

Transportation Network Company

Regulatory Update

History

- Chapter 204 of the 2015 Regular Legislative Session (SB868) established a regulatory framework for transportation network services in Maryland.
- The framework included licensing of drivers, criminal history record checks, insurance requirements, accessibility provisions and assessments for local jurisdictions.
- In November of 2015, Rasier (Uber) and Lyft were authorized as a Transportation Network Company by the Commission.
- In December of 2015, the Commission began issuing the first temporary Transportation Network Operator's licenses through an entirely electronic process.

History Continued

- In September 2016, Uber and Lyft filed a Petition to waive the Public Utilities Article Section 10-104(b) requirements for fingerprint-based criminal background checks for Transportation Network Company drivers resulting in the Commission instituting Case No. 9425.
- In December 2016, the Commission issued an Order in the case granting the petition by Uber and Lyft for a waiver of the fingerprint requirement and requiring an alternative process.
- The Order required the companies to continue to engage in every aspect of their current process as outlined in the written and oral testimony presented to the Commission, as well as requiring additional notice, reports and operational and driver requirements.

Driver Requirements

- Submit an application approved by the Commission
- Undergo a national criminal history record check which includes a search of the national sex offender registry
- Undergo a driving history record check
- Agree to comply with all state and federal licensing requirements and regulations as a condition of being a for-hire driver in Maryland
- Agree to a self reporting of criminal and driving offenses
- Mandatory annual national criminal and driving history record check

Vehicle Requirements

- Maximum vehicle age can not exceed 12 model years
- Annual Maryland state vehicle inspection
- Bi-Annual Maryland state vehicle inspection for vehicles over 10 model years
- Display approved trade dress on vehicle

Driver Screening Standards

- As a continuing effort to enhance the driver licensing process, in February 2017, the Commission initiated RM 60, to consider revisions to COMAR regarding screening standards for for-hire drivers licensed by the Commission
- In February 2018, the Commission adopted enhanced driver screening standards
- The TNC is required to prescreen driver applications utilizing the driver screening standards prior to submitting an application to the Commission
- As a result of the prescreening of applications by the TNC, the rejection of applications for criminal or driving reasons has decreased

Child Support Enforcement

- Chapter 51 of the 2018 Regular Legislative Session (SB97) went into effect on October 1, 2018 which authorizes the Commission to disclose specified records or information related to drivers if the disclosure is made in accordance with specified provisions of the Family Law Article related to child support enforcement
- In 2019, as a result of the change in law, the Commission suspended 229 Transportation Network Operator licenses's due to delinquent child support
- This is an established program in which the Commission sends an electronic list of all licensed drivers to the Child Enforcement Agency (CSEA) on a quarterly basis and receives notices to suspend from CSEA on a monthly basis



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