

1 **..Title**

2 **The Annotated Code of Maryland Public Utilities Article Definitions of Taxicab and**
3 **Provision of Taxicab Services -** For the purpose of respectfully requesting that the Maryland
4 General Assembly amend Sections 1-101 and 10-101 of the Public Utilities Article of the
5 Annotated Code of Maryland to incorporate the use of a software application, digital wireless
6 network or digital telecommunications capable device in the context of regulating the provision
7 of taxicab services in the City of Annapolis.

8 **..Body**

9
10 **CITY COUNCIL OF THE**
11 **City of Annapolis**

12
13 **Resolution No. 4-15**

14
15 **Introduced by: Mayor Pantelides, Alderman Budge**

16
17 **Referred to:**

18 **Public Safety**

19 **Transportation Committee**

20 **Transportation Board**

21
22 **A RESOLUTION** concerning

23 **A Request to the Maryland General Assembly Concerning the Annotated Code of**
24 **Maryland Public Utilities Article Definitions of Taxicab and Provision of Taxicab Services**

25
26 **FOR** the purpose of respectfully requesting that the Maryland General Assembly amend
27 Sections 1-101 and 10-101 of the Public Utilities Article of the Annotated Code of
28 Maryland to incorporate the use of a software application, digital wireless network or
29 digital telecommunications capable device in the context of regulating the provision of
30 taxicab services in the City of Annapolis.

31
32
33 **WHEREAS,** Section 1-101 of the Public Utilities Article of the Annotated Code of Maryland
34 does not include an individual's use of a personal motor vehicle in conjunction
35 with a software application, digital wireless network or digital
36 telecommunications capable device for the purpose of providing the opportunity
37 and means for a potential passenger to communicate their desire for
38 transportation between points along public streets and the driver of the personal
39 motor vehicle who provides taxicab services in response to a passenger's
40 request within the City of Annapolis; and

41
42 **WHEREAS,** Section 10-101 of the Public Utilities Article of the Annotated Code of
43 Maryland does not include the provision of taxicab services within the City of
44 Annapolis by individuals requesting taxicab services through use of a software
45 application, digital wireless network or digital telecommunications capable
46 device; and

1
2 **WHEREAS,** the Mayor and Alderpersons of the City of Annapolis have recommended that
3 the City of Annapolis seek an amendment to Sections 1-101 and 10-101 of the
4 Public Utilities Article of the Annotated Code of Maryland to incorporate the
5 use of a software application, digital wireless network or digital
6 telecommunications capable device in the context of regulating the provision of
7 taxicab services in the City of Annapolis.
8

9 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the
10 City of Annapolis respectfully requests that the Maryland General Assembly
11 amend Section 1-101 of the Public Utilities Article of the Annotated Code of
12 Maryland to state as follows: “(a) In this division the following words have the
13 meanings indicated.
14

15 (e)(1) ‘Common carrier’ means a person, public authority, or federal, State,
16 district, or municipal transportation unit that is engaged in the public
17 transportation of persons for hire, by land, water, air, or any combination of
18 them.
19

20 (ii)(1) ‘Taxicab’ means a motor vehicle for hire that: (i) is designed to carry
21 seven or fewer individuals, including the driver; and (ii) is used to accept or
22 solicit passengers for transportation between points along public streets as the
23 passengers request; OR (iii) IS AN INDIVIDUAL’S PERSONAL MOTOR
24 VEHICLE USED IN CONJUNCTION WITH A SOFTWARE APPLICATION,
25 DIGITAL WIRELESS NETWORK OR DIGITAL TELE-
26 COMMUNICATIONS CAPABLE DEVICE THAT PROVIDES THE
27 OPPORTUNITY AND MEANS FOR A POTENTIAL PASSENGER TO
28 COMMUNICATE THEIR DESIRE FOR TRANSPORTATION BETWEEN
29 POINTS ALONG PUBLIC STREETS AND THE DRIVER OF THE
30 PERSONAL MOTOR VEHICLE PROVIDES TAXICAB SERVICES IN
31 RESPONSE TO A PASSENGER’S REQUEST.
32

33 (2) ‘Taxicab’ does not include a motor vehicle operated on a regular schedule
34 and between fixed points with the approval of the Commission as defined in
35 Title 11 of the Transportation Article.”
36

37 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the
38 City of Annapolis respectfully requests that the Maryland General Assembly
39 amend Section 10-101 of the Public Utilities Article of the Annotated Code of
40 Maryland to state as follows: “(h) ‘Provide taxicab services’ means to operate a
41 motor vehicle for hire that, in addition to other services:
42

43 (1) is advertised or held out to the public as a taxicab or as providing taxicab
44 services;
45

1 (2) regardless of how or when engaged, provides for-hire service between points
2 chosen by the passenger and for a fare that is based on the distance traveled, the
3 time elapsed, or both; or
4

5 (3) is engaged by the passenger for service between points chosen by the
6 passenger that is provided through: (i) hail from the street or other location; or
7 (ii) request made at a taxi stand or other location where the motor vehicle is
8 standing and waiting for a request for service; OR (iii) A POTENTIAL
9 PASSENGER’S REQUEST FOR TAXICAB SERVICES THROUGH USE OF
10 A SOFTWARE APPLICATION, DIGITAL WIRELESS NETWORK OR
11 DIGITAL TELECOMMUNICATIONS CAPABLE DEVICE.”
12
13

14 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the
15 City Clerk shall send a copy of this Resolution to the Governor, the Speaker of the House of
16 Delegates, the President of the Senate and the Maryland Municipal League.
17

18 **ADOPTED** this ____ day of _____, 2015.
19
20
21

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Michael J. Pantelides, Mayor

22
23
24 **EXPLANATION**

25 CAPITAL LETTERS indicate matter added to existing law.

26 [brackets] indicate matter stricken from existing law.

27 Underlining indicates amendments.
28