



General Assembly

January Session, 2005

Raised Bill No. 6905

LCO No. 4404

04404_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT CONCERNING TAXI SERVICE IN CONNECTICUT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13b-97 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 [(a) No person, association, limited liability company or corporation
4 shall operate a taxicab until such person, association, limited liability
5 company or corporation has obtained a certificate from the
6 Department of Transportation certifying that public convenience and
7 necessity require the operation of a taxicab or taxicabs for
8 transportation of passengers, the acceptance or solicitation of which
9 originates within the territory specified in such certificate except as
10 provided under subsection (d) of this section. No such certificate shall
11 be issued unless the department finds that the person, association,
12 limited liability company or corporation is suitable to operate a taxicab
13 service, after giving due consideration to, at a minimum, the following
14 factors: (1) Any convictions of the applicant under federal, state or
15 local laws relative to safety, motor vehicle or criminal violations; (2)
16 the number of taxicabs to be operated under the certificate; (3) the
17 adequacy of the applicant's financial resources to operate the taxicab

18 service; (4) the adequacy of insurance coverage and safety equipment;
19 and (5) the availability of qualified taxicab operators. The
20 commissioner shall request the state criminal history records check for
21 any person or any officer of any association, limited liability company
22 or corporation applying for such certificate from the State Police
23 Bureau of Identification. The commissioner shall arrange for the
24 fingerprinting of any person or any officer of any association, limited
25 liability company or corporation applying for such certificate and
26 forward the fingerprints to said bureau which shall submit the
27 fingerprints to the Federal Bureau of Investigation for a national
28 criminal history records check for any federal conviction specified in
29 subdivision (1) of this subsection. A fee shall be charged by the
30 commissioner for each such national criminal history records check
31 which shall be equal to the fee charged by the Federal Bureau of
32 Investigation for performing such check. Such certificate shall be
33 issued only after written application, fingerprinting and said criminal
34 history records check for the same has been made and public hearing
35 held thereon. The application shall be accompanied by a fee of
36 eighty-eight dollars and the fee for said criminal history records check.
37 Upon receipt of such application, the department shall fix a time and
38 place of hearing thereon and shall promptly give written notice of the
39 pendency of such application and of the time and place of hearing
40 thereon to such applicant, the mayor of each city, the warden of each
41 borough or the first selectman of each town in which the applicant
42 desires to originate the transportation of such passengers, and to any
43 common carrier operating within the territory specified.
44 Notwithstanding any provision of this subsection to the contrary, the
45 department may, upon receipt of a written application, amend an
46 existing certificate to increase the number of taxicabs which may be
47 operated pursuant to the certificate without holding a hearing on the
48 application, provided the department issues a legal notice of such
49 application in a daily newspaper in accordance with the provisions of
50 section 1-2, gives written notice of the pendency of such application to
51 any common carrier operating within the territory specified and no

52 objection is filed with the department within thirty days of each such
53 notice. With respect to any application filed under the provisions of
54 this subsection, the department shall not consider as a ground for
55 denial of a request for an increase in the number of taxicabs to be
56 operated within the territory specified, any number of taxicabs not
57 currently registered with the Commissioner of Motor Vehicles at the
58 time of filing of such application or at the time of any hearing held
59 thereon.

60 (b) Any town, city or borough within which taxicab service is
61 operated or any interested party may bring a written petition to the
62 department with respect to fares, service, operation or equipment or
63 the convenience, protection and safety of passengers and the public.
64 Thereupon, the department may fix a time and place for a hearing
65 upon such petition, and give written notice thereof to the parties in
66 interest at least one week prior to such hearing.

67 (c) No certificate shall be sold or transferred until the department,
68 upon written application to it setting forth the purpose, terms and
69 conditions thereof, and after investigation, finds that the purchaser or
70 transferee is suitable to operate a taxicab service after consideration of
71 the factors specified in subsection (a) of this section and approves the
72 same. The application shall be accompanied by a fee of eighty-eight
73 dollars. The department may amend or, for sufficient cause shown,
74 may suspend or revoke any such certificate. The department may
75 impose a civil penalty on any person or any officer of any association,
76 limited liability company or corporation who violates any provision of
77 this chapter or any regulation adopted under section 13b-96 with
78 respect to fares, service, operation or equipment, in an amount not to
79 exceed one hundred dollars per day for each violation. Any such
80 certificate issued by the department shall remain valid unless
81 suspended or revoked by the department. Any such certificate issued
82 by the Division of Public Utility Control within the Department of
83 Business Regulation prior to October 1, 1979, or by any transit district
84 prior to March 1, 1997, shall remain valid unless suspended or revoked

85 by the Department of Transportation.

86 (d) Any person, association, limited liability company or
87 corporation which has obtained a certificate under subsection (a) of
88 this section may solicit, receive and discharge taxicab passengers at
89 Bradley International Airport, subject to formal agreement with the
90 Commissioner of Transportation provided such agreement shall not
91 take precedence over its obligation to provide taxicab service within
92 the territory specified in such certificate. Any such person, association,
93 limited liability company or corporation may discharge taxicab
94 passengers received at such airport within a territory other than the
95 territory specified in its certificate. The commissioner may charge and
96 collect a reasonable fee from any such person, association, limited
97 liability company or corporation for the privilege of solicitation of such
98 passengers.]

99 (a) No person, association, limited liability company or corporation
100 shall operate a taxicab until such person, association, limited liability
101 company or corporation has obtained a taxicab medallion from the
102 Department of Transportation to provide taxicab service in the county
103 specified for the medallion. Any such medallion issued by the
104 department shall remain valid unless suspended by the department.
105 Except at provided in subsection (i) of this section, the holder of such a
106 medallion shall provide taxicab service in the county specified for the
107 medallion and may solicit or receive passengers only in the service
108 area specified for the medallion and such holder may discharge taxicab
109 passengers in a county other than the county specified in its medallion.
110 Each owner of a medallion shall pay an annual fee of one hundred
111 dollars to the Commissioner of Transportation which fee shall be
112 placed in the taxicab medallion account, as provided in subsection (e)
113 of this section.

114 (b) Each person, association, limited liability company or
115 corporation issued a certificate to operate a taxicab under this section
116 before October 1, 2005, or by the Division of Public Utility Control

117 within the Department of Business Regulation before October 1, 1979,
118 or by any transit district before March 1, 1997, shall be issued a taxicab
119 medallion on October 1, 2005, to operate a taxicab in the county that is
120 part of the territory for which the certificate had been issued. If a
121 certificate includes a territory that is located in more than one county,
122 the medallion shall be issued for the county in which the majority of
123 the population for the former certificate is located.

124 (c) The Department of Transportation may create additional taxicab
125 medallions if the department finds, after a public hearing, that
126 additional medallions are needed within a county of the state. The
127 department shall hold such hearings every two years beginning in
128 2006.

129 (d) Additional medallions created by the department after the
130 hearings held pursuant to subsection (c) of this section shall be
131 available for auction from the department. The department shall, by
132 regulation adopted pursuant to chapter 54, establish procedures for
133 conducting an auction of additional medallions. Bidding for a
134 medallion sold by auction pursuant to this subsection shall begin at
135 twenty-five thousand dollars.

136 (e) There shall be a taxicab medallion account which shall be a
137 separate, nonlapsing account within the General Fund. Seventy per
138 cent of the moneys received for taxicab medallions auctioned pursuant
139 to subsection (d) of this section shall be placed in the taxicab medallion
140 account to be used by the Department of Transportation to staff an
141 office to implement safety and appearance regulations for taxicabs and
142 to cover other administrative costs related to running the taxicab
143 medallion system set out in this section.

144 (f) No person, association, limited liability company or corporation
145 may bid on a taxicab medallion pursuant to subsection (f) of this
146 section until such person, association, limited liability company or
147 corporation has obtained a certificate of suitability from the
148 Department of Transportation. No such certificate of suitability shall

149 be issued unless (1) the department has conducted a state and national
150 criminal history records check on such person, association, limited
151 liability company or corporation pursuant to the provisions of section
152 29-17a and such person, association, limited liability company or
153 corporation has paid the required fees for such records check, and (2)
154 the department finds that the person, association, limited liability
155 company or corporation is suitable to operate a taxicab service, after
156 giving due consideration to, at a minimum, the following factors: (A)
157 Convictions of the applicant under federal, state or local laws relative
158 to safety, motor vehicle or criminal offenses; (B) adequacy of the
159 applicant's financial resources to operate a taxicab service; and (C)
160 adequacy of insurance coverage and equipment to assure the safe
161 operation of a taxicab.

162 (g) No medallion may be transferred from the owner of the
163 medallion to a potential purchaser or transferee unless the potential
164 purchaser or transferee has obtained a certificate of suitability from the
165 Department of Transportation. The potential purchaser or transferee
166 shall apply to the department for such a certificate and set forth, in the
167 application, the purpose, terms and conditions of the purchase or
168 transfer. The applicant shall pay an application fee of eighty-eight
169 dollars. No such certificate of suitability shall be issued unless (1) the
170 department has conducted a state and national criminal history
171 records check of the potential purchaser or transferee required by
172 subdivision (1) of subsection (f) of this section and the potential
173 purchaser or transferee has paid the required fees for the records
174 check, and (2) the department finds that the potential purchaser or
175 transferee is suitable to operate a taxicab service after consideration of
176 the factors specified in subdivision (2) of subsection (f) of this section.

177 (h) The department may impose a civil penalty, not to exceed one
178 hundred dollars per day for each violation, or suspend the medallion
179 of any person or any officer of any association, limited liability
180 company or corporation that violates any provision of chapter 244a or
181 any regulation adopted under section 13b-96 with respect to fares,

182 service, operation or equipment.

183 (i) Any person, association, limited liability company or corporation
184 that has obtained a medallion under this section may solicit, receive
185 and discharge taxicab passengers at Bradley International Airport,
186 subject to formal agreement with the Commissioner of Transportation,
187 provided such agreement shall not take precedence over its obligation
188 to provide taxicab service within the county specified in such
189 medallion. Any such person, association, limited liability company or
190 corporation may discharge taxicab passengers received at such airport
191 within a county other than the county specified in its medallion. The
192 commissioner may charge and collect a reasonable fee from any such
193 person, association, limited liability company or corporation for the
194 privilege of solicitation of such passengers.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	13b-97

Statement of Purpose:

To establish a system of medallions to qualify for providing taxicab service in the state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]