
By: **Chairman, Finance Committee (By Request - Departmental - Public Service Commission)**

Introduced and read first time: January 18, 2005

Rules suspended

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 8, 2005

CHAPTER _____

1 AN ACT concerning

2 **Public Service Commission - License Hearing Officer**

3 FOR the purpose of authorizing the license hearing officer of the Public Service
4 Commission to issue a proposed order; providing for the service and finality of
5 the order; repealing certain provisions relating to recommendations on penalties
6 and sanctions for taxicab and for-hire driving violations; repealing certain
7 provisions relating to Commission actions on the recommendations; and
8 generally relating to the authority of the Public Service Commission.

9 BY repealing and reenacting, with amendments,
10 Article - Public Utility Companies
11 Section 10-110
12 Annotated Code of Maryland
13 (1998 Volume and 2004 Supplement)

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

16 **Article - Public Utility Companies**

17 10-110.

18 (a) (1) There is a position of license hearing officer.

19 (2) The license hearing officer shall be appointed by the Commission.

1 (3) The license hearing officer serves at the pleasure of the Commission.

2 (4) The license hearing officer is entitled to compensation in accordance
3 with the State budget.

4 (b) The license hearing officer may hold a hearing involving a violation of this
5 article or the Commission's regulations:

6 (1) by a for-hire driver licensed by the Commission; and

7 (2) except for a violation relating to rates, by a holder of a taxicab permit
8 issued by the Commission.

9 [(c) The license hearing officer may recommend to the Commission:

10 (1) the imposition of a civil penalty under § 10-402 of this title or §
11 13-202 of this article;

12 (2) the suspension of a for-hire driver's license or taxicab permit for the
13 period of time that appears justified by the nature of the offense; or

14 (3) the revocation of a for-hire driver's license or taxicab permit.

15 (d) (1) The Commission may affirm, deny, or modify the recommendation of
16 the license hearing officer.

17 (2) The Commission need not grant an additional hearing before acting
18 on the license hearing officer's recommendation, but the Commission may hear
19 additional testimony as necessary before it acts on the license hearing officer's
20 recommendation.]

21 (C) THE LICENSE HEARING OFFICER SHALL FILE WITH THE COMMISSION,
22 AND SIMULTANEOUSLY SERVE ON ALL PARTIES, A PROPOSED ORDER AND FINDINGS
23 OF FACT.

24 (D) THE PROPOSED ORDER SHALL BECOME FINAL UNLESS APPEALED AS
25 PROVIDED IN § 3-113(D) OF THIS ARTICLE.

26 (e) Whenever a for-hire driver's license or taxicab permit is suspended or
27 revoked, or a civil penalty is imposed on the for-hire driver or taxicab permit holder,
28 the for-hire driver or taxicab permit holder:

29 (1) may request a rehearing in accordance with § 3-114 of this article;
30 and

31 (2) may seek judicial review under Title 3, Subtitle 2 of this article.

32 (f) The Commission shall furnish to the permit holder a copy of the charges
33 against a for-hire driver and the related decision of the license hearing officer and the
34 Commission.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2005.