

Chapter 283

(House Bill 884)

AN ACT concerning

St. Mary's County – Taxicabs – Repeal of Local Provisions

FOR the purpose of repealing provisions of law that relate to the regulation of taxicabs in St. Mary's County; and generally relating to the repeal of provisions of law that relate to taxicabs in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County
Section 133–1 through 133–3 and the chapter “Chapter 133. Taxicabs”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

Article 19 – St. Mary's County**[Chapter 133. Taxicabs]****[133–1.**

The term “taxicabs,” as used in this chapter, shall embrace any motor vehicle for hire designed to carry seven (7) persons or less, including the driver, operated upon any street or public highway in St. Mary's County or, on call or on demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along public streets or highways in St. Mary's County as may be directed by the passenger or passengers so being transported, provided that nothing in this chapter shall be construed to include as a taxicab a motor vehicle operated with the approval of the Public Service Commission of Maryland on fixed routes and schedules.]

[133–2.

In order to protect the public health, safety and welfare of the citizens of St. Mary's County and other persons who may use taxicab facilities therein, the County Commissioners of St. Mary's County are hereby authorized and empowered to enact, amend and repeal resolutions to fix requirements for ownership and operation of taxicabs in St. Mary's County and to provide for inspection and licensing of taxicabs, their owners and operators, provided that all necessary duties of inspection shall be performed by the office of County Sheriff. The annual license fees set by the County Commissioners pursuant to the power given them by this section shall not be less than fifty dollars (\$50.00) for the first

taxicab owned and operated by any person and twenty-five dollars (\$25.00) for each additional taxicab owned and operated by said person. The regulation herein provided for the taxicab industry in St. Mary's County shall be in addition to any regulation by the Commissioner of Motor Vehicles of Maryland or the Public Service Commission of Maryland. However, any applicant seeking a license for a taxicab who has not been in the taxicab business in St. Mary's County for at least one (1) year prior to his application shall, before the County Commissioners pass upon his application, obtain a written permit from the Public Service Commission. Said permit shall be issued by the Public Service Commission only upon written application and only if, in its judgment, after investigation, the granting of the permit would be for the public welfare and convenience. Any person, firm or corporation subject to this chapter who shall be aggrieved by any resolution of the County Commissioners of St. Mary's County, enacted pursuant to the authority herein conferred, may commence an action in the Circuit Court of St. Mary's County against the County Commissioners to vacate and set aside any such resolution on the ground that the regulation, practice, act or service established by such resolution is unreasonable or unlawful. The decision of the Circuit Court shall be appealable to the Court of Appeals of Maryland by either party, provided that such appeal is entered within twenty (20) days after the judgment of the Circuit Court is rendered.]

[133-3.

A. Any person, firm or corporation violating any resolution promulgated under the authority of § 133-2 shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two hundred fifty dollars (\$250.00) for each offense. In addition, the County Commissioners of St. Mary's County, upon proof of any violation of any ordinance promulgated under § 133-2, shall have authority to revoke or suspend any license issued under the authority of Section 189 after according reasonable opportunity to the licensee to be heard.

B. If any provision, clause, sentence, phrase or part of this chapter, or the application thereof to any person, firm or corporation or circumstances, is held invalid, the remainder of this chapter and the application of such provision to other persons, firms and corporations and circumstances shall not be affected thereby.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 26, 2016.