle for hire unless the operator of the motor vehicle
10 is licensed by the Commission.

11 (b) A person who owns or is in charge of a motor vehicle may not allow the
12 motor vehicle to be used in violation of this section, § 10-109, ~~for § 10-209~~ ~~§ 10-209,~~
13 ~~OR § 10-302~~ of this title.

14 ~~10-502. 10-402.~~

15 (a) A person may not operate a vehicle that provides passenger-for-hire
16 services in the State:

17 (1) unless the person is licensed as a passenger-for-hire driver by the
18 Commission; OR

19 (2) IN VIOLATION OF THIS TITLE OR TITLE 9, SUBTITLE 2 OF THIS
20 ARTICLE.

21 (b) A person may not operate a vehicle that provides taxicab services in the
22 State:

23 (1) unless the person is licensed as a taxicab driver by the Commission or
24 a county or municipal corporation; OR

25 (2) THAT IS UNDER THE JURISDICTION OF THE COMMISSION, IN
26 VIOLATION OF THIS TITLE.

27 (c) Subject to the hearing provisions of § 3-102(c) of this article, the
28 Commission may impose on a person who violates this section a civil penalty not
29 exceeding \$500 for each violation.

30 ~~{13-206.~~

31 An individual who ~~is convicted of violating~~ VIOLATES a provision of this article
32 concerning ~~taxicabs~~ FOR-HIRE DRIVING SERVICES is GUILTY OF A MISDEMEANOR
33 AND ON CONVICTION IS subject to a fine not exceeding \$50 for a first offense and not
34 exceeding \$100 for each additional or subsequent offense.}

35 ~~{13-207.} 13-206.~~

36 ~~A contract, assignment, or transfer in violation of this article is void.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That the For-Hire Driving
2 Services Enforcement Fund established under § 10-112 of the Public Utility
3 Companies Article, as enacted by this Act, shall be used to fund enforcement staff
4 positions, equipment, and related resources for statewide enforcement by the Public
5 Service Commission of the for-hire driving services provisions of the Public Utility
6 Companies Article under the jurisdiction of the Commission on and after the effective
7 date of this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the Public Service
9 Commission shall establish the initial assessment ~~of~~ with respect to for-hire ~~driver's~~
10 ~~license fees~~ vehicle permits payable to the For-Hire Driving Services Enforcement
11 Fund under § 10-112 of the Public Utility Companies Article, as enacted by this Act,
12 ~~at a level expected to generate \$200,000 per fiscal year~~ an amount not exceeding \$40
13 for each vehicle permit, starting in fiscal year 2001.

14 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2000.