

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2016 Legislative Session

Bill No. CB-9-2016
 Chapter No. 60
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Davis, Turner, Franklin and Taveras
 Co-Sponsors Council Member Lehman
 Date of Introduction September 27, 2016

BILL

1 AN ACT concerning

2 Taxicabs and Limousines

3 For the purpose of amending provisions of the County Code regulating taxicabs relating to,
 4 licensing, driver conduct, vehicle eligibility requirements, service parameters, certificate
 5 transfers, rates, limits of certain costs, charges, fees or assessments, payment methods, and
 6 generally relating to regulating taxicabs.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 20. TAXICABS AND LIMOUSINES.

9 Sections 20-102, 20-102.01, 20-106, 20-107, 20-108,
 10 20-110, 20-112, 20-113, 20-119, 20-127, 20-141,
 11 20-145, 20-146, 20-153, 20-155, 20-156, 20-157 and
 12 20-160,

13 The Prince George's County Code
 14 (2015 Edition).

15 BY adding:

16 SUBTITLE 20. TAXICABS AND LIMOUSINES.

17 Sections 20-116.01, 20-129.01, 20-145.01, 20-152.01,
 18 20-156.02, 20-160.02, 20-165, 20-166, 20-167
 19 and 20-168.

20 The Prince George's County Code
 21 (2015 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 20-102, 20-102.01, 20-106, 20-108, 20-110, 20-112, 20-113, 20-119, 20-127, 20-141, 20-145, 20-146, 20-153, 20-155, 20-156, 20-157 and 20-160 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 20. TAXICABS AND LIMOUSINES.

DIVISION 1. GENERAL PROVISIONS

Sec. 20-102. Definitions.

(a) Unless otherwise expressly stated, or the context clearly indicates a different intention, the following terms shall, for the purpose of this Subtitle, have the meanings indicated in this Section:

(1) Accessible Taxi. Is a taxicab which complies with CFR Title 49—Transportation Subtitle A--Part 37 Transportation Services for Individuals with Disabilities (ADA) and all other applicable federal, state, and county standards.

[1] **(2) Active Driver.** A licensed driver who has been regularly driving a taxicab in Prince George's County for minimum of eight (8) months in any calendar year, as demonstrated under 20-119 of the Code.

[1.1] **(3) Association.** Any group of two or more holders of Certificates of Taxicab Registration operating taxicabs not under common ownership but under unified control and a common trade name and having a common uniform color scheme.

[2] **(4) Board.** The Prince George's County Taxicab Board.

[3] **(5) Certificate.** The Prince George's County Certificate of Registration granted to a person, including a company, operating a taxicab or limousine as provided in this Subtitle.

[4] **(6) Certificate Holder.** Any individual or multiple owner, that has been granted a Prince George's County Certificate of Registration, as provided in this Subtitle.

[4.1] **(7) Company.** Any corporation, partnership, limited liability company or other legal business entity which holds a Certificate or Certificates and operates a taxicab pursuant to this Subtitle.

(8) Destination Attraction. A location designated by the County as an attraction for economic development, tourism, or cultural enhancement.

[5] **(9) Director.** The Director of the [Environment] Department of Public Works and

1 Transportation of Prince George's County, Maryland, or designee.

2 [6] (10) **Dispute.** Means a disagreement between a person who holds a license issued under
 3 this Subtitle and company or association under whose certificate the person drives over whether
 4 an action taken by the company or association to terminate, suspend or impair the person's
 5 ability to drive under the company or association or to terminate, suspend or impair the person's
 6 right to enjoy the resources and benefits provided by the company or association on the same
 7 basis as other similarly situated company or association drivers, was reasonable and based upon
 8 good cause.

9 [6.1] (11) **Driver.** A person licensed to drive or operate a taxicab or limousine for hire who can
 10 also be, but is not required to be, the Certificate Holder.

11 [6.2] (12) **Individual Owner.** Any individual or company which holds one Certificate of
 12 Registration.

13 [6.3] (13) **Law Enforcement.** Includes all law enforcement agencies authorized to enforce laws
 14 within the geographical boundaries of Prince George's County, Maryland, and those special
 15 police who have been appointed pursuant to the provisions of Title 4, Subtitle 9, Article 41,
 16 Annotated Code of Maryland.

17 [7] (14) **Lease.** A lease agreement or other arrangement allowing the use of a Certificate by a
 18 driver or company other than the one that has been issued in the name of a certificate holder by
 19 the Director.

20 [7.1] (15) **License.** The taxicab or limousine driver's license (commonly referred to as I.D. or a
 21 Face Card) issued by the Prince George's County Department of [the Environment] Public
 22 Works and Transportation.

23 [8] (16) **Licensee.** See Driver. A person licensed to drive or operate a taxicab or limousine for
 24 hire but who does not provide taxicab or limousine service with the county for at least eight (8)
 25 months in any calendar year but otherwise maintains a license.

26 [8.1] (17) **Limousine.** Any motor vehicle for hire by the hour, day, or week, designed to carry
 27 ten (10) persons or more, including the driver, used for the purpose of accepting for
 28 transportation members of the public for hire between such points, along the public streets, as the
 29 passengers and the owner or operator thereof shall agree upon in writing, in advance.

30 [9] (18) **Medallion.** A decal containing the number assigned by the Director used for tracking of
 31 legally authorized taxicabs and limousines operating under a certificate.

[9.1] (19) Meter. A mechanical or digital measuring instrument or device by which the charge for hire of a taxicab is mechanically or electronically calculated either for distance traveled or for waiting time, or both, and upon which such charge shall be indicated by means of figures.

[9.2] (20) Multiple Owner. Any individual or company which holds two or more Certificates of Registration.

(21) Operator. See Driver.

(22) Passenger Bill of Rights. A document approved by the Director detailing the obligations and standards that must be met in providing service to all taxicab passengers.

[10] (23) Personal Service. Any service required by a passenger which necessitates the taxicab driver leaving the taxicab.

(24) Plug-In Electric Drive Vehicle. A vehicle as defined by the Section 11-101 of the Transportation Article of Annotated Code of Maryland.

(25) Qualified Hybrid Vehicle. A vehicle as defined by Section 23-202 of the Transportation Article of Annotated Code of Maryland.

[10.1] (28) Radio Dispatch Service. A communication system operated by a central dispatcher with a telephone answering system and/or computer that is used to receive requests for service from the general public and to communicate those requests to duly authorized taxicab drivers, such dispatch service being made available on a reliable and consistent basis to both the general public and drivers during hours of operation.

[11] (29) Sublease. A lease agreement or other arrangement in which the certificate holder's lease is assigned to a third party.

[12] (30) Taxicab. Any passenger motor vehicle for hire (other than a vehicle operated, with approval of the Public Service Commission of Maryland or the Washington Metropolitan Area Transit Commission, between fixed termini or regular schedules) designed to carry nine (9) persons or less, including the driver, used for the purpose of accepting or soliciting for transportation members of the public for hire between such points, along the public streets, as the passenger may direct.

[13] (31) Taximeter. See Meter.

[14] (32) Trunk. A piece of luggage having a minimum content of three cubic feet or 9" × 16" × 36".

[15] (33) Waiting Time. Time consumed while the taxicab is waiting and available to the

passenger beginning at the time of arrival at the place to which the driver has been called or time consumed for delays or stay-overs en route to the destination at the request or direction of the passenger. Waiting time shall not include time lost on account of inefficiency of the taxicab.

Sec. 20-102.01. - Board composition.

(a) Established and Membership.

(1) A Taxicab Board is hereby created. The Board shall consist of five (5) members, all of whom shall be appointed by the County Executive subject to Council confirmation pursuant to Charter. Two (2) members shall be employed in the taxicab industry, of which one such member shall be a fulltime active taxicab driver who does not own nor control more than one Certificate of Registration, and three (3) members shall be public members, at least one of which having a disability, broadly representative of the citizens of Prince George's County, with no pecuniary interest in any business related to this trade. On the expiration of the term of any members, the Executive shall appoint or reappoint members for terms of two years. Each member shall hold office until the expiration of his term or until a successor has been duly appointed and confirmed. Any member with three or more unexcused absences in any term or who is unable to fulfill the obligations of membership may be replaced upon recommendation of the Director and the Board.

* * * * *

Sec. 20-102.02. Board duties and responsibilities.

(a) The Board shall review programs, policies, standards, regulations and procedures governing the technical aspect of licensing and registration and make any recommendations to the Director, County Executive and County Council.

(b) The board shall develop examinations to be administered by the Department in order to determine eligibility of applicants for licensing. A minimum of 20% of examination questions shall pertain to the transport of persons with disabilities. The Board will consult with the Prince George's County Commission on Individuals with Disabilities.

(c) The Board shall hear appeals of disputes, violation notices issued under this Subtitle and decisions and actions of the Director to deny, revoke, or suspend any license or certificate required by this Subtitle. Appeals shall be heard as provided under Section 20-106.

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Sec. 20-106. Appeals.

(a) Any party aggrieved by a decision or action of the Director with respect to the issuance of a violation notice or the denial, suspension or revocation of a license or certificate pursuant to this Subtitle or a dispute, shall have the right to appeal any such decision or action to the Board within ten (10) calendar days after the date of the issuance of the violation notice or such other decision or action by the Director or the company or association.

* * * * *

DIVISION 3. DRIVER'S LICENSE (IDENTIFICATION CARD)

Sec. 20-107. - Application.

(a) In order to obtain a license (I.D. Card) as a taxicab or limousine driver, the applicant shall be of good moral character, of sound mind, and good physical health. In addition, the applicant shall meet the following conditions:

- (1) The applicant must have had at least one year of documented driving experience;
- (2) The applicant must be at least 18 years of age;
- (3) The applicant must be able to read, write, and speak the English language, and be knowledgeable of basic geographic locations in the County;
- (4) The applicant must be a citizen of the United States, a legal permanent resident, or otherwise possess a work permit issued by the appropriate government entity and provide documentation, as required by law, to support the same;
- (5) The applicant must satisfactorily complete a written examination to be administered by the Director and which shall demonstrate understanding of the provisions of this Subtitle and applicable State regulations, [and] sufficient familiarity with the network of principal roadways in Prince George's County and environs to enable a driver to carry passengers to their destinations by the shortest routes practicable [;] and, the safe transport of passengers with a disability.
- (6) The applicant must provide proof of having undergone a physical examination within six (6) months immediately prior to initial application for a license and must submit to a physical examination at least once every two years, or more if required by the Director for cause. The applicant shall submit to the Director a certificate reporting the results of such examination and signed by a licensed medical doctor. A model certificate form shall be provided by the

1 Director.

2 (7) The applicant must provide a certificate demonstrating he/she has received at least
 3 six (6) hours of training on how to operate a taxicab, including training on how to use
 4 dispatching service, should such service be provided, the safe transport of passengers with a
 5 disability, and how to maintain a proper manifest. The Director, by regulation, may establish
 6 such criteria and standards of training that may be provided to prospective taxicab drivers by
 7 duly licensed Prince George's County taxicab driver or the taxicab company for whom the
 8 licensee will drive.

9 (b) Any person found to have assisted the applicant in meeting the requirements of this
 10 section through fraudulent means, shall be guilty of a misdemeanor and on conviction is subject
 11 to a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment not to exceed six (6)
 12 months, or both.

13 **Sec. 20-108. Grounds for denial.**

14 (a) The Director may refuse to issue or renew a taxicab or limousine driver's license to any
 15 applicant who is not of good moral character, sound mind and good physical health, or otherwise
 16 not a fit person to be licensed, in consideration of the public health, safety, and welfare. In
 17 determining what factors may be hazardous to the public health, safety, and welfare, the Director
 18 shall consider any one or more of the following:

19 * * * * *

20 (7) Whether or not the applicant has had a driver's permit [or], public vehicle
 21 transportation license or certificate revoked in this or any other jurisdiction;

22 * * * * *

23 **Sec. 20-110. Fee.**

24 The filing fee for a new license (I.D.) shall be [Two Hundred Fifty Dollars (\$250.00)]
 25 Three Hundred Dollars (\$300.00) and shall be nonrefundable. The bi-annual renewal fee shall
 26 be [Two Hundred Fifty Dollars (\$250.00)] Three Hundred Dollars (\$300.00). The fee for a
 27 duplicate license shall be Twenty-five Dollars (\$25.00).

28 **DIVISION 4. VEHICLE OPERATION REQUIREMENTS; VIOLATIONS AND FINES**

29 **Sec. 20-112. - Violation of law and monetary fines.**

30 (a) The owner of each taxicab or limousine shall maintain the vehicle in accordance with
 31 the laws of this State, the Americans with Disabilities Act, the provisions of this Subtitle and

other regulations or ordinances of the County, with due regard to the safety, comfort and convenience of passengers and the general public. The driver of each taxicab or limousine shall operate it in accordance with the same laws and principles.

* * * * *

Sec. 20-113. Operation without a license or while suspended.

Except as provided in Section 20-159 of this Code for taxicabs from other jurisdictions, it shall be unlawful for any person to operate a taxicab or limousine for hire within the County unless the operator holds a valid taxicab or limousine driver's license issued by the Director.

Any violation of this Section is subject to the provisions of Section 20-164 of this Code.

[Therefore, f] Failure to properly renew a taxicab or limousine driver's license is punishable by a fine of Fifty Dollars (\$50.00) per day for each day from the date of expiration to the date the application for renewal is received by the Director.

* * * * *

Sec. 20-119. - Trip manifest.

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(b) Each accessible taxi trip provided shall be clearly designated as such in the manifest and on forms approved by the Director and shall be submitted under oath for inspection to the Director upon request. Failure to provide such documentation will result in the service being deemed as non-accessible.

Sec. 20-127. - Cruising.

Except as to a vehicle registered as a limousine, a driver is permitted to cruise with the intention of picking up as a passenger, a person hailing a taxicab. In picking up passengers, a driver operating an accessible taxi cab shall give priority to individuals with disabilities. When cruising at night the cruising light of a taxicab shall be lighted. Cruising is not permitted by a limousine, nor by a taxicab within 500 feet of a taxicab stand.

Sec. 20-141. Driver's conduct and appearance.

(a) Loud conversation, yelling, or calls to and from drivers of taxicabs or limousines is prohibited. The sounding of horns or other mechanical devices for purposes other than lawful traffic signals is prohibited.

(b) Drivers shall refrain from the use of profane, loud, insulting, or derogatory language and insulting or intimidating conduct [towards passengers and shall generally treat all passengers with dignity and respect] while driving or operating a taxicab or limousine.

* * * * *

(d) [Repeated]Any violation[s] of this Section shall be grounds for suspension or revocation of a license.

DIVISION 5. VEHICLE DESIGN, EQUIPMENT, MAINTENANCE, AND INSPECTION.

Sec. 20-145. Design and equipment.

(a) No taxicab or limousine shall be operated or allowed to be operated unless it conforms to the following requirements (exceptions applying to registered limousines are specifically indicated):

* * * * *

(9) The vehicle shall be equipped with a heater sufficient to heat the interior adequately in cold weather and air conditioning sufficient to cool the interior adequately during hot weather [unless purchased without air conditioning prior to July 1, 2000].

* * * * *

(15) [No taxicab which is more than ten (10) model years old, or which has traveled more than three hundred thousand (300,000) miles, whichever comes first, shall continue in service after September 1, 2001, unless an annual waiver is granted by the Director. This waiver shall be based upon a written finding that such vehicle has passed a thorough safety inspection which ensures that such vehicle is in good operating condition, and is not in any manner a detriment to the safety or convenience of any passenger or the public.]Except as provided in Sec. 20-145 (a) (16), no taxicab shall continue in service which is:

(a) as of January 1, 2018, more than eight (8) model years old unless an annual waiver is granted by the Director. An annual waiver shall be based upon a written finding that such vehicle has passed an inspection which ensures that such vehicle is safe and in good operating condition.

(b) as of January 1, 2019, more than seven (7) model years old unless an annual waiver is granted by the Director. An annual waiver shall be based upon a written finding that such

1 vehicle has passed an inspection which ensures that such vehicle is safe and in good operating
 2 condition.

3 (c) as of January 1, 2020, more than six (6) model years old unless an annual waiver is
 4 granted by the Director. An annual waiver shall be based upon a written finding that such
 5 vehicle has passed an inspection which ensures that such vehicle is safe and in good operating
 6 condition.

7 (15.1) No taxicab which is a Qualified Hybrid Vehicle or Plug-in Electric Drive
 8 Vehicle, or accessible taxi shall continue in service which is:

9 (a) as of January 1, 2018, more than nine (9) model years old unless an annual waiver is
 10 granted by the Director. An annual waiver shall be based upon a written finding that such
 11 vehicle has passed an inspection which ensures that such vehicle is safe and in good operating
 12 condition.

13 (b) as of January 1, 2019, more than eight (8) model years old unless an annual waiver is
 14 granted by the Director. An annual waiver shall be based upon a written finding that such
 15 vehicle has passed an inspection which ensures that such vehicle is safe and in good operating
 16 condition.

17 (c) as of January 1, 2020, more than seven (7) model years old, unless an annual waiver is
 18 granted by the Director. An annual waiver shall be based upon a written finding that such
 19 vehicle has passed an inspection which ensures that such vehicle is safe and in good operating
 20 condition.

21 * * * * *

22 **Sec. 20-146. - Maintenance and inspection.**

23 (a) The certificate holder shall insure that the taxicab or limousine is inspected at a duly
 24 licensed Maryland state inspection station, at least twice during a twelve (12) month period. An
 25 inspection shall be performed not more than six (6) months from the previous inspection.

26 (b) On an annual basis and as scheduled during the year, the Director shall inspect the
 27 condition and general maintenance of all taxicabs for conformance with the requirements of this
 28 Subtitle.

29 (c) If a taxicab or limousine is found to be unclean or unfit at any time, but otherwise in
 30 safe condition, the Director may give the driver and certificate holder a reasonable time to
 31 remedy the condition, after which the Director shall reinspect the vehicle. Violations of

cleanliness or maintenance requirements or failure to submit vehicle for inspection or reinspection shall be cause for suspension or revocation of the certificate.

(d) An accessible taxi found to be unfit must be repaired within ten days of failing an inspection. Failure to submit the vehicle for inspection or reinspection, or operation of the vehicle in violation of this provision shall be cause for suspension or revocation of the certificate.

[(d)] (e) The certificate holder shall ensure that every taxicab satisfactorily passes an emissions control test administered by the State of Maryland or an authorized test station on a biennial basis.

Sec. 20-153. Color scheme and insignia.

(a) Every vehicle other than a limousine covered by a certificate shall have a color scheme, insignia and cruising light[,] of a design approved by the Director. Each such color scheme shall be clearly distinguishable from that used by other associations or owners.

[(a)] The Director shall designate a color scheme exclusively for Premium Service Vehicles.]

(b) The Director shall designate a color scheme exclusively for vehicles that have met the standards required as of January 1, 2020.

[(b)] (c) Changes in color scheme, insignia, cruise light design, or the addition of advertising or advertising devices or bumper stickers, shall have prior approval of the Director.

[(c)] (d) The name of the taxicab company, owner or association shall be clearly painted on both sides of all taxicabs in letters at least three (3) inches in height. Limousines are exempt from this requirement.

[(d)] (e) A medallion issued by the Director and the number of the certificate, except for limousines, preceded by the "PG" designation shall be displayed on the driver side front panel and rear trunk of the vehicle. The certificate number shall be displayed in figures at least three (3) inches in height, and contrasting in color from the background colors as follows: PG 900.

[(e)] (f) The Director shall issue a medallion in a color scheme to differentiate between an individual owner certificate and multiple owner certificate required under Sec. 20-152 of this Subtitle.

**DIVISION 6. CERTIFICATE OF REGISTRATION FOR TAXICABS AND
LIMOUSINES.**

Sec. 20-155. Transfer of certificates.

(a) When the owner of a vehicle registered under these regulations has transferred the title of the vehicle to a new owner, or has otherwise relinquished the use of the vehicle for hire, upon sufficient proof thereof to the Director, the certificate holder may have the certificate transferred to another vehicle to be used by him for hire in accordance with this Subtitle and State law, and thereupon the Director, upon receipt of payment of Two Hundred Fifty Dollars [(\$200.00)] (\$250.00), shall issue a new certificate to the owner for the replacement vehicle for the balance of the registration year, provided that the replacement vehicle meets all the requirements of this Subtitle. The payment for issuance of a new certificate from a non-accessible vehicle to an accessible taxi shall be waived.

(b) A certificate may be transferred, provided that the following requirements have been met:

* * * * *

(5) The Director has approved the proposed transfer of the certificate and the transferee has paid a transfer fee to the County of [Two Thousand Five Hundred Dollars (\$2,500)] Three Thousand Five Hundred (\$3,500) plus all other routine fees for the issuance of a certificate. The transfer fee for the transfer of a certificate from a non-accessible vehicle to an accessible taxi shall be waived.

(6) The transferee has assumed any debts and other obligations to the County of the transferor related to the taxicab business.

(7) A certificate that is assigned to an accessible taxi can only be transferred for the operation of an accessible taxi.

* * * * *

Sec. 20-156. Limitation on number of certificates.

* * * * *

(b) The Director shall maintain a list, available to the public in alphabetical order, for the lottery for certificates. In any calendar year, whenever there are less than the maximum permitted number of such certificates outstanding, the Director shall conduct a lottery and issue certificates to those drivers chosen by the lottery. The number of certificates available in the

annual lottery shall equal the maximum number permitted under subsection (a) above. To participate in the lottery, applicants shall pay an annual fee of Twenty-five Dollars (\$25.00) and complete a registration form, under oath, provided by the Department. Participation in the lottery is limited to active drivers who have been licensed as drivers in the County for a period of at least two years and who have not been issued a certificate. [For the purpose of certificates issued on October 1, 2010 under subsection (a), the Director shall only consider the period of two (2) years prior to the effective date of this Act. The certificate will be issued on a provisional basis to the drivers chosen and shall be operated by that driver for at least three years.] Certificates cannot be subleased and may only be transferred pursuant to Sec. 20-155 of this Subtitle.

* * * * *

Sec. 20-157. Certificate fee.

Every certificate holder shall pay an annual certificate fee to the County for each year during which the certificate is to valid. The nonrefundable fee shall be in the amount of Two Hundred Fifty Dollars [(\$200)] (\$250) per certificate per year.

DIVISION 7. RATES AND METERS.

Sec. 20-160. Rates.

(a) Regular Taxicab Rates. The regular rates to be charged by taxicab drivers are as follows:

(1) Three Dollars (\$3.00) up to the first one-seventh (1/7) of a mile or part thereof traveled. In addition, a One Dollar (\$1.00) per trip surcharge is imposed on any trip that originates between the hours of 8:00 P.M. and 6:00 AM.

(2) [Twenty-five cents (\$.25)] Thirty cents (\$.30) for each additional one-seventh (1/7) of a mile or part thereof, the first five cents (\$.05) of which shall be paid directly and in its entirety to the driver, and shall not be subject to the provisions of any agreement between the driver and any Certificate Holder, Company or Association.

* * * * *

(11) A One Dollar (\$1.00) per trip surcharge may be imposed for trips originating from a Destination Attraction.

(b) The County Council may establish a fixed charge for trips by taxicabs that originate within the County to destination points within and outside of the County, notwithstanding federal or state laws or regulations.

[(b)] (c) Limousine Rates. A limousine duly registered under the provisions of this Subtitle shall carry passengers at rates set forth in an agreement with users.

[(c)] (d) On or before July 1 of each year, the Director shall perform a rate survey and submit recommendations to the County Executive for taxicab rate adjustments. The Director's review shall take into account any information relative to proposed rate adjustments submitted by representatives of the taxicab industry on or before May 1 of each year. Information submitted by representatives of the taxicab industry should compare current cost of taxicab operations prior to the adoption of the last rate adjustment and shall contain information as to the current profitability of the taxicab industry.

[(d)] (e) Prior to September 1 of each odd-numbered year, the County Executive shall transmit to the County Council his recommendations for any such taxicab rate adjustments.

SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's County, Maryland, that Sections 20-116.01, 20-129.01, 20-129.02, 20-152.01, 20-156.02, 20-160.02, 20-165, 20-166, 20-167 and 20-168 be and the same are hereby added to the Prince George's County Code to read as follows:

DIVISION 4. VEHICLE OPERATION REQUIREMENTS; VIOLATIONS AND FINES

Sec. 20-116.01 Display; Passenger Bill of Rights

The driver shall have permanently on display at all times while on duty a copy of the Passenger Bill of Rights clearly visible to passengers.

Sec. 20-129.01. Centralized Electronic Dispatch Systems

(a) The Executive may by regulation approve one or more centralized electronic dispatch systems to dispatch taxicabs for trips that begin within the County through an internet enabled application, digital platform, or telephone dispatch system.

(b) Within six months after the approval of the first system, every operator must use a centralized electronic dispatch system approved under this section.

Sec. 20-129.02. Destination Attractions

(a) On or before June 1, 2017, the County Executive shall promulgate regulations that establish an application process and criteria for designating a place or an area as a Destination

1 Attraction. To be eligible for designation as a Destination Attraction, an applicant must have a
 2 taxi stand or stands that is accessible, visible and serves the main entrances of the location.

3 (b) The Director shall update the list of Destination Attractions, as necessary, to reflect
 4 changes and/or modifications to the list, and shall make the list available to the public.

5 (c) Unless otherwise expressly authorized by the Destination Attraction, only accessible
 6 taxis or taxicabs which have been certified by the Director as meeting the requirements and
 7 standards effective January 1, 2020, under Section 20-145 and are of a color and scheme as
 8 designated by the Director shall receive passengers at a Destination Attraction.

9 **DIVISION 5. VEHICLE DESIGN, EQUIPMENT, MAINTENANCE, AND**
 10 **INSPECTION.**

11 **Sec. 20-145.01 Reserved.**

12 [(a) All provisions of this Section shall apply to Premium Service Vehicles except as provided in
 13 this subsection.]

14 [(1) No Premium Service Vehicle that is more than five (5) model years old as of July 1,
 15 2016 shall continue in service, unless an annual waiver is granted by the Director. An annual waiver
 16 shall be based upon a written finding that such vehicle has passed an inspection which ensures that
 17 such vehicle is safe, in good operating condition, and meets all other standards for a Premium
 18 Service Vehicle.]

19 [(2) No Premium Service Vehicle that is a Qualified Hybrid Vehicle or a Plug-In Electric
 20 Drive Vehicle and is more than six (6) model years old as of July 1, 2016, shall continue in service,
 21 unless an annual waiver is granted by the Director. An annual waiver shall be based upon a written
 22 finding that such vehicle has passed an inspection which ensures that such vehicle is safe, in good
 23 operating condition, and meets all other standards for a Premium Service Vehicle.]

24 [(3) Premium Service Vehicles shall be of a color and scheme as designated by the Director.]

25 [(4) No taxicab without a current Premium Services Vehicle designation shall operate as a
 26 Premium Service Vehicle.]

27 [(5) No taxicab without a current Premium Service Vehicle designation shall operate with the
 28 same or substantially similar color scheme for more than 30 days.]

29 **DIVISION 6. CERTIFICATE OF REGISTRATION FOR TAXICABS AND**
 30 **LIMOUSINES.**

31 **[Sec. 20-152.01 – Certificate holder fees and charges.**

(a) A Certificate Holder or Company shall not impose on a driver or licensee a charge of one percent (1%) over a bank fee, a merchant service fee, or an equipment provider fee on any credit card transaction by the driver or licensee.]

[(1) A Certificate Holder or Company may not require a driver or licensee to use a specific system for processing credit card transactions.

(2) No additional fees or surcharges shall be imposed on a driver or licensee.]

Sec. 20-152.01 – Certificate Holder Association or Company Fees and Charges.

(a) By December 31 of each year, each Certificate Holder, Association or Company shall provide the Director with a complete listing of all costs, charges, fees or assessments imposed on any driver and a sample of any lease, sublease or other agreement utilized with a driver.

(b) A Certificate Holder, Association or Company shall not impose on a driver or licensee a charge of one percent (1%) over a bank fee, a merchant service fee, or an equipment provider fee on any credit card transaction by the driver or licensee.

(1) A Certificate Holder, Association or Company may not require a driver or licensee to use a specific system for processing credit card transactions.

(2) No additional fees or surcharges shall be imposed on a driver or licensee.

(c) All costs, charges, fees or assessments in this subsection, shall be subject to a cap as of the effective date of this Act.

(1) Each year, any increase in the sum of all costs, charges, fees or assessments shall not exceed the product of multiplying:

(A) The sum of all costs, charges, fees or assessments charged by a Certificate Holder, Association or Company as of December 31st annually; and,

(B) The average percentage growth in the Consumer Price Index over the preceding twelve (12) months.

(C) Rates shall remain in effect until December 31st each year.

(2) If there is a decline or no growth in the Consumer Price Index, the fees and associated costs shall remain unchanged.

(3) Any increase in the total costs, charges and fees of this subsection may not be greater than 5% of the total costs effective in the previous year.

(4) Any proposed increases above the Consumer Price Index of any lease, sublease or affiliation agreement, including any charges that a licensee may charge a driver, must be proposed by the County Executive by resolution for approval by the County Council.

(5) Each violation of the cap set by this Section, shall be subject to the penalty clause set forth in Section 20-164.

Sec. 20-156.02 Continuous Operation

(a) Each licensee must keep each licensed taxicab in continuous operation as defined by applicable regulation.

(b) The Director shall issue regulations by June 1, 2017 defining continuous operation using a formula that:

(1) Uses calendar-quarterly reports submitted by each certificate holder showing mileage driven by each vehicle associated with a certificate held by, or affiliated with, an association, company or individual owner; and

(2) Requires average per-vehicle mileage to be at least sixty (60%) of the County-wide average for each quarter. The Director, by written request, may waive the requirement for a vehicle if provided documentation of mechanical or safety deficiencies in need of repair.

(c) Each certificate holder must notify the Department in writing at any time that:

(a) A taxicab held by or affiliated with them will be or has been out of service for more than 30 days; or

(b) An average of more than 15% of the taxicabs whose certificates are held by that association or company have been inactive during the previous calendar month.

(d) Each notice must:

(a) Explain the reasons for each period of inactivity; and

(b) Show why the Director should not revoke the license of each inactive taxicab for lack of use.

(e) If a taxicab licensee does not meet the criteria set forth in this Section, the licensee's certificate is subject to revocation.

(f) A revoked certificate shall immediately be reissued with assignment prioritized for:

(1) use for accessible vehicles;

(2) use by an individual owner; or

(3) other applicants.

DIVISION 7. RATES AND METERS.

Sec. 20-160.02 Payment Methods

(a) Except as provided in Section 20-159 of this Code for taxicabs from other jurisdictions, cash and credit cards shall be acceptable forms of payment for all taxicabs and limousines operating in Prince George's County by [July 1, 2016] January 1, 2017.

(b) Rates for credit card usage are established under Sec. 20-160. No additional fees or surcharges shall be imposed on a passenger.

DIVISION 8. ACCESSIBLE TAXIS

Sec. 20-165. Operations.

(a) In addition to meeting all requirements of this Section, an accessible taxicab must conform to the Americans with Disabilities Act standards and all other applicable federal, state, and County standards.

(b) Prior to operating an accessible taxi cab, an operator must successfully complete a training program approved by the Director and developed in conjunction with the Prince George's Commission on Individuals with Disabilities or their designated representative.

Sec 20-166. Duty to accept and transport person with disabilities.

(a) Without limiting the general duty to accept and convey passengers, the driver of an accessible taxicab must respond to a call for service from a person with a disability who uses a wheelchair, scooter, and/or other mobility devices, or individuals who have limited mobility that are located before accepting any other call.

(b) Each licensee must dispatch an accessible taxicab to a person with a disability who uses a wheelchair, scooter, and/or other mobility devices, or has limited mobility before assigning the accessible taxicab to any other passenger.

Sec 20-167. Assurance of availability.

(a) The Director shall develop a plan on increasing the number of accessible taxicabs, with a goal of having 10% accessible taxicabs in the County by 2020, 35% accessible taxicabs in the County by 2025 and 50% accessible taxicabs in the County by 2030. The Director shall report annually to the County Executive and County Council on meeting the goals set forth for accessible taxicabs.

(b) The Department shall place a list of accessible taxi cabs with phone numbers on their website.

DIVISION 9. ANNUAL REPORTING

Sec 20-168. Annual Reporting Required.

1 (a) In order to enhance the amount of quality information available, the Department is
 2 requiring the reporting of data that is available by dispatch and records maintained as required
 3 under this Subtitle. Certificate holders will be required to submit the reports annually.

4 (b) All company or certificate holders must submit reports on operating information
 5 annually for all certificates. Reports must contain data from July 1 through June 30 of each year.
 6 Reports are due no later than September 30th each year and must be submitted on forms
 7 designated by the Director.

8 (c) The following information must be reported to the Department:

9 (1) Number of calls received for service;

10 (2) Number of calls received for accessible taxicabs service;

11 (3) Number of taxicabs in service daily;

12 (4) Total number of accessible taxicabs in service daily;

13 (5) Total number of trips;

14 (6) Total number of accessible trips.

15 (7) Total number of accident and arrest reports required under Sections 20-120 and
 16 20-121 of this Subtitle; and

17 (8) Total number of taxicabs inactive during the preceding year and explanation for
 18 period of inactivity.

19 (d) Company and certificate holders must maintain records and submit reports for all
 20 owned and affiliated taxicabs.

21 (e) Failure to submit complete reports sixty days after the end of the year's collection is
 22 grounds for suspension or revocation of the certificate.

23 SECTION 3. BE IT FURTHER ENACTED that the Director of the Department of Public
 24 Works and Transportation shall set the first year of the cap set forth in Section 20-152.01 as of
 25 the effective date of this Act. The cap on subsequent years' costs, charges, fees and assessments
 26 shall be set by the method indicated in Section 20-152.01.

27 SECTION 4. BE IT FURTHER ENACTED that the provisions of this Act are hereby
 28 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
 29 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
 30 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
 31 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this

1 Act, since the same would have been enacted without the incorporation in this Act of any such
2 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section;
3 and

4 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)
5 calendar days after it becomes law.

Adopted this 15th day of November, 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.