

By Mr. Shannon, a petition (accompanied by bill, Senate, No. 1750) of Charles E. Shannon and Vincent P. Ciampa for legislation to regulate the transporting of persons for hire in a motor vehicle not requiring a hackney license. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT RELATIVE TO DRIVERS FOR HIRE IN ANY MOTOR VEHICLE.

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

1 Chapter 90 of the General Laws, as appearing in the 1992
2 Official Edition, is hereby amended after Section 8K by inserting
3 new Section 8L;

4 Every operator transporting persons for hire in a motor vehicle
5 not requiring a hackney license shall make application to the reg-
6 istrar for a license to operate a motor vehicle for hire.
7 Applications for this license shall be made by any person who
8 shall have attained the age of twenty-one years, but has not passed
9 his seventieth birthday, except as otherwise provided herein and
10 who shall have been a duly licensed motor vehicle operator for a
11 period of three continuous years immediately prior to his applica-
12 tion, except a person who has been duly licensed and whose
13 license is not in force because of revocation of suspension or
14 whose right to operate is suspended by the registrar, but before
15 such a person shall be so licensed the registrar shall be satisfied
16 that he is of good moral character and has successfully completed
17 a written test, a visual test, and a physical examination in confor-
18 mity with such minimum physical qualifications as shall be deter-
19 mined by the registrar; provided, however, that a person who has
20 passed his seventieth birthday and is mentally and physically
21 capable of operating motor vehicles for hire shall be eligible for a
22 license under this section. Such person shall twice annually, at his
23 own expense, be examined by a physician to determine such capa-

24 bility. No license shall be issued to a person who has been con-
25 victed of the crime of rape, unnatural act, sodomy, or the use, sale,
26 manufacture, distribution, possession with intent to distribute, or
27 trafficking of any of the controlled substances which are unlawful
28 under the provisions of section thirty-one of chapter ninety-four
29 C, or any person who has been convicted of operating a motor
30 vehicle while under the influence of intoxicating liquor, or of mar-
31 ijuana, narcotic drugs, depressant or stimulant substances, as
32 defined in section one of said chapter ninety-four C or the vapors
33 of glue within the preceding five-year period under the provisions
34 of section twenty-four. Any person who consents to have any such
35 case disposed under the provisions of section twenty-four D shall
36 for the purpose of this section be deemed to be convicted.

37 Any such license issued under the provisions for this section
38 shall be valid for a period of twelve months from the date of issue.
39 Upon application for renewal of such license the registrar shall
40 require evidence of continuing good character and physical condi-
41 tion.

42 The registrar may suspend or revoke any license granted under
43 authority of this section for a violation of any of the provisions of
44 this chapter, or on other reasonable grounds or where, in his
45 opinion, the licensee is either physically or mentally unfit to retain
46 the same.

47 The registrar may make such rules and regulations as he may
48 deem necessary to carry out the provisions of the section. Each
49 original application shall be accompanied by an application fee
50 which in no event shall be refunded. The application fee and an
51 annual fee to maintain said license shall be determined by the
52 commissioner of administration under the provisions of section
53 three B of chapter seven.