HOUSE DOCKET, NO. FILED ON: 1/13/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**John J. Binienda, John P. Fresolo**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Regulating Livery Vehicles

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| John J. Binienda | 17th Worcester |
| John P. Fresolo | 16th Worcester |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

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An Act Regulating Livery Vehicles

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

Chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 34R the following section:-

Section 34S. Livery vehicle is a motor vehicle designed to carry 15 or fewer passengers including the driver that carries passengers for hire, business courtesy, employee shuttle customer shuttle, charter or other pre-arranged transportation, and is not required to obtain a taxicab license pursuant to section 22 of chapter 40.

A livery vehicle shall meet the following requirements:

1. Is hired on a pre-arranged basis with a minimum 12 hours notice;
2. Does not pick up hail fares nor solicit fares on any street, way, road, stand, or parking lot, public or private within the state;
3. Does not contain a rate meter, and does not charge for services based upon miles traveled if the trips is less than 25 miles;
4. Operates on a scheduled business day, and is returned to the vehicle’s base of operation for a continuous period of at least 4 hours in each 24 hour period;
5. Is operated by the named insured, and employee, or an independent contractor of the named insured, as a licensed chauffer;
6. Operates from a fix base with two-way communication;
7. Must maintain a daily log with time and name of passengers with schedule pick-ups and destinations;
8. Primary payment method is by billing or credit card;
9. Not for drop-off and pickup unless being utilized by an employment agency or non-profit group, or for interstate travel that takes fares at least 20 miles out of the city;
10. Is utilized by a car dealership to transport clients and utilizes a livery registration plate;
11. Is utilized by a not-for-profit organization for the transportation of their clients;
12. Must be registered and insured as a livery, displaying a livery registration plate issued by the Massachusetts registry of motor vehicles.

The owner or driver of any livery vehicle found to be operating illegally as a taxicab shall be punished by a fine not exceeding $250 or the immediate suspension of the vehicle for a period not exceeding 30 days, or both. Any subsequent offense shall be punished by a fine not exceeding $500 and the immediate suspension of the vehicle for a period of not less than 6 months.