

## ARTICLE 21, TITLE 17. VEHICLES FOR HIRE

### **BALTIMORE COUNTY LAWS GOVERNING TAXICAB DRIVERS (2003 Edition, As Amended)**

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### **SUBTITLE 1. IN GENERAL**

#### **§ 21-17-101. DEFINITIONS.**

- (a) In this title the following words have the meanings indicated.
- (b) **Permit holder**" means a person issued a permit by the State Public Service Commission to operate a taxicab business.
- (c) **"Taxicab"** means a taxicab operated within the county:
  - (1) As defined in § 11-165 of the Transportation Article of the Annotated Code of Maryland; and
  - (2) Regulated by the State Public Service Commission under Title 10 of the Public Utility Companies Article of the Annotated Code of Maryland.

(1988 Code, § 34-31) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-102. AUTHORITY OF THE COUNTY TO REGULATE.**

- (a) In general. In order to protect the public health, safety, and the welfare of the citizens of the county and other persons who may use taxicab facilities in the county, the county may:
  - (1) Adopt regulations for the operation of taxicabs in the county; and
  - (2) Provide for inspection and licensing of taxicab operators.
- (b) **Regulation in addition to state regulation.** The authority to regulate taxicab operators provided in this section is in addition to any regulation by the State Motor Vehicle Administrator or the State Public Service Commission.

(1988 Code, § 34-33) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-103. AUTHORITY OF THE DIRECTOR.**

The Director or the Director's designee shall carry out the provisions of this title.

(1988 Code, § 34-32) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

### **SUBTITLE 2. LICENSES**

#### **§ 21-17-201. REQUIRED; EXCEPTION; TEMPORARY LICENSE.**

- (a) **Required.** Except as otherwise provided in this title, an individual shall be licensed by the Director before the individual may operate a taxicab in the county.
- (b) **Exception.** A taxicab licensed in another jurisdiction may transport passengers from that jurisdiction into the county and may return for the same passengers, provided that the taxicab operator does not solicit passengers within the county at any time.
- (c) **Temporary license.** At the time the applicant files an application for a license, the Director may issue to the applicant a temporary taxicab driver's license which allows the applicant to operate a taxicab in accordance with this title for not more than 30 days after the date of filing of the application.

(1988 Code, §§ 34-33, 34-51) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-202. QUALIFICATIONS OF APPLICANTS.**

- (a) In general. To qualify for a license, an applicant shall be an individual who meets the requirements of this section.
- (b) Character references.
  - (1) The applicant shall produce on forms to be provided by the Director references of good character from two reputable citizens of the state who have known the applicant personally for at least 1 year before the applicant filed the application.
  - (2) The Director may not accept references from permit holders or from members of the applicant's immediate family.
- (c) **Driving record.** The applicant shall produce a driving record from the State Motor Vehicle Administration.
- (d) **Physical condition.** The applicant shall submit a physician's certification regarding the applicant's physical condition to operate a taxicab, the cost of which is to be paid by the applicant.
- (e) **Health.** The applicant shall be of sound general health, with good eyesight and hearing, and not be subject to any physical or mental disability that might render the applicant unfit for the safe operation of a taxicab.
- (f) **No addictions.** The applicant may not be addicted to the use of drugs, controlled dangerous substances, or intoxicating liquors.
- (g) **Age and residency.** The applicant shall be at least 21 years old and a legal resident of the United States for at least 2 years.
- (h) **Knowledge of the county.** The applicant shall be knowledgeable about the streets and roads of the county.
- (i) **English language requirement.** The applicant shall be able to speak, read, and write the English language.
- (j) **Driver's license.** The applicant shall hold a state class D license or better.

(1988 Code, § 34-52) (Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-203. APPLICATIONS FOR LICENSE.**

- (a) In general. An applicant for a license shall:
  - (1) Submit to the Department an application in the applicant's own handwriting on the form that the Director provides; and
  - (2) Pay to the Department the license fee as provided under § 21-17-204 of this subtitle.
- (b) **Photographs.**
  - (1) An applicant shall file with the application two recent color photographs that are 2 inches by 2 inches, with 1 inch head.
  - (2) Except as required by constitutional protections, the photographs may not include head covering.
  - (3) One shall be attached to the temporary license and license when issued and one shall be filed in the Department.

(1988 Code, §§ 34-53, 34-54) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-204. FEES.**

- (a) In general. The applicant shall pay the following fees when filing the application with the Department:
  - (1) Original license \$34.00
  - (2) Renewal license \$34.00
  - (3) Replacement license \$10.00
- (b) **Authority of the County Administrative Officer.** The County Administrative Officer may increase the fees established under this section.

(1988 Code, § 34-55) (Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-205. DETERMINATION.**

- (a) **Processing.** The processing of each application shall include the fingerprinting of the applicant and a review of the applicant's police and driving records.
- (b) **Refusal.** The Department shall refuse to issue a license and shall refund the license fee to an applicant if the results of the process under subsection (a) of this section are unsatisfactory.
- (c) **Issuance.** If the applicant has satisfied all the requirements of this subtitle, the Department shall issue a license to the applicant in a type and form as determined by the Department.
- (d) **Copy to the Police Department.** The Department shall

(1988 Code, §§ 34-53, 34-55, 34-56) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-206. DISPLAY; DEFACEMENT; BADGE.**

- (a) **Badge.**
  - (1) (i) The Department shall deliver to each licensed taxicab driver a badge in a form and style as the Department determines.
    - (ii) The badge shall include the license number.
  - (2) The driver shall conspicuously display the badge when engaged in operating a taxicab.
- (b) **Display.** The driver of a taxicab shall visibly display the license at all times that the driver is operating the taxicab.
- (c) **Other cards prohibited.**
  - (1) Only the license card of the dispatched driver is to be displayed in the taxicab.
  - (2) (i) Any other license cards or badges found in the taxicab shall be confiscated and returned to the Department.
  - (ii) The individual whose card or badge has been confiscated may claim the card or badge only by appearing in person at the Department.

- (d) **Defacement.** A licensee who defaces, removes, or obliterates any official entry made on the license is subject to suspension or revocation of the license as provided in § 21-17-208 of this subtitle.

(1988 Code, §§ 34-56, 34-63) (Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-207. TERM AND RENEWAL OF A LICENSE.**

- (a) **Term of a license.** Unless a license is renewed for a 1-year term as provided in this section, the license expires on the first May 31 after its effective date.
- (b) **Application for renewal.** Before a license expires, the licensee periodically may renew it for an additional 1-year term, if the licensee:
  - (1) Pays to the Department the renewal fee established under § 21-17-204 of this subtitle; and
  - (2) **Submits to the Department:**
    - (i) A renewal application on a form that the Department provides; and
    - (ii) Two updated photographs of the applicant.
- (c) **Original license to be obtained if not renewed for 2 years.** A taxicab driver who has not renewed a license for a period of more than 2 years shall obtain an original license.

(1988 Code, §§ 34-53, 34-54, 34-57, 34-58) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004; Bill No. 73-03, § 51, 7-1-2004)

#### **§ 21-17-208. REFUSAL, SUSPENSION, REVOCATION.**

- (a) **Grounds.** The Director may, after notice and hearing, refuse, suspend, or revoke a temporary license or license to drive a taxicab for any of the following reasons:
  - (1) Conviction of a violation of the criminal laws of the state;
  - (2) Involvement in a number of automobile accidents or conviction of a number of violations of the motor vehicle law that indicate a lack of fitness to operate a taxicab safely;
  - (3) Any physical or mental disability which might render the driver unfit for the safe operation of a taxicab;
  - (4) Excessive use of alcohol, drugs, or controlled dangerous substances which renders the driver unfit for the safe operation of a taxicab; and
  - (5) Any violation of the provisions of this title.
- (b) **Return of card and badge.** If a taxicab driver's license is revoked or suspended, the taxicab driver's license card and badge shall be returned immediately to the Department and the employer shall be notified immediately of the suspension or revocation.

(1988 Code, §§ 34-59, 34-61) (Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-209. APPEAL.**

- (a) **Authorized.** An applicant for any license under this title whose application has been refused or a licensee whose license has been suspended or revoked may appeal the decision of the Director to the Board of Appeals within 10 days after refusal, suspension, or revocation of the license.
- (b) **Board of Appeals action.** The Board of Appeals shall conduct a hearing on the appeal and shall affirm, reverse, or modify the decision of the Director.

(1988 Code, § 34-62) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### **§ 21-17-210. RECORDS.**

- (a) **Required.** In accordance with Article 3, Title 8 of the Code, the Department shall keep a complete record of the license

issued to each taxicab driver and of all renewals, suspensions, and revocations of the license.

- (b) **Original application.** The record shall be kept on file with the original application for the license.

(1988 Code, § 34-64) (Bill No. 72-00, § 2, 7-1-2004)

### SUBTITLE 3. OPERATING REQUIREMENTS AND PROHIBITED ACTS; PENALTIES

#### § 21-17-301. EMPLOYMENT OF DRIVER WITH SUSPENDED OR REVOKED LICENSE PROHIBITED.

A permit holder may not employ a driver whose license has been suspended or revoked until the suspension or revocation has been lifted.

(1988 Code, § 34-82) (Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-302. AUTHORIZED DRIVERS; LIMITATION ON CUSTODY.

- (a) **Authorized drivers.** A taxicab operating under a permit of the Public Service Commission may be driven only by the permit holder or an employee of the permit holder.
- (b) **Limitation on custody.** A permit holder may not allow the taxicab driver to operate the taxicab for more than 12 hours of any continuous 24-hour period.

(1988 Code, § 34-83) (Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-303. OPERATING REQUIREMENTS AND DUTIES OF DRIVERS.

- (a) In general. A licensed taxicab driver shall comply with the provisions of this section.
- (b) **Driver to carry a copy of the laws.** A licensed taxicab driver shall carry in the taxicab at all times:
- (1) A copy of this title;
  - (2) Any amendments to this title; and
  - (3) Any regulations adopted under Subtitle 1 of this title.
- (c) **Acceptance of passengers generally.** A licensed taxicab driver shall accept as a passenger and convey where directed any orderly individual on request, unless the driver is:
- (1) Previously engaged; or
  - (2) Unable or forbidden by the provisions of this title, other valid law, or regulation to accept the individual as a passenger.
- (d) **Other individuals not allowed.** Except in emergency situations, when a taxicab is in service, no individual other than the licensed driver and a fare-paying passenger or passengers may be in the taxicab.
- (e) **Capacity.**
- (1) A licensed taxicab driver may not allow:
    - (b) More than one passenger to occupy the front seat with the driver; and
    - (ii) More individuals or passengers in the taxicab, including the driver, than the number designated:
      1. As the taxicab's seating capacity in the application for a permit; or
      2. On the permit card.
  - (2) In this subsection, a child in arms is not counted as a passenger.
- (f) **Trip manifest.**
- (1) A licensed taxicab driver shall keep a current written record of all trips on a form approved by the State Public Service Commission, to be completed at or before reaching the destination.

- (2) **The driver shall hold the record for at least 1 year for inspection on request of the Chief of Police or the public service commission.**

- (3) The driver shall fill out the manifest in detail and include the exact address or nearest intersection of points of origin and destination, the time the trip began and ended, the number of passengers, and the amount of fare corresponding to meter reading.

- (g) **Accident reports.**

- (1) On a form provided by the Director, a licensed taxicab driver shall report an accident to the Director within 5 days after the occurrence of the accident.
- (2) The Director or the Director's designee shall provide a copy of the report to the Chief of Police.

- (h) **Report of change of residence.** A licensed taxicab driver shall report to the Department each change of residence within 48 hours after the change.

- (i) **Answer communications from the Director.** A licensed taxicab driver shall answer promptly all communications received from the Director.

- (j) **Account to permit holder.** A licensed taxicab driver shall deliver all fares and all other legal charges received to the permit holder, unless the driver is working under contract or fixed rate, in which case the driver shall pay the contract price promptly as agreed.

- (k) **Operation while license suspended.** A taxicab driver may not operate a taxicab while the taxicab driver's operator license or taxicab driver's license is suspended.

- (l) **Allowing others to use badge.** A licensed taxicab driver may not allow any other person to use the driver's badge or license card.

- (m) **Allowing others to drive.** A licensed taxicab driver may not allow an unauthorized individual to drive the taxicab.

- (n) **Return of taxicab to permit holder.** A licensed taxicab driver shall drive the taxicab to the permit holder's garage on completion of the shift to which the licensee was assigned.

- (o) **Route.** A licensed taxicab driver shall proceed with passengers to destination by the shortest practicable route.

- (p) **Receipt for fare.** On request, a licensed taxicab driver shall give a receipt for fares on an authorized form.

- (q) **Display license card.** A licensed taxicab driver shall at all times while on duty have visibly displayed to passengers the driver's license card with photograph attached.

- (r) **Charge approved rates.** A licensed taxicab driver shall charge only the rate of fare or charge established or approved by the State Public Service Commission.

- (s) **Display rate schedule.** A licensed taxicab driver shall display prominently at all times the schedule of rates established or approved by the Public Service Commission.

- (t) **Protection of passenger's property.**

- (1) Immediately after delivering any passenger, a licensed taxicab driver shall search the taxicab for any property which may have been left by the passenger.
- (2) A person having charge of a taxicab who finds any property in the taxicab which is not restored to the owner of the property within 24 hours shall deliver the property to the Chief of Police or the Chief of Police's agent to be held and disposed of as required by law in the case of lost or stolen property.

- (u) **Drinking or drugs on duty.** A licensed taxicab driver may not:

- (1) Drink any alcoholic beverages while on duty; or

- (2) Drive while intoxicated or under the influence of drugs, controlled dangerous substances, or alcohol.

- (v) **Inspection and protection of equipment.**

- (1) After having been assigned to a taxicab, a licensed taxicab driver shall ascertain that the equipment in the taxicab is in good working order.

- (2) A driver may not tamper with rate cards, the meter, meter light, cable, speedometer cable, or any other equipment required to be in the taxicab by law.

- (w) **Stop at railroad crossings.** A licensed taxicab driver shall:

- (1) Come to a full stop at all grade crossings of all railroads; and
- (2) Look and listen for approaching trains before crossing the tracks.

(1988 Code, §§ 34-84, 34-85, 34-86, 34-87) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-304. ACCIDENT REPORTS.

- (a) **Notice.** Immediate notice shall be given in writing to the Director of every accident in which a taxicab is involved if the accident:

- (1) Occurs while the taxicab is occupied by a passenger;
- (2) Results in loss of life or serious injury to persons or substantial damage to property; or
- (3) Results in the removal of the taxicab from service for a period of more than 24 hours.

- (b) **Not a MVA report.** The report required under this section is not to be confused with the accident report required by the administrator of motor vehicles and it does not take the place of any report to the Motor Vehicle Administration.

- (c) **Forms.** Reports shall be made on forms provided by the Director and shall be in strict accordance with the instructions on the forms.

(1988 Code, § 34-88) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-305. UNSAFE PRACTICES.

- (a) **Reckless driving.** A licensed taxicab driver may not operate a taxicab recklessly, in an unsafe manner, or in disregard of the public general or local laws governing the operation of motor vehicles.

- (b) **Placards.** Placards or other obstructions to view may not be attached to or rest against the windshield or rear window, except the certificate of inspection required by the State Motor Vehicle Administration.

- (c) **Discharging passengers.** A taxicab driver may not receive or discharge passengers:

- (1) Within the limits of street intersections;
- (2) When it is possible for another vehicle moving in the same direction to pass between the taxicab and the right-hand curb; or
- (3) Through the left doors of the taxicabs, except on one-way streets.

- (d) **Revocation and suspension.** A violation of this section or of duly prescribed traffic regulations is sufficient grounds for revocation or suspension of the taxicab driver's license required by this title.

(1988 Code, § 34-89) (Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-306. INSPECTIONS.

- (a) In general. Representatives of the Chief of Police and the Director may:

- (1) Inspect a taxicab under the provisions of this title; and

- (2) At any time, enter into or on any taxicab to ascertain whether any provisions of this title have been violated.

- (b) **Revocation and suspension.** Refusal of the taxicab driver to stop the taxicab when ordered to do so by a representative of the Chief of Police or the Director or to allow a representative to enter into or upon the taxicab for such purposes or refusal to display the permit card issued for the taxicab, on the representative's demand, is sufficient ground for the revocation or suspension of the driver's taxicab driver's license issued under this title.

(1988 Code, § 34-81) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-307. ENGAGING IN BUSINESS WITHOUT A LICENSE PROHIBITED.

A person may not solicit, offer to transport, or transport a passenger for hire in the county unless:

- (1) The person is licensed to perform taxicab services in the county under the authority of this title; and
- (2) The vehicle has been issued a permit by the State Public Service Commission to operate as a taxicab.

(1988 Code, § 34-33) (Bill No. 5, 1990, § 2; Bill No. 72-00, § 2, 7-1-2004)

#### § 21-17-308. PENALTIES.

- (a) **Misdemeanor.** A person who violates any provision of this title or a regulation adopted under the authority of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.

- (b) **Revocation and suspension.** In addition to the fine imposed under subsection (a) of this section, on proof of any violation of any provision of this title or a regulation adopted under this title, the county may revoke or suspend any license issued under this title after according the licensee reasonable opportunity to be heard in the licensee's defense.

(1988 Code, § 34-34) (Bill No. 72-00, § 2, 7-1-2004)