

FIRST REGULAR SESSION

HOUSE BILL NO. 1271

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

2553H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 67.1809, RSMo, and to enact in lieu thereof one new section relating to the regional taxicab commission.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.1809, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.1809, to read as follows:

67.1809. 1. The regional taxicab commission established under section 67.1804 may license, supervise, and regulate any person who engages in the business of transporting passengers in commerce, wholly within the regional taxicab district established in section 67.1802, in any motor vehicle designed or used to transport not more than eight passengers, including the driver. The powers granted to the regional taxicab commission under this section shall apply to the motor vehicles described in this subsection and to the persons owning or operating those vehicles:

- (1) Whether or not the vehicles are equipped with a taximeter or use a taximeter; and
- (2) Whether the vehicles are operated by a for-hire motor carrier of passengers or by a private motor carrier of passengers not for hire or compensation.

2. This section shall apply, notwithstanding any provisions of this chapter or of subsection 2 of section 390.126 to the contrary, except that the vehicles described in subsection 1 of this section, and the operators of such vehicles, shall be licensed, supervised, and regulated by the state highways and transportation commission, as provided under section 226.008, instead of the regional taxicab commission, whenever:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (1) Such motor vehicles transport passengers within the district in interstate commerce,
17 and those interstate operations are subject to the powers of the state highways and transportation
18 commission under section 226.008;

19 (2) Such motor vehicles are operated exclusively by a not-for-profit corporation or
20 governmental entity, whose passenger transportation within the regional taxicab district is
21 subsidized, wholly or in part, with public transit funding provided by the state highways and
22 transportation commission, the Federal Transit Administration, or both;

23 (3) Such vehicles transport one or more passengers on the public highways in a
24 continuous journey from a place of origin within the regional taxicab district to a destination
25 outside the district, or from a place of origin outside the district to a destination within the
26 district, either with or without a return trip to the point of origin. Such continuous transportation
27 of passengers between points within and without the district is subject to regulation by the state
28 highways and transportation commission, even if the journey includes temporary stops at one or
29 more intermediate destinations within the boundaries of the district.

30 3. The provisions of subdivision (3) of subsection 2 of this section shall not limit the
31 powers of the regional taxicab commission under this section to license, supervise, and regulate
32 the transportation of any passenger whose journey by motor vehicle takes place wholly within
33 the regional taxicab district, even if transported on the same vehicle with other passengers whose
34 transportation, both within and without the boundaries of the district, is subject to the exclusive
35 powers of the state highways and transportation commission. A motor carrier or driver who
36 transports passengers subject to the powers of the regional taxicab commission, under subsection
37 1 of this section, on the same vehicle with passengers whose transportation is subject to the
38 powers of the state highways and transportation commission, under subsection 2 of this section,
39 shall comply with all applicable requirements of the regional taxicab commission and with all
40 applicable requirements of the state highways and transportation commission.

41 4. No provision within this chapter shall be interpreted or construed as limiting the
42 powers of the state highways and transportation commission and its enforcement personnel, the
43 state highway patrol and its officers and personnel, or any other law enforcement officers or
44 peace officers to enforce any safety requirements or hazardous materials regulations made
45 applicable by law to the motor vehicles, drivers, or persons that own or operate any motor
46 vehicles described in this section.

47 5. Every individual person, partnership, or corporation subject to licensing, regulation,
48 and supervision by the regional taxicab commission under this section, with reference to any
49 transportation of passengers by a motor vehicle previously authorized by a certificate or permit
50 issued by the state highways and transportation commission under section 390.051 or 390.061,
51 which certificate or permit was in active status and not suspended or revoked on August 27,

52 2005, according to the records of the state highways and transportation commission, is hereby
53 deemed to be licensed, permitted, and authorized by the regional taxicab commission, and the
54 vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted,
55 and authorized by the regional taxicab commission to operate and engage in the transportation
56 of passengers within the regional taxicab district, to the same extent as they formerly were
57 licensed, permitted, and authorized by the highways and transportation commission on August
58 27, 2005. Such motor carriers, drivers, and vehicles shall be exempted from applying for any
59 license, certificate, permit, or other credential issued or required by the regional taxicab
60 commission under sections 67.1800 to 67.1822, except that the regional taxicab commission
61 may, after December 31, 2005, require such motor carriers and drivers to apply and pay the
62 regular fees for annual renewals of such licenses, permits, certificates, or other credentials under
63 uniform requirements applicable to all motor carriers, vehicles, and drivers operating within the
64 regional taxicab district.

65 6. Nothing in sections 67.1800 to 67.1822 shall be construed as granting the regional
66 taxicab commission the authority to license, supervise, or regulate medical transportation.

67 **7. Nothing in sections 67.1800 to 67.1822 shall be construed as granting the regional**
68 **taxicab commission the authority to license, supervise, or regulate persons or entities**
69 **providing transportation services free of charge.**

✓