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## PUBLIC SERVICE COMMISSION

February 24, 2022

Chair C.T. Wilson  
Economic Matters Committee  
House Office Building, Room 231  
Annapolis, MD 21401

**RE: HB 796 – INFORMATION– For-Hire Driving Services – Return of Property Left in Vehicles**

Dear Chair Wilson and Committee Members:

The Maryland Public Service Commission (“Commission”) submits this letter of information for House Bill 796, which requires a taxicab driver and a transportation network operator (“TNO”) to promptly return property of a certain value left inside a taxicab or TNO vehicle upon timely request by a previous passenger. HB 796 would require the Commission to designate drop-off locations within the political subdivision where the taxicab or TNO vehicle normally operates. If the passenger notifies the taxicab driver or TNO within two hours after completing the ride, and the lost property exceeds \$100 in value, the driver and TNO are required to deliver the lost property to the passenger. Additionally, at the end of the taxicab driver’s shift, or when a TNO logs off the transportation network, the driver or TNO must deliver any lost property found in the motor vehicle to a designated drop-off location. The driver or TNO may charge a fee for returning the property, not to exceed \$50.

The Commission licenses and regulates approximately 1,200 taxicabs operating in Baltimore City, Baltimore County, the City of Hagerstown, Cumberland and Charles County, Maryland as well as more than 1,100 passenger-for-hire motor vehicle service companies, including transportation network companies, operating over 244,000 passenger-for-hire vehicles. HB 796 would not apply to all transportation companies regulated by the Commission, as it would only apply to taxicab services and transportation network companies. This includes taxicab companies that are not regulated by the Commission.

HB 796 raises a number of concerns and questions related to its implementation. First, the requirement that a taxicab driver or TNO must promptly return property left behind in a vehicle to a previous passenger upon notification within two hours of completing the ride may impose an unrealistic challenge on the taxicab driver or TNO. The minimal level of communication, if any, between the driver and passenger before and after a ride would likely

prohibit the immediate return of the passenger's property or make coordination for the return difficult. The driver or TNO may already be en route to and/or engaged in providing a service ride to another passenger when the former passenger notifies the driver or TNO of the lost property. It is unclear when or if the driver would be in proximity to meet the former passenger upon completion of the current ride, especially if it is a long trip. Furthermore, HB 796 would require the taxicab driver or TNO to determine the value of the lost property—to the extent the total value exceeds \$100—unless otherwise provided by the former passenger. The legislation does not, however, address a more likely situation where the property value is less than \$100, but the former passenger nevertheless requests its return.

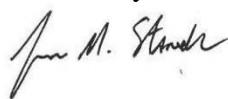
Second, requiring the taxicab driver or TNO to deliver any property left in the vehicle at the end of their shift to a designated drop-off location also presents logistical challenges, such as coordinating drop-off at a designated location in relation to the driver's end-of-shift location as well as locating and returning deposited property to the rightful owners. To that end, HB 796 raises a number of questions that must be addressed in order to carry out its underlying intent:

- How is a political subdivision determined in this scenario?
- Who will be responsible for receiving and securing property at the drop off location, identifying the rightful owner of the property, receiving payment for the returned property and distributing payment to the driver for the return of the property?
- Once deposited at a designated drop-off location, how will the property be returned after hours?
- What if the rate per mile exceeds the maximum allowance for returning the property?

Notably, the additional fees proposed under HB 796 will require affected taxicab permit holders to replace existing rate sheets posted in taxicab vehicles and may require a separate rate case for the Commission to authorize those fees. Similarly, a transportation network company will need to submit new rate sheets for Commission approval. As proposed, HB 796 will impose additional burdens on taxicab drivers and TNOs, and it could potentially penalize drivers for an unintentional act of the passenger. Notwithstanding the intent of the proposed legislation, most for-hire transportation companies currently have a policy in place for returning lost items.

Thank you for the opportunity to provide testimony regarding this legislation. Please contact Director of Legislative Affairs, Lisa Smith, at 410-336-6288, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason M. Stanek".

Jason M. Stanek  
Chairman