

Prince George's County Code

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DIVISION 1. GENERAL PROVISIONS.

Sec. 20-101. Applicability.

The provisions of this Subtitle shall govern the operation for hire in Prince George's County of any taxicab or limousine, excepting motor vehicles owned and operated by the Washington Metropolitan Area Transit Authority and those licensed by the Public Service Commission of the State of Maryland to operate on fixed routes and schedules and except any vehicle operated by any funeral director duly licensed by the State Board of Funeral Directors and Embalmers of Maryland, and further excepting any funeral livery service licensed as such by the Department of Motor Vehicles of Maryland while said vehicle is being operated for the purpose of funeral services or transportation incidental thereto.

(CB-54-1974; CB-143-1975; CB-49-2000)

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) **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) **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) **Board.** The Prince George's County Taxicab Board.

(3) **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) **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) **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.

(5) **Director.** The Director of Environmental Resources of Prince George's County, Maryland, or designee.

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

(6.1) **Individual Owner.** Any individual or company which holds one Certificate of Registration.

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

(6.3) **Lease.** A lease agreement or other arrangement allowing the use of a Certificate by a driver or company other than the one that has been issued in the name of a certificate holder by the Director.

(7) **License.** The taxicab or limousine driver's license (commonly referred to as I.D. or a Face Card) issued by the Prince George's County Department of Environmental Resources.

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

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

(8.1) **Medallion.** A decal containing the number assigned by the Director used for tracking of legally authorized taxicabs and limousines operating under a certificate.

(9) **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.

(9.1) **Multiple Owner.** Any individual or company which holds two or more Certificates of Registration.

(9.2) **Operator.** See Driver.

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

(10.1) **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) **Sublease.** A lease agreement or other arrangement in which the certificate holder's lease is assigned to a third party.

(12) **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) **Taximeter.** See Meter.

(14) **Trunk.** A piece of luggage having a minimum content of three cubic feet or 9" x 16" x 36".

(15) **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.

(CB-54-1974; CB-127-1975; CB-49-1984; CB-24-1987; CB-97-1991; CB-29-1995; CB-49-2000; CB-22-2001; CB-36-2010)

DIVISION 1A. TAXICAB BOARD.

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, 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.

(2) The Director or his designee shall serve as a nonvoting ex-officio member of the Board.

(b) Officers, Procedures, and Administration.

(1) The Chairman of the Board shall be one of the public members and shall be designated as such at the time of appointment. The Board shall elect from its members a vice-chairman and secretary. In exercising its powers and duties under this Subtitle, three (3) members shall constitute a quorum. The Board shall keep minutes of its proceedings and meetings. All decisions of the Board shall be in written form with findings. For assistance in reaching decisions, the Board may request technical assistance, advice, data or factual evidence from the Department of Environmental Resources. The Board shall submit to the Executive an annual report of its proceedings. This report shall be public record.

(2) The Director shall make available to the Board such services and facilities as are necessary for the proper performance of its duties. The Board shall be subject to the County budget process and be included in the budget of the Department of Environmental Resources. The Board shall promulgate Rules of Procedure for the conduct of hearings and other duties and responsibilities, as specified in Section 20-102.02, which Rules of Procedure shall be subject to the approval of the County Executive.

(CB-24-1987; CB-29-1995; CB-49-2000; CB-22-2001; CB-36-2010)

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.

(c) The Board shall hear appeals of 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.

(d) The Board shall have reflected in its meeting minutes any proposed transfer of any certificates between individual certificate holders and a partnership, company, corporation, or other organization pursuant to Section 20-155.

(CB-24-1987; CB-36-2010)

DIVISION 2. AUTHORITY.

Sec. 20-103. Administration of Subtitle.

(a) The Director is hereby designated as the official of the County empowered and authorized to carry out the provisions of this Subtitle. Where necessary to ensure the full force and effect of the provisions of this Subtitle, law enforcement shall have the authority to enforce this Subtitle.

(b) The Director is hereby empowered to make administrative interpretations of the meaning of this Subtitle provided that such interpretations are consistent with the standards and purposes of this Subtitle and provided further that such interpretations are not in conflict with the laws of the State of Maryland and regulations adopted by the Motor Vehicle Administrator of the State of Maryland. All such administrative interpretations shall be promulgated, in writing, by the Director and shall be distributed by the Director to all drivers and certificate holders prior to the effective date of the administrative interpretation.

(c) The Director shall recommend to the Taxicab Board for review safety standards that are consistent with the national standards for passenger and driver safety.

(d) In conjunction with the Health Officer, the Director shall establish a procedure for the resolution of complaints concerning poor quality service or lack of service received by persons receiving no charge or reduced charge tax service under County contract.

(e) The Director shall establish a procedure for recording and resolving complaints received. Records of all complaints so filed shall be made available to the public pursuant to the Maryland Public Information Act.

(CB-54-1974; CB-143-1975; CB-49-1984; CB-29-1995; CB-49-2000; CB-36-2010)

Sec. 20-104. Inspection of vehicle; right of entry; display of credentials.

(a) Representatives of the Chief of Police and the Director are hereby authorized to make inspections under the provisions of this Subtitle. They shall have the right at any time, after identifying themselves to the driver or owner, to enter into, or upon any taxicab or limousine for the purpose of ascertaining whether or not any provision of this Subtitle has been violated. Refusal of the driver or owner of any such vehicle to stop the

vehicle when ordered to do so by such representative, or to permit any such representative to enter into the vehicle for such purposes, or refusal to display the certificate, license, or any other document required under this Subtitle to be carried in the vehicle, upon his demand, shall constitute a violation of this Subtitle and shall be sufficient grounds for revocation, or suspension of the license or certificate.

(b) If, upon inspection, it is determined that the copy of the duly authorized certificate carried in the vehicle does not correspond to the vehicle, the certificate holder may be deemed to have violated Section 20-148(a) of this Subtitle and shall have his/her certificate revoked by the Director.

(c) Where a company fails to maintain the appropriate certificate in a vehicle operating as a taxicab or limousine and a driver is issued a citation by law enforcement officials as a result of such failure, the driver shall provide a copy of the citation to the Director within fifteen (15) business days of receiving the violation. The Director shall keep a permanent record of all such citations received pursuant to this subsection. (CB-54-1974; CB-36-2010)

Sec. 20-105. Revocation or suspension of license or certificate.

(a) The Director may revoke a certificate or suspend a license in case of any:

(1) Failure to operate the taxicabs or limousines in such a manner as to serve the public adequately;

(2) Failure to maintain the taxicabs or limousines in good order and repair;

(3) Failure to maintain insurance as required by this Subtitle;

(4) Failure to report any accident as required by this Subtitle;

(5) Failure to pay any fees or fines lawfully assessed under this Subtitle;

(6) Repeated and persistent violations by the licensee or certificate holder of the Prince George's County Code, including failure to maintain a copy of a duly authorized certificate in the vehicle to which it has been assigned, repeated and persistent violations of the motor vehicle laws of Maryland or surrounding jurisdictions, or a traffic record which indicates an unsafe driving pattern;

(7) Suspension or revocation of a licensee's driver's license issued by a State, the District of Columbia, or a United States territory;

(8) Failure of the licensee to maintain the trip manifest in good order as required by Section 20-119;

(9) Conviction of the licensee or certificate holder of any criminal offense or a conviction or a plea of nolo contendere for any traffic offense involving the use of alcohol or a controlled dangerous substance;

(10) Procuring or attempting to procure a license or certificate by fraud, misrepresentation, false or misleading statements, or omission of material facts on an application for a license or certificate;

(11) Repeated, persistent, and/or unresolved customer complaints of poor quality service:

(A) Complaints will be investigated by the Director;

(B) The Director shall require a corrective action plan be developed within thirty (30) days of investigation;

(C) The Director shall suspend the license or certificate if not resolved within sixty (60) days; and

(D) The Director shall revoke the license or certificate for continued noncompliance;

(12) If the applicant has repeated complaints for late response and failure to report to the consumer a reasonable excuse for the lateness; or

(13) Any other violation of this Subtitle by the licensee or certificate holder.

(b) Where the holder of a certificate is a corporation, the certificate may be suspended or revoked by the Director if the person convicted of any criminal offense remains for more than a period of one (1) month from the time of such conviction as an officer in the corporation or is a stockholder with more than twenty-five percent (25%) of the stock in the corporation.

(c) The decision of the Director on a denial, suspension, or revocation is final if it is not appealed pursuant to Section 20-106 of this Code.

(d) The violation notice or the denial, suspension or revocation of a license or certificate under this subsection shall be served on the party by personal delivery or by registered or certified mail to the last known address.

(CB-54-1974; CB-143-1975; CB-132-1984; CB-16-1986; CB-24-1987; CB-49-2000; CB-36-2010)

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, 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.

(b) Notice of an appeal shall be filed in writing with the Director or his designee, who shall promptly forward it to the Board. Upon filing of an appeal, the provisions of subsections (f) shall be in effect.

(c) The Board shall hear all appeals within sixty (60) days of the filing of the appeal. At least fifteen (15) calendar days prior to the date set for the hearing, the Board shall notify all parties to the proceeding in writing of the date, time, and place set for the hearing, the subject of the appeal, and the right to present testimony and to be represented by counsel. The notice shall be served on the parties by personal delivery or by registered or certified mail.

(d) Hearings shall be public. The Board may hear any evidence which is relevant and probative; strict rules of evidence shall not apply. All witnesses shall give testimony under oath or affirmation.

(e) The Board shall issue written findings of fact and conclusions and an order affirming, modifying, or setting aside the notice or licensing action within thirty (30) days after the hearing.

(f) Except in an emergency, as certified by the Director in writing, an appeal will stay any further action, but only for a period of ninety (90) days or until the Board issues its written decision, whichever is less. In the case of an emergency, the Board shall make every effort to provide an expedited hearing and decision if so requested by either party.

(g) Any party aggrieved by a decision of the Board may file an appeal in the Circuit Court for Prince George's County. All appeals shall be on the record and shall be governed by the Maryland Rules governing appeals from administrative agencies. (CB-54-1974; CB-24-1987; CB-36-2010)

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;

(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 Director.

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

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

(CB-54-1974; CB-49-2000; CB-36-2010; CB-3-2011)

Sec. 20-108. Grounds for denial.

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

(1) Repeated and persistent violations of the motor vehicle laws involving moving violations or a traffic record which indicates an unsafe driving pattern;

(2) Suspension or revocation of a driver's license issued by a state, the District of Columbia, or a United States territory;

(3) Conviction, or plea of guilty, or plea of nolo contendere to the violation of any law, any sex offense, any alcohol offense, or the illegal use, sale, or possession of a controlled dangerous substance, any gambling offense, any use of a firearm or offense involving physical violence, or any solicitation for prostitution;

(4) If the applicant is on parole or probation for a criminal or traffic offense;

(5) If the applicant has, within three years immediately preceding the date of application, been released from any penal or correctional institution;

(6) Whether or not the applicant is covered by diplomatic immunity;

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

(8) If the applicant has made a false statement to any material question upon any form required by the Director or attempts to procure or possess a license by fraud, misrepresentation, misleading statements, evasion, or suppression of material facts;

(9) If the applicant is an amputee or is subject to any other infirmity of the body or mind which, in the determination of the Health Department or a qualified medical doctor licensed in the State of Maryland, might render the applicant unfit for the safe operation of a vehicle;

(10) If the applicant has any outstanding fines or citations issued under a previous taxicab license or certificate which are not already under appeal and which remain unpaid.

(b) The above factors are not to be considered the exclusive test of qualifications. The Director is empowered to consider other relevant facts which may bear on the fitness of the applicant.

(CB-54-1974; CB-49-2000; CB-36-2010)

Sec. 20-109. Expiration.

A license shall be valid for two (2) years from date of issuance and shall be renewed by the Director so long as the provisions of this Subtitle and the administrative interpretations promulgated pursuant hereto have been complied with.

(CB-54-1974; CB-143-1975; CB-36-2010)

Sec. 20-110. Fee.

The filing fee for a new license (I.D.) shall be Two Hundred Fifty Dollars (\$250.00) and shall be nonrefundable. The bi-annual renewal fee shall be Two Hundred Fifty Dollars (\$250.00). The fee for a duplicate license shall be Twenty-five Dollars (\$25.00). (CB-54-1974; CB-92-1985; CB-49-2000; CB -36-2010)

Sec. 20-111. Changes in Status.

Within three (3) business days, the licensee shall notify the Director in writing of any subsequent change in his status as shown on the application form. (CB-54-1974; CB-143-1975; CB-36-2010)

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

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

(a) The owner of each taxicab or limousine shall maintain the vehicle in accordance with the laws of this State, 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.

(b) The Director may issue a notice of violation, including the amount of the applicable fine, to any taxicab or limousine owner who permits operation of his/her vehicle where the vehicle fails to meet the requirements of the laws of this State, the provisions of this Subtitle, and other regulations or ordinances of the County. The fine for the first such violation shall be One Hundred Dollars (\$100.00), for second violation shall be Two Hundred Fifty Dollars (\$250) and for a third or any subsequent violation shall be Five Hundred Dollars (\$500).

(c) The notice shall be mailed or delivered to the responsible party(ies) or their agents and shall state: the specifics of the violation; the amount of the fine; the actions required for compliance; a statement that the failure to comply with the notice may result in suspension or revocation of the parties' license or certificate, or other legal action; and how the person or company may appeal the violation notice.

(d) A notice of violation may be appealed as provided in Section 20-106 of this Code.

(e) If a violation notice is not appealed, or is upheld upon appeal, and the person or company fails to correct the violation as required by the notice, the Director may take one or more of the following actions:

- (1) Issue a citation as provided in paragraph (f) of this Section;
- (2) Revoke, suspend, or refuse to renew the license and/or certificate;
- (3) Seek injunctive or other appropriate legal relief to enforce the provisions

of this Subtitle.

(f) Where the continued operation of a vehicle poses an immediate or ongoing compromise to the safety of the riding public or the driver, in lieu of a violation notice,

the Director may issue a citation pursuant to Subtitle 28, Division 3, of this Code to a person, persons who operates or permits others to operate a taxicab or limousine in violation of any of the provisions of this Subtitle. The citation shall serve as notification to the person that he has committed a civil violation and must pay to the County a monetary fine, subject to the right to trial under Section 28-257 of this Code. The amount of the fine shall be Five Hundred Dollars (\$500.00) for each violation, and each day in which the violation remains uncorrected shall constitute a separate violation. In addition to the remedies provided under Section 28-258 of this Code, the Director may revoke or suspend the license and/or certificate of a person who fails to pay the fine or request adjudication of a citation.

(CB-54-1974; CB-132-1984; CB-24-1987; CB-49-2000; CB-36-2010)

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. Therefore, failure to 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.

(CB-54-1974; CB-49-2000)

Sec. 20-114. Permitting others to use license.

The driver shall not permit any other person to use his license (Identification Card).
(CB-54-1974)

Sec. 20-115. Permitting others to drive the vehicle.

The driver, or owner, or either of them shall not permit any unauthorized person to drive a vehicle when carrying passengers for hire.
(CB-54-1974)

Sec. 20-116. Display; certificate and license.

The driver shall have permanently on display at all times while on duty a copy of the original of the certificate sealed or certified by the Department of Environmental Resources, issued for the operation of the taxicab or limousine, and the driver's license with photograph, and number, clearly visible to passengers.

(CB-54-1974; CB-49-2000; CB-22-2001)

Sec. 20-117. Use of the vehicle for unlawful purposes.

The owner or driver of a taxicab or limousine shall not permit such vehicle to be

used for unlawful purposes, or knowingly to transport persons therein to places for such purposes.

(CB-54-1974)

Sec. 20-118. Length of driver's working day.

For purposes of this Section, any driver who is gainfully employed in any other occupation for eight (8) hours or more a day shall be deemed a part-time driver. In no event shall a part-time driver operate a taxicab or limousine for more than eight (8) hours in any consecutive 24-hour period. No full-time driver shall operate, nor shall certificate holders or their agents require full-time drivers to operate, a taxicab or limousine for more than twelve (12) hours in any consecutive twenty-four (24) hour period.

(CB-54-1974; CB-49-2000)

Sec. 20-119. Trip manifest.

(a) The driver shall keep a neat, legible, and current record of all trips, written in ink in a bound manifest and on forms approved by the Director. The manifest shall be completed at or before reaching the destination. Such record shall be retained at least three (3) years, and shall be submitted under oath for inspection to the Director upon request. The manifest shall contain the exact addresses or nearest intersection of points of origin and destination, time trip began and ended, number of passengers, and amount of fare, corresponding to meter reading.

(b) Submission of false information on a trip manifest is a misdemeanor, punishable by a fine not exceeding One Thousand Dollars (\$1,000) or by imprisonment for not more than six (6) months.

(CB-54-1974; CB-16-1986; CB-49-2000)

Sec. 20-120. Accident reports.

Within two (2) working days after any accident involving a taxicab or limousine in which property was damaged or any person injured, the driver shall make a written report to the Director on an approved form.

(CB-54-1974; CB-143-1975; CB-49-2000)

Sec. 20-121. Arrest report.

Both the driver and the certificate holder shall submit a written report of all arrests involving the operation of a vehicle for hire to the Director within two (2) working days of the arrest.

(CB-54-1974; CB-143-1975)

Sec. 20-122. Report changes of residence.

The driver and/or certificate holder shall submit a written report of any change of residence or business address within two (2) working days to the Director.

Sec. 20-123. Answer communications.

The certificate holder or licensed driver shall answer promptly all written communications received from the Director or the Board. The failure to receive a registered letter which has been properly addressed and delivered, or the refusal to receive a telegram, or any other written communication sent by the Director or the Board may result in suspension or revocation of the license or certificate.

(CB-54-1974; CB-24-1987)

Sec. 20-124. Taxicabs to be attended by drivers.

The driver shall attend the taxicab at all times for the solicitation or transportation of passengers, except when actually engaged in loading or unloading, or in answering telephones in connection with the business. The driver shall not leave his or her license in an unattended taxicab at any time.

(CB-54-1974)

Sec. 20-125. Taxicab stands.

A taxicab shall not be placed upon or occupy a public or private vehicle taxicab stand except for the purpose of being held forth for hire. Vehicles may be placed on public or private stands only at the rear (approach) and shall be moved toward and to the front of stands, immediately, if space is available, or when space becomes available. When a taxicab stand is occupied by the full number of vehicles authorized for such stand, no taxicab shall loiter for the purpose of occupying space on such stand.

(CB-54-1974)

Sec. 20-126. Solicitation.

Neither a driver nor an agent of a driver or owner shall solicit patronage for any taxicab or limousine by word, signal or otherwise, on any public street or in a public building, or on public property in the County, other than at a taxicab stand.

(CB-54-1974)

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. 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.

(CB-54-1974; CB-49-2000)

Sec. 20-128. On call and off duty.

An "On Call" sign shall be used when a taxicab is enroute to pick up a passenger, or awaiting a passenger at a designated place in response to the request of the passenger.

The sign shall be visible from the street and placed in the lower right hand corner of the front windshield or upon the right hand sun visor. A taxicab, when not being operated for hire, shall display in the above manner an "Off Duty" sign. The lettering on the sign shall be at least three (3) inches in height.

(CB-54-1974; CB-49-2000)

Sec. 20-129. Acceptance of passengers generally.

The driver of a taxicab shall accept as a passenger and carry where directed upon dispatch or request any orderly person unless previously engaged or forbidden by the provisions of this Subtitle or by other valid law or regulation to do so. For purposes of this Section, a "disorderly person" shall mean any person who shall be acting in a disorderly manner to the disturbance of the public peace, or who shall willfully act in a disorderly manner by making loud and unseemly noises or by profanely cursing, swearing, or using obscene language on or about any public place, or in or about any taxicab stand, or in or about any taxicab vehicle.

(CB-54-1974; CB-49-2000)

Sec. 20-130. Loading and unloading.

A driver shall not stop to load or unload a passenger or his belongings in the intersection of any street or on any crosswalk. A taxicab or limousine shall not load or unload in such manner that will in any way impede or interfere with the orderly flow of traffic on the streets or impede or interfere with the loading or unloading of passengers from buses at established bus stops. A driver shall not permit a passenger to enter or to leave any taxicab from the left side except at the left curb of any one-way street, or while parked perpendicular to the curb in places where such parking is permitted.

(CB-54-1974)

Sec. 20-131. Route.

The driver of a taxicab shall proceed with a passenger to destination by the shortest practical route, unless requested otherwise by the passenger. The driver shall maintain an up-to-date road map in the taxicab showing Prince George's County and its environs.

(CB-54-1974)

Sec. 20-132. Rates.

A schedule of rates and charges approved by the County Council shall be displayed inside each taxicab in a manner to be plainly visible to any passenger therein. The driver shall, upon request of a passenger, give a receipt showing the operator's name, date, the time and place of origin, destination, and the amount of the fare on an authorized form. (Fares for limousines are not regulated by the approved taxicab rates.)

(CB-54-1974; CB-49-2000)

Sec. 20-132.01 County contracts and vouchers.

(a) Where a taxicab association or company has obtained a County contract through which it is expected to provide service to the public, the business holding the contract shall pay ninety (90%) percent of the driver's fare, if a driver timely submits reimbursement and chooses to receive payment within thirty (30) days of the fare. The remaining ten (10%) percent shall be remitted to the driver within 90 days of submission absent a finding, by the business holding the contract, of error or fraud. If a driver timely submits reimbursement and chooses to receive payment after thirty (30) days of the fare, the business holding the contract shall pay one hundred (100%) percent of the driver's fare.

(b) Where the rate to be charged for the provision of services to a passenger traveling by voucher is disputed by the business holding the County contract, the holder of the contract may request that the contract administering agency make an independent determination as to the correct rate. Where the contract administering agency determines that the taxicab driver has overcharged on the County contract or voucher, the holder of the contract shall be entitled to reimbursement of the overcharge provided the holder of the contract previously paid the driver the full amount of the original charge.
(CB-36-2010)

Sec. 20-133. Deception of passengers.

A driver shall not deceive or attempt to deceive a passenger who may ride in a taxicab or limousine, or who may desire to ride in such vehicle, as to the destination of the driver, or the rate of fare to be charged. The driver shall not convey any passenger, or cause him to be conveyed, to a place other than as directed by the passenger.
(CB-54-1974)

Sec. 20-134. Nonpaying passengers.

A nonpaying passenger shall be transported by the driver of a taxicab only if both are in training, or if an off-duty sign is adequately displayed; provided, however, in the event a police officer requests the use of a taxicab in the performance of his official duty, then in such event, the driver shall transport said officer or assist him in any way possible. When a taxicab is in service, no persons other than the driver and passengers are allowed in the taxicab.
(CB-54-1974; CB-49-2000)

Sec. 20-135. Acceptance of additional passengers.

Whenever any taxicab is occupied by a passenger, the driver shall not permit any other person to occupy or ride in such taxicab if the original passenger objects thereto.
(CB-54-1974)

Sec. 20-136. Restriction on number of passengers.

A driver shall not permit to be carried in a taxicab, or limousine, at any one time, more persons, including the driver, but excepting children in arms, than the indicated seating capacity of the taxicab, or limousine, as rated by the automobile manufacturer.
(CB-54-1974)

Sec. 20-137. Restriction on passengers in driver's compartment.

At no time shall more than one person, in addition to the driver, ride on the front seat of a taxicab. A child in arms is excepted.
(CB-54-1974)

Sec. 20-138. Compliance with lawful request of passenger.

A driver shall comply with all reasonable and lawful requests of a passenger as to the speed of travel and the route to be taken.
(CB-54-1974)

Sec. 20-139. Request for police assistance.

Upon request by a passenger for police assistance, the driver shall telephone the Prince George's County Police if the call is requested anywhere in Prince George's County, excluding municipal corporations which have an available police force, in which case, the call shall be directed to such municipal police force.
(CB-54-1974)

Sec. 20-140. Found property.

In the event personal property is left in a taxicab or limousine by a passenger, the driver shall, within twenty-four (24) hours, notify the Director, giving a description of the property and the time it was left in the cab and other circumstances within the knowledge of the driver.
(CB-54-1974)

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 horn 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 towards passengers and shall generally treat all passengers with dignity and respect.

(c) Drivers shall present a neat and clean appearance at all times while on duty and shall maintain good personal hygiene.

(d) Repeated violations of this Section shall be grounds for suspension or revocation of a license.
(CB-54-1974; CB-49-2000)

Sec. 20-142. Smoking and use of tobacco.

(a) A driver shall not smoke cigarette(s), cigars, or a pipe while in a taxicab or limousine.

(b) A passenger shall not smoke in a taxicab or limousine.

(c) All taxicabs or limousines shall display a "Smoking is Prohibited" sign at all times.

(d) A violation of this Section shall be a misdemeanor subject to a One Hundred Dollar (\$100.00) fine.

(CB-54-1974; CB-25-1984; CB-49-2000)

Sec. 20-143. Alcohol and controlled dangerous substances.

(a) At no time while on duty shall the driver of a taxicab use or possess alcoholic beverages, controlled dangerous substances, or other habit-forming drugs. The transportation of alcoholic beverages in possession of a paying passenger is permitted, provided that the alcoholic beverages are transported in the trunk of the vehicle. Transportation of narcotic drugs for delivery that are prescribed by a licensed medical doctor is allowed in the custody of the driver if the driver obtains a receipt upon delivery, such receipt to include the signature of the recipient and the identification of the drugs. If the intended recipient refuses to sign the receipt, the driver shall refuse delivery and shall notify the Police Department as soon as possible and give possession of the narcotic drug to the police.

(b) Any driver convicted of a traffic-related offense involving the use of alcohol or a controlled dangerous substance, whether on or off duty, shall be subject to an immediate suspension or revocation of his license.

(c) Passengers shall not use alcoholic beverages or controlled dangerous substances or other habit-forming drugs while being transported in a taxicab.

(d) A limousine operator and passengers may possess alcohol for consumption by the passengers.

(CB-54-1974; CB-49-2000)

Sec. 20-144. Alcohol or controlled dangerous substance testing.

(a) A driver must submit to a test if the Director or a police officer has reasonable grounds to believe that the driver has been or is drinking alcoholic beverages or has used or is using a controlled dangerous substance while on duty. The failure to submit to a test shall be sufficient grounds for suspension or revocation of a license.

(b) The Director may authorize the initiation of random drug testing of drivers of taxicabs and limousines. Any driver who fails to submit to random drug testing may be subject to the immediate suspension or revocation of license.

(CB-54-1974; CB-49-2000)

**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):

(1) The vehicle shall be either of the built-for-the-purpose, or of the closed or sedan type, and shall be equipped with at least four doors. Passenger doors must be so constructed that they will remain securely fastened during normal operation, but may be readily opened by a passenger in case of emergency.

(2) The vehicle shall be constructed and maintained so as to provide for the safety of the travelling public, and continuous operation with minimum noise and vibration. It shall be structurally sound as to all its parts, and shall not have missing, broken, or cracked fenders or bumpers or glass.

(3) The vehicle shall be painted to give reasonable protection to its surface, and in a color scheme approved by the Director as set forth in Section 20-153 of this Code.

(4) The vehicle shall be equipped with an engine adequate to enable it to operate effectively and efficiently.

(5) The vehicle shall be equipped with a jack and safe tires, including a spare tire, with sufficient tread in accordance with the State of Maryland Motor Vehicle Administration vehicle inspection standards. In no case shall the required tires have a tread depth of less than three thirty-seconds of an inch.

(6) The vehicle shall have operating windshield wipers and windshield washer equipment. The vehicle shall be equipped with approved safety glass in the windshield and all windows. The center partition, if any, between the driver's compartment and the passenger's compartment shall be of this type of glass or plastic.

(7) The vehicle shall have one set of operating seat belts for each passenger and the driver.

(8) The vehicle shall be equipped with a standard speedometer, properly installed, maintained in good working order and exposed to view. No vehicle shall be operated in service if the speedometer is out of repair or disconnected.

(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.

(10) The vehicle shall not be equipped with any lights or signal devices except as allowed by the Motor Vehicle Laws for the State of Maryland, and as approved by the Director.

(11) The vehicle shall not be equipped with shades or curtains which can be manipulated in such a way as to shield the occupants or the driver from observation, or obstruct the rear view window.

(12) The vehicle shall be equipped with a frame for the proper display of the certificate and the license, which, except in the case of a limousine, shall face the

passengers and be so located as to be at all times in plain view of such passenger(s). The card frame shall be subject to approval of the Director.

(13) With exception of a "kick" strip not exceeding seven inches in height at the bottom of doors, no upholstery covering or interior lining shall be permitted in any licensed taxicab unless such upholstery or lining is made of leather or similar nonabsorbent, washable material. The rear cushion shall be removable. Floor mats shall be required in all licensed taxicabs and shall be made of rubber, leather, or metal chain, or a similar, nonabsorbent, washable material and shall be easily removable. The provisions of this paragraph shall not apply to licensed limousines.

(14) The vehicle shall be kept clean and in a sanitary condition. At least once every seven days, the exterior shall be washed and the interior shall be cleaned thoroughly with a suitable antiseptic solution.

(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.

(16) All taxicabs shall be equipped with flashing emergency lights approved by the Director.

(17) Each taxicab shall have a medallion issued by the Director displayed on the driver side front panel and rear trunk for that taxicab.

(CB-54-1974; CB-132-1984; CB-49-2000; CB-36-2010)

Sec. 20-146. Maintenance and inspection.

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

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

(c) If a taxicab or limousine is found to be unclean or unfit at any time, but otherwise in safe condition, the Director may give the driver and certificate holder a reasonable time to 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) 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.

(CB-54-1974; CB-143-1975; CB-95-1979; CB-49-1984; CB-29-1995; CB-49-2000)

Editor's Note: Section 2 of CB-95-1979 states that the amendments made by that Act to Section 20-146 shall be abrogated and of no force and effect on January 1, 1982. Accordingly, the amendments to Section 20-146 which were enacted by CB-95-1979 have been deleted from the foregoing text.

Sec. 20-147. Record of service.

It shall be the responsibility of each certificate holder to maintain a daily record indicating the vehicle number, driver's name, and the time the vehicle is in service. Where a vehicle is operated by more than one driver, the record must identify each driver and his time in and out of service. This record shall be maintained in the respective company or association office for inspection for a period of six (6) months. The record of service shall be produced to the Director upon demand and at the time of any scheduled inspections.

(CB-54-1974; CB-143-1973; CB-49-2000)

DIVISION 6. CERTIFICATE OF REGISTRATION FOR TAXICABS AND LIMOUSINES.

Sec. 20-148. Application for required certificate.

(a) Any owner of a taxicab or limousine, including owners who are also drivers, shall not drive or allow the same to be driven within the County, on or off-duty, unless such owner has a valid certificate for each such taxicab or limousine issued under the provisions of this Division.

(b) Application for a certificate to authorize the use of a vehicle as a taxicab or limousine shall be made under oath by the prospective certificate holder to the Director upon a form provided by the Director. The applicant shall provide the following information:

(1) The full name and the home and business address and telephone numbers of the applicant. If the applicant is a corporation, a certified copy of the articles of incorporation shall be provided.

(2) The trade name and the telephone number(s) under which the applicant does, or proposes to do, business.

(3) A sworn statement of the financial status and responsibility of the applicant including evidence of the ability to acquire and maintain the vehicle(s) for which the certificates and registration authority is sought.

(4) Each criminal conviction, guilty plea, or plea of nolo contendere of the applicant, or agents or officers of the applicant.

(5) The names of all drivers, their license numbers, and home addresses.

(6) The ownership, seating capacity, design and proposed color scheme, and make and serial number of each vehicle.

(7) The make and number of each meter in each vehicle, excepting limousines.

(8) The nature and location of depots, terminals, and garages to be used, if any.

- (9) A description of the communications system to be used, if any.
 - (10) The specific experience of the applicant in the transportation of passengers for hire.
 - (11) Description of service(s) to be rendered, including time(s) of operation.
 - (12) For limousines, a schedule of fares.
 - (13) Evidence of insurance as set forth hereinafter.
 - (14) A copy of the Maryland Motor Vehicle Administration vehicle registration indicating new certificate holder as owner of the taxicab.
 - (15) A Certificate of Good Standing from the State of Maryland.
 - (16) A copy of any contract, fee structure, leasing or rental rates or other operating agreement between a certificate holder and driver. The certificate holder or applicant shall provide to the Director within three (3) business days any change in such document provided.
 - (17) Such other information as the Director may require in order to administer these regulations.
- (CB-54-1974; CB-132-1984; CB-49-2000; CB-36-2010)

Sec. 20-149. Investigation of applicant.

(a) The Director or his agent shall have an investigation made of the information furnished in the application for a certificate. A memorandum of the investigative findings shall be kept on file as a public record.

(b) Any vehicle which has not been operated for hire as a taxicab or limousine in Prince George's County, Maryland, for a period of more than six (6) months prior to the date of the application for a certificate shall be inspected at a duly licensed Maryland State Inspection Station before the applicant can be issued a certificate of registration. The inspection shall include all items which are normally required prior to transfer of title of a motor vehicle under the provisions of the Transportation Article of the Annotated Code of Maryland. The applicant for a certificate of registration shall deliver to the Director a report signed by an authorized vehicle inspector certifying the results of the inspection. If any such vehicle is found to be in an unsafe condition, the applicant shall have the necessary repairs made to the vehicle and shall have the vehicle certified as satisfactory by an authorized state inspector before the applicant can be issued a certificate of registration.

(CB-54-1974; CB-143-1975)

Sec. 20-150. Insurance requirements.

(a) Before issuing any certificate under this Subtitle, the Director shall ascertain, as to each vehicle, that the owner has insurance or surety bond for the vehicle covering bodily injury or death to any passenger or other person in one accident in the amount of Twenty-five Thousand Dollars (\$25,000), multiple deaths or injury in one accident in the amount of Fifty Thousand Dollars (\$50,000), and property damage in one accident in the amount of Ten Thousand Dollars (\$10,000), or the amounts required by the financial responsibility laws of the State of Maryland, whichever are higher, and further that such insurance or surety covers the full period for which the vehicle is to be licensed.

(b) Each taxicab or limousine must contain sufficient copies of a summary of insurance information, in a form approved by the Director, that may be given to passengers, members of the public, and law enforcement officers. The summary must include the following information:

- (1) the name and address of the vehicle owner;
- (2) the vehicle's license tag number;
- (3) the name, address, office hours and telephone number of the insurance claims office responsible for adjusting any insurance claim arising from use of the vehicle; and
- (4) the name, address, and telephone number of the Department and any other governmental agency where complaints regarding insurance claims handling may be filed.

(CB-54-1974; CB-49-2000; CB-36-2010)

Sec. 20-151. Lapse of insurance.

If at any time for any reason the insurance or surety coverage shall lapse, the certificate shall be immediately suspended without a notice of hearing and the Director shall proceed immediately to obtain possession of the certificate, until the insurance or surety bond requirements are fully met. If insurance is canceled, the certificate holder shall deliver or cause to be delivered a copy of the cancellation notice to the Director within 48 hours after said notice is received.

(CB-54-1974; CB-49-2000)

Sec. 20-152. Issuance of certificate card.

(a) The Director shall issue the following classes of certificates:

- (1) Individual owner certificate; and
- (2) Multiple owner certificate.

The Director is authorized to reissue all certificates, upon renewal, in the appropriate class of certificate starting October 1, 2010.

(b) If the application is approved, the Director shall, for each vehicle, issue a certificate which shall be valid for one year. The certificate remains the property of Prince George's County and must be returned to the County immediately upon final removal of the vehicle from service, unless otherwise transferred under Section 20-155 of this Code.

(c) The certificate issued must be held by an applicant for a minimum of three years before it may be transferred in accordance with Section 20-155 of this Code.

(d) Any holder of a certificate acquired pursuant to the transfer provisions of this Subtitle must hold the certificate a minimum of three years before it may be transferred again.

(e) No person, including an individual or multiple owner providing taxicab service in the County, other than the person to whom it is issued shall use a certificate. The certificate shall not be subleased and may only be transferred pursuant to Sec. 20-155 of the Code.

(CB-54-1974; CB-132-1984; CB-49-2000; CB-36-2010)

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.

(b) 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) 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 excepted from this requirement.

(d) 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) 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.

(CB-54-1974; CB-143-1975; CB-49-2000; CB-36-2010)

Sec. 20-154. Termination of service.

The certificate holder of a vehicle permanently removed from service must notify the Director of such action in writing within forty-eight (48) hours, indicating whether the owner "junks" the vehicle, sells it or transfers title to it, no longer uses it for hire, or whether the tags have been stolen, or the registration of the vehicle has been revoked by the Maryland Motor Vehicle Administration. When the vehicle is so out of service, all registration cards and other papers issued by the Director to the owner shall be returned by the owner with notice that the vehicle is out of service. The certificate holder shall paint out all identifying marks and numbers indicating that the vehicle was used as a taxicab. The Director shall hold the certificate until its normal expiration date, or until the holder applies for transfer of the certificate to another vehicle prior to such date and within a period of ninety (90) days. If a vehicle is not placed in service under the certificate within ninety (90) days, the certificate may be revoked. The certificate holder shall notify the Director when any taxicab or limousine covered by a certificate is temporarily taken out of service for a period longer than five (5) days, explaining why the vehicle is out of service.

(CB-54-1974; CB-143-1975; CB-49-2000)

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 Dollars (\$200.00), 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.

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

(1) The certificate holder notifies the Department in writing of the proposed transfer at least forty-five (45) calendar days prior to the date of the proposed transfer;

(2) Notification includes the terms and conditions of the proposed transfer and the name of the proposed transferee;

(3) The transferee satisfies all of the requirements of this Subtitle;

(4) The certificate is not under suspension or revocation or under appeal from a suspension or revocation and does not have any outstanding fines, fees, or penalties;

(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) plus all other routine fees for the issuance of a certificate; and

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

(c) In those cases where the individual certificate holder wishes to transfer a certificate to a company or a corporate entity entirely owned by the certificate holder and his immediate family, there shall be no transfer fees involved except for the full annual certificate fee which shall be paid at the time of the transfer.

(d) The transferred certificate shall be reissued for a period of one year and any previously paid annual certificate fee shall not be refunded.

(e) A certificate may only be transferred once in any three year period under any provisions of this Subtitle.

(f) Any company or corporate entity which transfers a certificate or certificates by sale by its owner or owners shall pay fees associated with the transfer provisions in proportion to the number of certificates held and the percentage change of company ownership.

(CB-54-1974; CB-16-1986; CB-49-2000; CB-36-2010; CB-3-2011)

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

(a) The Director shall issue to the owner for each taxicab and for each limousine a certificate containing the information required by this Subtitle. The number of valid certificates is limited at any given time to one thousand forty four (1,044), of which fifteen (15) certificates shall be designated for taxicabs specially equipped for the transportation of passengers in wheelchairs, and fifty (50) for limousines. The Director may issue an additional fifteen (15) certificates for taxicabs equipped to transport passengers in wheelchairs and an additional one hundred (100) certificates each calendar year beginning on October 1, 2011 pursuant to subsection (b) below, unless the number of valid certificates would exceed a ratio of one per thousand (1/1,000) population in the County, as computed in the most recent decennial U.S. Census or update published by the appropriate federal agency. The County Council shall, annually review by July 15th,

with consultation with the Director and Taxicab Board, the allocation the total number of certificates by the appropriate class under Sec. 20-152 of this Subtitle.

(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.

(c) The Director shall restrict the number of individual owner and multiple owner certificates such that:

(1) the number of individual owner certificates will be no lower than twenty-five percent (25%) and no higher than seventy-five percent (75%) of the total number of certificates issued; and

(2) the number of multiple owner certificates will be no lower than twenty-five percent (25%) and no higher than seventy-five percent (75%) of the total number of certificates issued.

(CB-54-1974; CB-143-1975; CB-132-1984; CB-16-1986; CB-135-1986; CB-49-2000; CB-36-2010; CB-3-2011)

Sec. 20-156.01. Required service to County.

(a) More than ninety percent (90%) of the trips of each driver's working calendar day in any vehicle for which a certificate is issued pursuant to Section 20-156 must be to or from locations within Prince George's County.

(b) In order for a certificate to be renewed, the certificate holder must demonstrate that the vehicle for which the certificate has been issued and any replacement vehicle to which the certificate has been reassigned have been driven for a combined total of 26,000 miles in the previous twelve (12) months.

(CB-16-1986; CB-49-2000)

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 Dollars (\$200) per certificate per year.

(CB-54-1974; CB-132-1984; CB-49-2000; CB-36-2010)

Sec. 20-158. Renewal.

All valid certificates outstanding prior to the effective date of this Act shall remain valid and shall be renewed, from year to year, upon the expiration date of each such certificate by payment of the certificate fee set forth in Section 20-157 above and satisfactory completion of a renewal application form prescribed by the Director.
(CB-54-1974; CB-143-1975)

Sec. 20-159. Taxicabs from other jurisdictions and other unauthorized vehicles.

(a) The right of a taxicab or limousine operator, whose vehicle is duly registered in any other jurisdiction of this State or in any other state or the District of Columbia, to bring a passenger or passengers into this County when the trip has originated in the other jurisdiction is hereby recognized. If the engagement of a taxicab has been what is known as a "waiting time" agreement the passenger or passengers so brought into this County may be taken there from by the same taxicab and operator, provided that the operator shall enter the facts as to the trip upon his manifest and shall have included the waiting time in his charge for the trip, and that the operator shall remain with the taxicab at the place of discharge of passengers until the return trip is begun.

(b) Operators of taxicabs or limousines registered in another jurisdiction shall have no rights to solicit business or transport other passengers in this County. The County Executive may enter into reciprocal agreements regarding taxicab service with other jurisdictions subject to County Council approval by resolution. Law enforcement authorities shall give full force and effect to the provisions of this subsection by issuing a citation to all taxicabs that operate in violation of these provisions. This requirement shall apply to all locations within Prince George's County where taxicab service is provided. The fine for each such violation shall be One Thousand Dollars (\$1,000.00).
(CB-54-1974; CB-49-2000; CB-36-2010)

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. 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 A.M.

(2) Twenty-five Cents (\$.25) for each additional one-seventh (1/7) of a mile or part thereof.

(3) One Dollar (\$1.00) for each additional passenger traveling to any point; provided, however, that one child less than six (6) years old traveling with an adult, and senior citizens aged sixty (60) and over and attendants providing physical assistance to handicapped individuals shall not be charged. The driver shall have the right to require proof of age from senior citizens.

(4) In addition to the mileage charge, there shall be a time charge for any time that the vehicle is stopped or operating at a speed of under twelve (12) miles per hour at a rate of Twenty-five Cents (\$.25) for each sixty (60) seconds.

(5) Pets may be transported at the discretion of the driver; provided, however, that the driver shall transport any assistance dog or any licensed guide dog for the handicapped free of charge.

(6) At the discretion of the driver, an appropriate fare can be demanded before departure.

(7) A service charge of One Dollar (\$1.00) shall be levied by the taxicab driver for any personal service rendered by the driver. However, there shall be no personal service charge levied on any person who is confined to a wheelchair, or is aged sixty (60) and over, or physically handicapped. There shall be no personal service charge for the removal and carrying of luggage or the use of the trunk of the taxicab, provided the passenger is physically handicapped.

(8) The charge for the hiring of a taxicab and driver shall be Fifteen Dollars (\$15.00) per hour plus mileage.

(9) No fee shall be charged for transporting hand-carried luggage or packages. The charge for using the trunk of the taxicab shall be One Dollar (\$1.00) in addition to all other fares.

(10) During snow emergency conditions a Three Dollar (\$3.00) per trip surcharge is imposed. Snow emergency conditions shall be determined by the County Executive.

(b) 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) 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) 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.

(CB-127-1975; CB-95-1979; CB-67-1980; CB-132-1980; CB-131-1981; CB-49-1984; CB-24-1987; CB-129-1988; CB-97-1991; CB-49-2000; CB-3-2009)

Editor's Note: CR-3-2009 amended Section 20-160(a)(1) and Section 20-160(a)(4). These amendments shall be abrogated and of no further force and effect on 4/16/2009.

Sec. 20-160.01. Emergency Fuel Cost Surcharge.

(a) If the County Executive finds that the average retail price of regular gasoline fuel in the region has exceeded the price of \$3.00 per gallon, the County Executive may

declare a Fuel Cost Emergency and may authorize the Director of Environmental Resources to establish a Fuel Cost Emergency Surcharge.

(b) During the emergency, the Director shall set an amount which shall be charged per trip in addition to the rates established in Section 20-160 of the Code.

(c) The fuel cost emergency surcharge shall be \$1.00 for each fare.

(d) The fuel cost emergency surcharge may not be charged to any person who is sixty (60) years and over.

(e) The fuel cost emergency surcharge may not be charged for any fare pursuant to a County contract.

(CB-122-1990; CB-24-2000; CB-49-2000; CB-22-2001; CB-3-2009)

Editor's Note: The provisions of CB-122-1990 were effective for a period of one year from the effective date (November 28, 1990), after which time the provisions were abrogated and of no further force and effect.

The provisions of CB-24-2000 were effective for a period of 120 days (May 9, 2000, through September 5, 2000), after which time the provisions were abrogated and of no further force and effect.

Sec. 20-161. Meter requirements.

(a) It shall be unlawful for any person to operate a taxicab, or to cause a taxicab to be operated for hire, or to accept any passenger for hire, or to carry any paying passenger within the County unless such vehicle shall be equipped with a taximeter which shall have been sealed by the County and which shall be in operation at all times while any paying passenger is riding in such taxicab. This Subsection shall not apply to a taxicab which displays a sign clearly visible from outside the vehicle, reading, "Not in Service" or "Out of Service" and which taxicab is in fact "Out of Service."

(b) The Board may recommend and the Director shall approve the types of taximeters to be used on taxicabs in conformity with specifications and tolerances as set by the National Bureau of Standards. The Director shall road test the taximeter for accuracy and conformity with approved rates at least once each calendar year. The meter shall be sealed after testing. Regulations concerning the use and maintenance of taximeters, not inconsistent with this Section, as may be necessary to promote the purpose hereof, shall be promulgated by the Director with recommendations from the Board.

(c) Taximeters must register the fare upon illuminated counters plainly visible to a passenger.

(d) It shall be unlawful for any person:

(1) To use any taximeter until the same shall have been inspected, found to be accurately set to operate at approved rates, and sealed by a County Inspector;

(2) To operate any vehicle with a taximeter unsealed or not having its access port intact;

(3) To carry passengers for hire except while operating the taximeter in accordance with the provisions of this Subtitle, provided, however, that the Director may grant a waiver to this provision for a contract with a government agency filed with the Department of Environmental Resources that permits discounted rates or rates lower than

those computed by the taximeter upon a written determination by the Director that the contract provisions will not result in a significant reduction of service to the general public or impact a licensee's ability to earn a living while maintaining the integrity of the contractual services;

(4) To make any charge for the transportation of a passenger other than as provided under this Subtitle; or

(5) To make any change in the mechanical, electrical, or electronic condition of a taxicab or its meter with intent to cause false registration by the meter of the fare to be charged a passenger.

(CB-54-1974; CB-97-1991; CB-29-1995; CB-49-2000; CB-22-2001)

Sec. 20-162. Carrying several passengers to different destination.

When more than one passenger enters a taxicab at the same time, bound for different destinations, the meter shall be reset whenever a passenger pays the fare and leaves the vehicle.

(CB-54-1974)

Sec. 20-163. Reserved.

Sec. 20-164. Penalty clause.

Any person or corporation who violates or fails to comply with any provision of this Subtitle or who makes any false statement in connection therewith or who gives false identification shall, upon conviction, be guilty of a misdemeanor and subject, for each such violation, to a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment not exceeding six (6) months, or both such fine and imprisonment.

(CB-54-1974; CB-24-1987)