

Article - Public Utilities

§10–102.

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

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

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

(2) transportation solely provided by or on behalf of a unit of federal, State, or local government, or a nonprofit organization as identified in § 501(c)(3) and (4) of the Internal Revenue Code, that requires a criminal history records check and driving record check for its drivers, for clients of services including:

- (i) aging support;
- (ii) developmental and other disabilities;
- (iii) kidney dialysis;
- (iv) Medical Assistance Program;
- (v) Head Start;
- (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 nonprofit organization that provides transportation for remuneration to clients of services listed in subsection (b)(2) of this section may not be required to obtain a motor carrier permit under Title 9 of this article; and

(2) a driver employed by the nonprofit 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 nonprofit 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 nonprofit 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 § 10-221(b)(7) of the Criminal Procedure Article for access to State criminal history records.

(3) (i) In accordance with Title 10, Subtitle 2 of the Criminal Procedure Article, the Central Repository shall provide a printed statement listing the driver's criminal convictions to:

1. the governmental unit or nonprofit organization;
2. the driver.

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

1. the governmental unit or nonprofit organization;
2. the driver.

(4) In accordance with regulations adopted by the Department of Public Safety and Correctional Services, the governmental unit or nonprofit organization shall verify periodically a list of its drivers.

(5) Information the governmental unit or nonprofit organization obtains from the Central Repository under this subsection shall be:

(i) confidential and may not be disseminated; and

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

(6) In accordance with § 10–223 of the Criminal Procedure Article, a driver employed by a governmental unit or nonprofit organization may challenge the contents of a printed statement or revised printed statement issued by the Central Repository.

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

(1) the designation of taxicab stands; and

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