



Legislation Text

File #: R-4-15, **Version:** 1

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

CITY COUNCIL OF THE City of Annapolis

Resolution No. 4-15

Introduced by: Mayor Pantelides, Alderman Budge

**Referred to:
Public Safety Committee
Transportation Committee
Transportation Board**

A RESOLUTION concerning

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ADOPTED this ____ day of _____, 2015.

ATTEST:	THE ANNAPOLIS CITY COUNCIL
	BY
Regina C. Watkins-Eldridge, MMC, City Clerk	Michael J. Pantelides, Mayor

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.