

[50K.] 50M.

(a) There shall be created a position of [taxicab] hearing officer. The [taxicab] hearing officer shall be appointed by the Commission and serve at the pleasure of the Commission. The [taxicab] hearing officer shall receive an annual salary as provided in the annual State budget.

(b) The [taxicab] hearing officer shall be vested with the power to hold hearings involving:

(1) Violations of this article or the Commission's rules and regulations by [taxicab] FOR-HIRE drivers LICENSED BY THE COMMISSION [of Baltimore City taxicabs]; and

(2) Violations of this article or the Commission's rules and regulations, except those relating to rates, by holders of taxicab permits in Baltimore City, Baltimore County, the City of Hagerstown, and the City of Cumberland.

(c) The [taxicab] hearing officer shall have the right to recommend to the Commission the imposition of a civil penalty as provided in § 102B of this article, the suspension of the [taxicab driver] FOR-HIRE DRIVER'S license or taxicab permit for such period of time that appears justified in view of the nature of the offense or to recommend its revocation or both revocation and suspension. The Commission may either affirm, deny or modify the recommendation of the [taxicab] hearing officer. The Commission shall not be required to grant an additional hearing prior to its action on the [taxicab] hearing officer's recommendation but may in its discretion hear additional testimony as may be necessary.

(d) In the event a [taxicab] FOR-HIRE driver's license or taxicab permit shall be suspended or revoked, or a civil penalty imposed, the licensee or permit holder shall have:

(1) The right of appeal in the same manner as appeals may now be taken from other actions of the Commission; and

(2) The right to request rehearing in the same manner as requests for rehearing may now be requested from other actions of the Commission.

(e) Copies of charges against [taxicab] FOR-HIRE drivers and related decision of the [taxicab] hearing officer and the Commission will be furnished to the [taxicab] permit holder.

50N.

(A) A COUNTY OR MUNICIPALITY MAY ELECT TO LICENSE TAXICAB DRIVERS WHO DRIVE TAXICABS THAT ARE BASED IN THAT COUNTY OR MUNICIPALITY PROVIDED THAT, AT A MINIMUM, THE COUNTY OR MUNICIPALITY CONDUCTS A CRIMINAL RECORD CHECK AND DRIVING RECORD CHECK OF EACH APPLICANT FOR A LICENSE.

(B) A TAXICAB DRIVER WHO IS LICENSED BY A COUNTY OR MUNICIPALITY IS NOT REQUIRED TO BE LICENSED BY THE COMMISSION.