

By Mr. Keating, a petition (accompanied by bill, Senate, No. 1204) of William R. Keating and Richard Armour for legislation relative to the issuance of licenses for taxi cab drivers. Public Safety.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT RELATIVE TO THE ISSUANCE OF LICENSES FOR TAXI CAB DRIVERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 22 of Chapter 40 of the General Laws,  
2 as appearing in the 1986 Official Edition, is hereby amended by  
3 inserting after the word "therein" in line 8, the words: — except  
4 as otherwise provided in Chapter 90 Section 8L.

1 SECTION 2. Chapter 90 of the General Laws, as appearing in  
2 the 1986 Official Edition, is hereby amended by adding in Sec-  
3 tion I after the definition of tandem unit, the following: —  
4 "Taxi cab", a motor vehicle authorized by a municipality to  
5 transport individuals for profit.

1 SECTION 3. Chapter 90 of the General Laws, as appearing in  
2 the 1986 Official Edition, is hereby amended by adding after  
3 section 8J the following new section: —  
4 Every operator driving a taxi cab in any city or town with fewer  
5 than 100,000 people according to the most recent municipal census  
6 shall make application to the registrar within ninety days of their  
7 next birth date and every two years thereafter for a license to  
8 operate such motor vehicle. Application for such license may be  
9 made by any person who shall have attained the age of twenty-  
10 one years, but has not passed his seventieth birthday and who shall  
11 have been a duly licensed motor vehicle operator for a period of  
12 three continuous years immediately prior to his application,

13 except a person who has been duly licensed and whose license is  
14 not in force because of revocation or suspension or whose right  
15 to operate is suspended by the registrar, but before such a person  
16 shall be so licensed the registrar shall be satisfied that he is of good  
17 moral character and has successfully completed a written test, a  
18 visual test, and a physical examination in conformity with such  
19 minimum physical qualifications as shall be determined by the  
20 registrar. No license shall be issued to a person who has been  
21 convicted of a crime of rape, unnatural act, sodomy, or the use,  
22 sale, manufacture, distribution, possession with intent to  
23 distribute, or trafficking of any of the controlled substances which  
24 are unlawful under the provisions of section thirty-one of chapter  
25 ninety-four C, or to any person who has been convicted of  
26 operating a motor vehicle while under the influence of intoxicating  
27 liquor, or of marijuana, narcotic drugs, depressants or stimulant  
28 substances, as defined in section one of said chapter ninety-four  
29 C or the vapors of glue within the preceding five year period under  
30 the provisions of section twenty-four. Any person who consents  
31 to have any such case disposed of under the provisions of section  
32 twenty-four D shall for the purpose of this section be deemed to  
33 be convicted.

34 On or after January first, nineteen hundred and eighty-nine,  
35 every person operating a taxi cab as specified in this section shall  
36 be duly licensed in accordance with the provisions of this section;  
37 provided, however, that in case of any emergency such vehicle  
38 may, for a period not to exceed three consecutive days, be  
39 operated by any person twenty-one years of age or over, who is  
40 duly licensed by the registrar and has in his possession a valid  
41 Massachusetts operator's license; and provided further a person  
42 who is duly licensed by the registrar in accordance with the  
43 provisions of section eight A, eight A½, or the department of  
44 public utilities may operate such vehicles without obtaining a  
45 license under this section. For an operator first making  
46 application to the registry, the registrar shall issue the license or  
47 make a written determination not to issue the license within three  
48 business days.

49 Any such license issued under the provisions of this section shall  
50 be valid for a period of twenty-four months from the date of issue.

51 Upon application for renewal of such license the registrar shall  
52 require evidence of continuing good character and physical  
53 condition.

54 The registrar may suspend or revoke any license granted under  
55 authority of this section for a violation of any of the provisions  
56 of this chapter, or on other reasonable grounds or where, in his  
57 opinion, the licensee is either physically or mentally unfit to retain  
58 the same.

59 The registrar may make such rules and regulations as he may  
60 deem necessary to carry out the provisions of this section. Each  
61 original application shall be accompanied by an application fee  
62 of twenty-five dollars which in no event shall be refunded. There  
63 shall be a twenty-five dollar bi-annual fee to maintain said license.

