

SENATE BILL 25

R7

7lr0008

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Transportation)**

Requested: October 5, 2016

Introduced and read first time: January 11, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration – Transit Service – Contracted Taxicab**
3 **Service**

4 FOR the purpose of repealing the exclusion of taxicab service from the definition of “transit
5 service”; clarifying that fares imposed by the Maryland Transit Administration for
6 any transit service using taxicabs are not subject to supervision or regulation by any
7 instrumentality, agency, or unit of this State or any of its political subdivisions;
8 providing for the application of this Act; and generally relating to transit and taxicab
9 service.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 7–101(a), (b), (d), and (l)
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2016 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 7–101(n) and 7–505
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2016 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Transportation**

23 7–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) In this title the following words have the meanings indicated.

(b) “Administration” means the Maryland Transit Administration.

(d) “District” means:

(1) The Metropolitan Transit District, consisting of Baltimore City, Baltimore County, Anne Arundel County, and other areas as designated by the Secretary after consultation and coordination with the affected jurisdiction and subject to the provisions of the Washington Metropolitan Transit Authority Compact; and

(2) Any area in which railroad service is performed under contract with the Administration or in which railroad facilities are owned by the Administration.

(l) “Transit facility” includes any one or more or combination of tracks, rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, ports, parking areas, equipment, fixtures, buildings, structures, other real or personal property, and services incidental to or useful or designed for use in connection with the rendering of transit service by any means, including rail, bus, motor vehicle, or other mode of transportation, but does not include any railroad facility.

(n) (1) “Transit service” means the transportation of persons and their packages and baggage and of newspapers, express, and mail in regular route, special, or charter service by means of transit facilities between points within the District.

(2) “Transit service” does not include any:

(i) [Taxicab service;

(ii)] Vanpool operation; or

[(iii)] (II) Railroad service.

7–505.

(a) As to all or any part of any railroad facility or transit facility, the Administration may:

(1) Fix, revise, charge, and collect rentals, rates, fees, fares, and other charges for its use or for its services; and

(2) Contract with any person who desires its use for any purpose and fix the terms, conditions, rentals, rates, fees, fares, and other charges for this use.

(b) To the extent practicable and consistent with providing adequate service at reasonable fares, the rentals, rates, fees, fares, and other charges imposed for and the services provided by the transit facilities and railroad facilities owned or controlled by the

Administration shall be fixed and adjusted in respect of the aggregate of the charges so as to provide funds that, together with any other revenues, are sufficient to:

(1) Maintain, repair, and operate the transit facilities and railroad facilities;

(2) Provide for depreciation of the transit facilities and railroad facilities;

(3) Replace, enlarge, extend, reconstruct, renew, and improve the transit facilities and railroad facilities;

(4) Pay the costs of purchasing, leasing, or otherwise acquiring and installing rolling stock and other equipment;

(5) Pay the principal of and interest on any outstanding obligations of the Administration, including obligations incurred for the acquisition of rolling stock;

(6) Pay the current expenses of the Administration; and

(7) Provide for any purpose that the Administration considers necessary and desirable to carry out the provisions of this title.

(c) Except for the authority of the Secretary and, where applicable, the Maryland Transportation Authority, the rentals, rates, fares, fees, and other charges imposed by the Administration, **INCLUDING FARES FOR ANY TRANSIT SERVICE USING TAXICABS**, are not subject to supervision or regulation by any instrumentality, agency, or unit of this State or any of its political subdivisions.

(d) (1) The Administration may contract with the federal government, this State, or any of their agencies or political subdivisions for payments to the Administration for free or reduced fare transportation of employees or other persons.

(2) With respect to the operation of transit service, the Administration shall allow individuals with disabilities who are employed by sheltered workshops and who earn less than the current minimum wage, as determined by the Federal Wage and Hours Board, to travel free to and from those workshops.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any contract between the Maryland Transit Administration and a provider of sedan service entered into before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.