

# HOUSE BILL 505

R2, C5

8lr1826

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By: **Delegates Heller and Robinson**

Introduced and read first time: January 30, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Transportation – Drivers and Operators – Criminal History Records**  
3 **Check and Training**

4 FOR the purpose of requiring the Public Service Commission to include certain  
5 requirements in the terms and conditions for a motor carrier permit; requiring a  
6 person employed or offered employment as a driver or operator of a motor  
7 vehicle for a common carrier to make application for a certain criminal history  
8 records check and to submit proof of having successfully completed a certain  
9 course of instruction; requiring the Maryland State Department of Education  
10 and the Department of Disabilities jointly to develop the course; and generally  
11 relating to criminal history records and training for drivers and operators for a  
12 common carrier.

13 BY repealing and reenacting, without amendments,  
14 Article – Public Utility Companies  
15 Section 1–101(e)  
16 Annotated Code of Maryland  
17 (1998 Volume and 2007 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Public Utility Companies  
20 Section 9–203  
21 Annotated Code of Maryland  
22 (1998 Volume and 2007 Supplement)

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

25 **Article – Public Utility Companies**

26 1–101.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (e) (1) "Common carrier" means a person, public authority, or federal,  
2 State, district, or municipal transportation unit that is engaged in the public  
3 transportation of persons for hire, by land, water, air, or any combination of them.

4 (2) "Common carrier" includes:

5 (i) an airline company;

6 (ii) a car company, motor vehicle company, automobile company,  
7 or motor bus company;

8 (iii) a power boat company, vessel-boat company, steamboat  
9 company, or ferry company;

10 (iv) a railroad company, street railroad company, or sleeping car  
11 company;

12 (v) a taxicab company;

13 (vi) a toll bridge company; and

14 (vii) a transit company.

15 (3) "Common carrier" does not include:

16 (i) a county revenue authority;

17 (ii) a toll bridge or other facility owned and operated by a county  
18 revenue authority; or

19 (iii) a vanpool or launch service.

20 9-203.

21 (a) (1) Subject to **PARAGRAPH (2) OF THIS SUBSECTION AND**  
22 **subsections (b) and (c) of this section, the Commission may subject a motor carrier**  
23 **permit to terms and conditions that the Commission considers appropriate.**

24 (2) **THE TERMS AND CONDITIONS FOR A MOTOR CARRIER PERMIT**  
25 **SHALL INCLUDE THE REQUIREMENT THAT A PERSON EMPLOYED OR OFFERED**  
26 **EMPLOYMENT AS A DRIVER OR OPERATOR OF A MOTOR VEHICLE FOR A**  
27 **COMMON CARRIER:**

28 (I) **APPLY TO THE CRIMINAL JUSTICE INFORMATION**  
29 **SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND**

1 **CORRECTIONAL SERVICES FOR A STATE CRIMINAL HISTORY RECORDS CHECK;**  
2 **AND**

3 **(II) SUBMIT PROOF OF HAVING SUCCESSFULLY COMPLETED**  
4 **A COURSE APPROVED BY THE COMMISSION THAT INCLUDES IN THE**  
5 **CURRICULUM APPROPRIATE ACCOMMODATIONS ACCOMPANIED WITH RESPECT**  
6 **AND COURTEOUS TREATMENT OF ALL PASSENGERS, INCLUDING DISABLED**  
7 **INDIVIDUALS.**

8 **(3) THE MARYLAND STATE DEPARTMENT OF EDUCATION AND**  
9 **THE DEPARTMENT OF DISABILITIES JOINTLY SHALL DEVELOP THE COURSE**  
10 **REQUIRED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.**

11 (b) The duration of a motor carrier permit may not exceed 20 years.

12 (c) The Commission may authorize seasonal motor carrier permits for a part  
13 of the year.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2008.